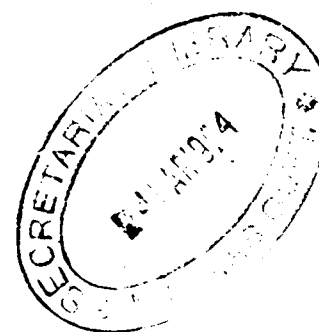


Government of Madras.

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PROCEEDINGS OF THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Second Session.

Vol. IV.

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Proceedings of the Second Session of the Legislative Council of the Governor of Madras assembled for the purpose of making Laws and Regulations under the provisions of the Government of India Act (5 & 6 Geo. V, Ch. 61, 6 & 7 Geo. V, Ch. 37, and 9 & 10 Geo. V, Ch. 101).

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday, the 13th day of December 1921, the Hon'ble Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E., President, presiding.

I

QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

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

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

Non-gazetted officers in Tinnevely.

1105 Q.—MR. AHMAD MIRAN SAHIB: Will the Hon'ble the Member for Finance be pleased to state whether it is a fact that the Collector of Tinnevely has, in giving effect to G.O. No. 793, dated 29th July 1921, considered only the cases of those non-gazetted officers who had got higher appointments either by chance or by seniority during the period December 1920 to February 1921 and not the cases of those who would have acted on such higher appointments during that period if service and seniority had been considered?

A.—The Government have no reason to believe that the orders in question have not been properly carried out.

Reduction in the number of divisional charges.

1106 Q.—MR. M. APPALANARASAYYA NAYUDU: Will the Hon'ble the Member for Revenue be pleased to state—

(a) whether by the appointment of non-officials as presidents of district and taluk boards and as honorary deputy collectors and magistrates, the work of deputy collectors and other divisional officers has not been considerably lightened; and

(b) what action, if any, the Government propose to take to reduce the number of divisional charges?

A.—Though divisional officers have in many cases been relieved of local fund work, their work in other directions has increased. It has rarely been so heavy or so responsible as at present. The Government do not at present propose to reduce the number of divisional charges. Attention of the member is in this connexion drawn to the answer to question No. 131 asked at the meeting of the Legislative Council held on 1st August 1921.

[13th December 1921]

Increment to District Munsifs.

1107 Q.—Mr. M. APPALANARASAYYA NAYUDU: Will the Hon'ble the Law Member be pleased to state—

- (a) whether the High Court recommended in the case of certain district munsifs that sub. *pro tem.* service less two years might count for increment; and
(b) whether any orders have been passed on the subject?

A.—The answer is in the affirmative.

Provincialization of local fund engineers and assistant engineers.

1108 Q.—Mr. M. APPALANARASAYYA NAYUDU: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

- (a) whether local fund engineers and assistant engineers are now drawing the same scales of pay that were fixed some fifteen years back;
(b) whether any action has been taken on the recommendations of the local and municipal conference and the Financial Relations Committee regarding the provincialization of these officers; and
(c) when the final orders of the Government can be expected?

A.—(a) The scales of pay of local fund engineers and assistant engineers are those fixed in 1911 and 1904.

(b) & (c) The member is referred to the answer to question No. 386.

Increase of salaries to lock and wharf superintendents.

1109 Q.—Rao Bahadur T. BALAJI RAO NAYUDU: Will the Hon'ble the Minister for Education and Public Works and the Hon'ble the Member for Revenue be pleased to state if any representations were received from the lock and wharf superintendents of the Public Works Department about the increase of their salaries?

A.—The answer is in the affirmative and the question is under the consideration of Government.

Report on the work of deputy collectors.

1110 Q.—Rao Bahadur T. BALAJI RAO NAYUDU: Will the Hon'ble the Member for Revenue be pleased to state if quarterly reports to the Government on the work of deputy collectors both permanent and acting and also probationary are prescribed; and what the object is with which such reports are prescribed for only this class of gazetted officers?

A.—No quarterly reports have been prescribed on the work of deputy collectors.

Fisheries Department.

1111 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the Hon'ble the Minister for Development be pleased to state—

- (a) for how many years the Fisheries Department has been in existence;
(b) what good has been done by the department as a whole to the fisher-folk including Hindus, Muhammadans and Christians;
(c) how many members among the fisher-folk there are in the department now;

[13th December 1921]

(d) how many members of that class were entertained in the department from fisher-folk till now;

(e) how many of them continue in the service;

(f) how many resigned; how many were dismissed; and how many reverted and for what reasons; and

(g) whether the Government are aware of the complaints put in by the curers in the several yards under the department?

A.—(a) The Fisheries department has been in existence for the last fourteen years.

(b) The Honourable Member is referred to the annual administration reports of the department which are regularly placed on the Editors' Table.

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

(g) The answer is in the affirmative.

Proportionate scale of pension to retiring officers.

1112 Q.—Mr. BHASKARA RAJA RAJESWARA SETUPATI (RAJA OF RAMNAD): Will the Hon'ble the Member for Finance be pleased to state—

(a) whether the Government have ordered that gazetted officers are at liberty to retire from service at their option on completion of 25 years' service on a proportionate scale of pension;

(b) whether the Government cannot kindly extend the same order to non-gazetted officers; and

(c) if they are disinclined to extend this privilege, to give reasons for the distinction?

A.—(a) The concession of optional retirement after 25 years' service has been sanctioned by the Secretary of State to certain gazetted officers—vide articles 465-A and 474-A, Civil Service Regulations.

(b) & (c) The extension to non-gazetted officers of the concession of optional retirement before 30 years' service formed the subject of an interpellation in the Council of State on 4th March 1921. Having regard to the fact that almost all the officials concerned are serving in their own country, that their duties are less exacting than those of the more responsible gazetted officers, that they are generally recruited at an earlier age than gazetted officers, and that the expenditure involved would be very considerable, the Government of India did not consider that the period now prescribed for optional retirement in the case of non-gazetted officers should be reduced.

In the circumstances, the Government are unable to accept the suggestion.

Residential quarters for district officers in Cuddapah.

1113 Q.—Mr. B. P. DEVARAJULU NAYUDU: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(1) whether it is not a fact that Major Ross, who was sent on special duty to investigate the cause of malaria in Cuddapah town, condemned the present site chosen for residential quarters for district officials, as the foreshore of the Dongala cheruvu tank and the two tanks under it were found to be breeding places of malarial mosquitoes;

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- (2) whether the Piscicultural Expert and the present District Medical and Sanitary Officer also did not condemn the site for similar reasons ;
- (3) whether it is not a fact that Mr. Fotheringham, the District Judge, protested against the construction of quarters on this site ;
- (4) whether the preliminary experimental antimalarial measures recommended by the Piscicultural Expert have not proved a complete failure ;
- (5) the result of Major Russel's recent inspection of the site chosen for residential quarters for district officials in Cuddapah town recently ;
- (6) the amount of the estimate sanctioned by the Government for the construction of buildings on this site, and what amount has been already spent for the construction of the same ; and
- (7) what amount is necessary to complete the experimental antimalarial operations ?

A.—(1) Major Ross recommended that the Dongala cheruvu should be breached and abandoned, but did not condemn the site in question.

(2) The Piscicultural Expert did not condemn the site but suggested some antimalarial measures. The Government have no information as to the opinion of the District Medical and Sanitary Officer.

(3) Mr. Fotheringham suggested that building operations should be suspended till the site was proved not to be malarious.

(4) Only some of the antimalarial measures proposed have been so far carried out ; and it is too early to judge of their results.

(5) Major Russell is of opinion that the Dongala cheruvu tank should be breached and abandoned.

(6) Estimates amounting to Rs. 77,180 have so far been sanctioned ; and an expenditure of Rs. 36,396 has been incurred up to July last.

(7) The Government are unable to give any estimate at present.

Exemption from personal appearance in civil courts for the Swami of Pushpagiri.

1114 Q.—Mr. B. P. DEVARAJULU NAYUDU : Will the Hon'ble the Law Member be pleased to state—

(1) whether the predecessors of the present Swami of Pushpagiri, the head of one of the biggest and the most important mutts in the Ceded districts, which owns extensive landed properties in the various districts, were exempted from personal appearance in civil courts under section 133 of the Code of Civil Procedure ;

(2) whether the present Swami of Pushpagiri applied for such an exemption ; and

(3) whether such an exemption has been granted ?

A.—The Government do not know who the present Swami is. A Swami of the mutt asked for exemption in 1908 and again in 1914 and the Government declined to comply with his request. His predecessor was granted exemption in 1880.

Assignment of lands to Panchamas in Chingleput and Madura.

1115 Q.—Mr. L. C. GURUSWAMI : Will the Hon'ble the Law Member be pleased, with reference to the answer to question No. 427 given on the 1st September last, to state—

[13th December 1921]

(a) the extent of land reserved for and actually assigned to landless Panchamas in the districts of Chingleput and Madura ; and

(b) the extent of land for house-sites reserved for and actually assigned to Panchamas during the last two years in each district ?

A.—(a) The extent of lands reserved for, and assigned up to 30th September 1921 to the members of the depressed classes in the Madura district was 20,671 acres and 344.21 acres respectively. For the Chingleput district the figures were 18,000 and nil respectively.

(b) Land is not specially reserved for house-sites. No information is available as to land so assigned.

Special Commissioner for Malabar.

1116 Q.—Mr. K. KUNHAMMAD KOYA : Will the Hon'ble the Home Member be pleased—

(1) to call for and furnish information showing the numbers of (1) Mappillas, (2) Brahmans, (3) Nayars, (4) Tiyyas and (5) other castes hitherto charged and convicted or discharged by the summary courts and special tribunals for offences connected with the present rebellion in portions of Malabar ;

(2) to make a statement giving, briefly, the powers vested in the Special Commissioner for Malabar and the duties and responsibilities devolving on this officer ; and

(3) to state whether any and, if so, how many non-Mappillas have so far been charged for offences punishable under the general provisions of the Mappilla Outrages Act in connexion with the present rebellion ?

A.—(1) & (3) The Government have not details by race or religion. If the Member will define the period for which he wants the information, I shall be glad to consider the question of specially collecting the particulars he requires.

(2) The Member is referred to G.O. No. 726, Public, dated 24th October 1921.

Passes under Martial Law Ordinance.

1117 Q.—Mr. K. KUNHAMMAD KOYA : Will the Hon'ble the Home Member be pleased to state whether it is a fact that the Sub-divisional Magistrate of British Coochin requires applications for passes under Order No. 1 under section 5 of the Martial Law Ordinance of 1921 to be submitted on eight annas stamp paper ?

A.—The Government have no information on the matter. A report has been called for.

Retrenchment.

1118 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU : Will the Hon'ble the Member for Finance be pleased to state what proposals have been received from the heads of departments for effecting retrenchment in expenditure and what orders, if any, have been passed thereon ?

A.—A summary of the action proposed will be issued after the examination of the question by the Finance Committee has been completed.

[13th December 1921]

Deficit in excise revenue.

1119 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Member for Finance and the Hon'ble the Minister for Education (Excise) be pleased to state what deficit is expected to occur in the current year in the estimated revenue under Excise and how it is proposed to meet that deficit?

A.—According to the latest estimates received from the Accountant-General, it is anticipated that there will be a fall of 80 lakhs in the revenue from Excise in the current year as compared with the budget estimate. The question how the deficit resulting from this and other causes should be met is engaging the attention of the Government, and an announcement will be made when a decision is arrived at.

Lease of toddy shops.

1120 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Minister for Education (Excise) be pleased to state in what districts of the Presidency toddy shops have been leased out during the current year by inviting and accepting tenders and how much revenue has been realized thereby in each of those districts?

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

Proceedings under section 108 of the Criminal Procedure Code.

1121 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Home Member be pleased to state in how many cases proceedings were instituted under section 108 of the Code of Criminal Procedure in each district of the Presidency during the last three months and with what result?

A.—The Government have not the information but have called for it.

Special Commissioner for Malabar.

1122 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Home Member and the Hon'ble the Member for Finance be pleased to state—

(a) the reasons which led to the appointment of Mr. A. R. Knapp, I.C.S., as Commissioner for the district of Malabar;

(b) the date when the appointment was made; and

(c) the pay fixed for the appointment?

A.—The information desired by the Honourable Member will be found in G.O. No. 726, Public, dated 24th October 1921, which has been placed on the Editors' Table.

The Madras Land Revenue Bill.

1123 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Member for Revenue be pleased to state the progress made in the preparation of the Madras Land Revenue Bill?

A.—The report of the Committee appointed to consider the draft Bill has been received and is under the consideration of Government.

13th December 1921]

Reduction in the number of Executive Council Members.

1124 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Member for Finance be pleased to state what action has been taken by the Government on the recommendation of the Legislative Council to reduce the number of Members of the Executive Council to three?

A.—The resolution of the Legislative Council together with a printed copy of the report of the debate was submitted to the Government of India on 15th September 1921 for transmission to the Secretary of State.

Collapse of bridges in South Kanara.

1125 Q.—Rai Sahib E. C. M. MASCARENHAS: Will the Hon'ble the Minister for Local Self-Government be pleased to supply the information called for in question No. 629, dated 12th October 1921, regarding the collapse of two bridges in South Kanara?

A.—The information is furnished.*

The Vizagapatam Medical School.

1126 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Superintendent of the Vizagapatam Medical School has recently suspended about 150 students for wearing Swadeshi caps;

(b) how the wearing of Swadeshi caps prejudicially affects discipline any more than the use of felt or other woollen caps; and

(c) whether there is any rule requiring medical students to attend school in a particular uniform, and, if so, whether the Government will kindly quote the rule and the dress prescribed?

A.—(a) & (b) One hundred and forty-two students were suspended for wearing white (Ghandi) caps in contravention of the prescribed dress regulations and in defiance of the orders of the Superintendent directing them to discontinue wearing such caps.

(c) A copy of the dress regulations is laid on the table.†

Repairs to the trunk roads within the municipal limits of Anantapur.

1127 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state whether any repairs were done during the last and the current year to the trunk roads within the municipal limits of Anantapur and whether the works were subsequently inspected by the Superintending Engineer and the cost thereof paid to the municipality?

A.—Some repairs are reported to have been done to the trunk roads within municipal limits but no grant has yet been made pending the receipt of the inspection notes of the Superintending Engineer.

Relief to the orphans and widows of public servants in Malabar.

1128 Q.—Mr. T. RICHMOND: Will the Hon'ble the Home Member be pleased to state what steps the Government propose to take to grant relief to the widows and orphans of public servants killed in the Malabar Mappilla rebellion?

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

* Vide Appendix I on page 1647 infra.

† Vide Appendix II on page 1648 infra.

[13th December 1921]

The late Mr. J. E. Readman.

1129 Q.—Mr. T. RICHMOND: Will the Hon'ble the Home Member be pleased to state whether the Government have had before them the case of the late Mr. J. E. Readman, Inspector of Police, Malappuram, killed in the rebellion, and whether any orders have been passed in favour of Mr. Readman's widow and orphans?

A.—It is understood that the Inspector-General of Police has recommended the grant of a pension to Mrs. Readman. Pending decision on the question the Government have sanctioned the payment to her of an advance of Rs. 225.

Probationary revenue inspectors.

1130 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTA: Will the Hon'ble the Member for Revenue be pleased—

(1) to place on the table a statement showing the number of the probationary revenue inspectors in the Presidency, the date of their starting, and their qualifications; and

(2) to state—

(a) whether it is the object of the Government to give them preferential treatment over those joining the department in the usual course;

(b) whether the probationary revenue inspectors are now appointed in due course as permanent tahsildars;

(c) in what districts of this Presidency Mr. Carr's scheme has been strictly observed; and

(d) whether there is a time limit for the probationary revenue inspectors to undergo clerical training?

A.—(1) The scheme for appointing probationary revenue inspectors was started in 1911. 205 probationary revenue inspectors have been appointed till 31st December 1920. The total number confirmed up to 31st December 1920 was 123. There is no information as to the number of men appointed after that date. Government have no information as to the individual qualifications of the men, but the appointments which were originally confined to graduates have since 1919 been thrown open to all persons possessing the minimum educational qualification under the Public Service notification.

(2) (a) No.

(b) Yes, provided they are found fit.

(c) There is no such scheme as referred to by the member.

(d) Attention of the member is drawn to Board's Standing Order No. 127 which gives the details of the training prescribed for probationary revenue inspectors.

Dress regulations for Medical students.

1131 Q.—Mr. M. SURYANARAYANA PANTULU: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(1) whether there is any order of the Government or of the Surgeon-General, regarding the dress to be worn by students—

(a) when they attend a medical college or school,

[13th December 1921]

(b) when they attend hospital duty;

(2) if there is any such order, to place the same on the table;

(3) whether this rule with regard to dress has been followed and given effect to, especially in regard to head dress;

(4) whether any order has been made by the Government, prohibiting the wearing of caps when students attend the hospital;

(5) whether what is called the "Gandhi cap" has been declared to have any political significance;

(6) why the students of the Medical school, Vizagapatam, were expelled for wearing the caps;

(7) to place on the table the Government Order referred to by the District Medical and Sanitary Officer, Vizagapatam, in his order dismissing certain students from school; and

(8) to state what specific offence was committed by the students of the Medical school, for which the District Medical and Sanitary Officer asked the students to apologize?

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

(2) A copy of the dress regulation is laid on the table.*

(3) The rule is intended to be observed. The Government have no reason to think that this has not been the case.

(4) No separate orders other than those contained in the regulations referred to above have been issued by the Government.

(5) The Government have not issued any directions on the subject.

(6) The Honourable Member is referred to the answer given to question No. 1126.

(7) Copies of two telegrams sent to the District Medical and Sanitary Officer, Vizagapatam, are laid on the table.

(8) The Honourable Member is referred to the answer given to question No. 1126.

Official receiver for North Arcot and Chittoor districts.

1132 Q.—Mr. A. TANGAVELU NAYAGAR: Will the Hon'ble the Law Member be pleased to state—

(a) whether the attention of the Government has been called to the fact that there is only one official receiver for the two districts of North Arcot and Chittoor, even though there are two district courts; and

(b) whether it is a fact that the parties to suits relating to the North Arcot district, especially those in the distant interior, find it a great hardship to go to Chittoor in connexion with any business they may have with official receiver?

A.—(a) Yes.

(b) The Government have no reason to think that parties suffer any hardship.

* Vide Appendix III on page 1648 infra.

[13th December 1921]

American Mission Hospital, Ranipet.

1133 Q.—Mr. A. TANGAVELU NAYAGAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the American Mission Hospital at Ranipet is receiving an annual grant of Rs. 2,600 from the Ranipet Taluk Board, and if so, why;

(b) whether it is a fact that the management of the hospital is charging fees from the patients without any definite scale; and that they do so irrespective of the status of the patients; and

(c) whether it is a fact that the parties are made to wait for a long time in the mornings and that non-Christians are compelled to attend the Christian prayers and preachings before any medical attention is bestowed?

A.—(a) Before 1900, the Ranipet hospital was maintained partly from a contribution of Rs. 2,066 from the Langarkhana funds and partly from Taluk Board funds, the Arcot American Mission paying the difference between the pay of the apothecary and that of a first-class hospital assistant. In that year, the Arcot Mission having expressed their willingness to maintain the hospital from Mission funds with the help of a contribution from Langarkhana funds, the management of the institution was transferred to the Mission. The contribution of Rs. 2,066 from Langarkhana funds is being continued. No other grant is made to the hospital.

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

Repairs to the Kalavai group.

1134 Q.—Mr. A. TANGAVELU NAYAGAR: Will the Hon'ble the Member for Revenue be pleased to state if the report referred to in the answer to my query No. 556, dated 1st September 1921, regarding repairs to the Kalavai group in the North Arcot district has been received and, if so, to lay it on the table?

A.—Generally Tank Restoration Scheme works are taken up for execution as soon as estimates are sanctioned by competent authority. The estimates for the works in the Kalavai group have not yet been sanctioned as the works are more complicated than those in the Mamandur group and have to be investigated further, the information collected up to the present being incomplete.

Gentlemen cadets.

1135 Q.—Mr. T. C. TANGAVELU PILLAI: Will the Hon'ble the Home Member be pleased to state—

(a) how many applications were received by the Government since 1918 or nominations to attend the examinations held at Simla for selection of gentlemen cadets to attend the Sandhurst College; and

(b) why no one was selected from this Presidency?

A.—(a) The total number of applications received since 1918 for nomination to attend the examinations held at Simla for admission of gentlemen cadets to the Royal Military College, Sandhurst, was 141, of which only 29 satisfied the educational and age rules.

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(b) Those nominated by His Excellency the Governor were found unsuitable by the Army Department of the Government of India on account of either poor physique or failure to pass the oral test.

Assistant engineers of the South Indian Railway Company.

1136 Q.—Mr. T. C. TANGAVELU PILLAI: Will the Hon'ble the Home Member be pleased to state—

(a) what action is being taken by the South Indian Railway Company with regard to the filling up of vacancies of assistant engineers in the said company;

(b) whether it is a fact that the South Indian Railway Home Board desired that at least three of these vacancies must be filled up by Indians; and

(c) why Indians were not entertained by the said South Indian Railway Company as assistant engineers?

A.—The questions refer to the internal administration of the Railway which is not primarily the concern of the Local Government.

Non-official presidents of district boards.

1137 Q.—Mr. O. TANIKACHALA CHETTIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) the total number of persons holding the posts of non-official presidents of district boards on the 1st April 1921; and

(b) the number of Brahmans amongst them?

A.—(a) Twenty-three.

(b) Ten.

Assistant Director of Fisheries.

1138 Q.—Mr. O. TANIKACHALA CHETTIYAR: Will the Hon'ble the Minister for Development be pleased to state—

(a) whether it is true that Mr. Chakrapani Ayyangar has been appointed to act as Assistant Director of Fisheries (Inland) for a period of about two years;

(b) whether this appointment is a gazetted appointment;

(c) whether it is true that he is not a graduate in Science;

(d) whether Mr. Chakrapani Ayyangar has had any training or practical experience in pisciculture, except such knowledge as he acquired while employed in the clerical establishment;

(e) whether it is true that Mr. Chakrapani Ayyangar was one of the persons who according to his own admissions received travelling allowance in respect of travelling not done for which Mr. V. V. Ramanan made out false travelling allowance bills and drew money in consequence of which the latter was prosecuted and convicted at the Criminal Sessions of the Madras High Court;

(f) whether it is true that during the time of the late Mr. Wilson Mr. Chakrapani Ayyangar was refused the appointment of an assistant under Mr. Wilson; and

(g) whether the office of assistant under Mr. Wilson was a non-gazetted appointment?

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A.—(a) Mr. Chakrapani Ayyangar has not been gazetted to act as Assistant Director of Fisheries (Inland) but has been appointed to hold charge of the current duties of the office during the absence of Mr. Sundara Raj on leave.

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

(d) Mr. Chakrapani Ayyangar has had several years' practical experience in pisciculture.

(e) The answer is in the affirmative. But the Government did not take any action against Mr. Chakrapani Ayyangar as they were satisfied that he acted under the orders of Mr. V. V. Ramanan who was then (1906) temporarily the head of the office and as he wrote to Sir Frederick Nicholson immediately upon the first travelling allowance bill was prepared informing him of what had happened.

(f) It is presumed that the Member is referring to the appointment of Piscicultural Assistant. The Government have no information whether Mr. Chakrapani Ayyangar applied for the post and was refused the appointment.

(g) The answer is in the affirmative.

Terms of imprisonment in jails.

1139 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the Hon'ble the Home Member and the Hon'ble the Law Member be pleased to state—

(a) the number of people sentenced to imprisonment for not more than a month in 1920 and in the first nine months of 1921;

(b) how many of these were released without undergoing the full term;

(c) whether any of these were released conditionally before undergoing the full term of imprisonment;

(d) whether the Government have ever considered the desirability of passing an order that all such people may be released conditionally or otherwise without undergoing any term of imprisonment in the jail; and

(e) whether the Government have any such proposal on hand at present with a view to have more space available in jails and to prevent offenders for the first time from having to undergo jail life for a short period?

A.—(a) For the figures relating to 1920 the Honourable Member is referred to paragraph 14 of the Jail Administration Report. Statistics for the first nine months are not available and would have to be specially compiled.

(b) Only one such release—relating to the year 1920—appears to have taken place.

(c) No conditional release appears to have been directed.

(d) & (e) The Honourable Member is referred to paragraphs 441 to 444 of the Report of the Indian Jails Committee, 1919-20, which discusses the general issue of the propriety and efficacy of short-term sentences and makes certain recommendations on the subject from the penological standpoint. Those recommendations have been referred to Local Governments by the Government of India and are now under consideration.

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Provincial revenues and expenditure.

1140 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the Hon'ble the Member for Finance be pleased to state—

(a) whether a monthly statement of the Provincial revenue and expenditure of the Government of Madras is published for public information; and

(b) whether there is any time-limit within which such statements are published?

A.—(a) A monthly statement has been published in the *Fort St. George Gazette* since 1898 except for certain months in the current year when changes in the form of accounts delayed publication.

(b) The statement is published as soon as it is received from the Accountant-General, generally by the middle of the second month after that to which the figures relate.

Leasing out of toddy shops.

1141 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the Hon'ble the Minister for Education (Excise) be pleased, with reference to my question No. 744 answered on 12th October 1921—

(a) to state if all the toddy shops that were not taken on rent up to the date of preparation of that answer, have now been leased out; and to give a tabular statement giving the total sums realized by the subsequent sale in each district of the Presidency and in each taluk of the districts of Salem and Coimbatore;

(b) in regard to shops not leased out yet, to state what action the Government propose to take as regards them; and

(c) to state whether memorials or applications have been received for remission of the rent for toddy shops, and, if so, how many, and for remission of what sums, with the result, if any, of all or any of them?

A.—(a) The information is not yet available.

(b) Government are awaiting the final report of the Board and will pass orders on receipt.

(c) The Member is referred to the answer given to question No. 510. Remissions to the extent of Rs. 1,03,371 have been granted in Bellary, Kurnool and Anantapur districts. Further applications for remission from Guntūr and Chittoor districts are now under the consideration of Government.

Companies registered under the Indian Companies Act.

1142 Q.—Mr. P. VENKATASUBBA RAO: Will the Hon'ble the Law Member be pleased to state—

(a) the total number of companies registered under the Indian Companies Act in this Presidency;

(b) the number of permanent and temporary audit certificate holders in this Presidency, and how many of them are full-time auditors;

(c) how many of the above auditors are diplomates of commerce (Madras) or candidates who have passed the advanced Government Technical examinations (Madras);

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(d) the total number of companies in Nellore, Guntūr, Kistna and Gōdāvari districts that are registered under the Indian Companies Act;

(e) the total number of auditors residing and practising in the above districts;

(f) whether the Government have received any representations from the secretaries and managers of registered companies in these districts complaining of the inconvenience and expense they are put to by being obliged to bring auditors from Madras and outside these districts;

(g) whether the Government have taken any steps to redress this long-felt grievance; and

(h) whether any applications have been received from qualified persons by the Government from the Circars praying for the grant to them of the auditors' certificates?

A.—(a), (d) & (e) The Member is referred to appendices A and F to the report for 1920-21 on the working of the Indian Companies Act, 1913, the Provident Insurance Societies Act, 1912, and the Indian Life Assurance Companies Act, 1912, recorded in G.O. No. 648, Law (General), dated 22nd June 1921, which was placed on the Editors' Table.

(b) There are thirty-two permanent and two temporary auditors' certificate holders of whom twenty-two are full-timers so far as Government are aware.

(c) Five are diplomates of Commerce (Madras) and four have passed one or more of the Government Technical Examinations, Madras, in the advanced grade.

(f) & (g) No representations have been received from any of the companies.

(h) Received from none qualified under the rules.

Memorials from district munsifs regarding their sub. pro tem. service.

1143 Q.—Mr. P. VENKATASUBBA RAO: Will the Hon'ble the Law Member be pleased to state—

(a) whether the memorials of district munsifs regarding their sub. pro tem. service are still under consideration or whether any orders have been passed;

(b) whether any orders have been passed on the memorials of the subordinate judges regarding their sub. pro tem. service; and

(c) whether any differentiation has been made between the district munsifs and the subordinate judges on this point, and whether it is a fact that on account of financial stringency the Government are unable to take into account the sub. pro tem. service of district munsifs for the purpose of increments?

A.—(a) Orders have been passed. The Government Order is laid on the table.*

(b) & (c) The memorials of Subordinate Judges are still under consideration.

* Vide Appendix IV on page 1649 infra.

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APPENDIX I.

[Vide answer to question No. 1125 asked by Rai Sahib E. C. M. Mascarenhas at the meeting of the Legislative Council held on the 13th December 1921, page 1639 supra]

(1) Name of bridge.	(2) Date on which the bridge collapsed.	(3) Whether it has yet been rebuilt.	(4) Date on which estimates for rebuilding were prepared.	(5) Date on which the estimates were sanctioned.	(6) If the estimates have not been sanctioned why they have not been sanctioned.	(7) Whether new bridges have been or are being built since the dates the bridges in column (1) collapsed and if so their names.	(8) Remarks.
Addya bridge on the Mudabidri-Karkal road.	10th August 1917.	No	Estimate for rebuilding the bridge was first submitted by the District Board Engineer on 18th November 1918.	29th August 1921.	....	The Gurpur bridge was sanctioned in 1919 and undertaken in 1920. Some minor bridges between 15' and 20' span were either built or reconstructed in Kasaragod, Udipi and Uppinangadi taluka.	The District Board has sanctioned Rs. 8,000 for the construction of this bridge in the current year.
Ameya bridge on the Mariuppinangadi road.	6th Nov. 1919.	No	First estimate was sent to the Superintending Engineer on 21st April 1920.	Not yet been sanctioned.	The estimates were returned by the Superintending Engineer twice for revision in design, etc. They were finally submitted to the Superintending Engineer on 19th September 1921.		

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APPENDIX II.

[Vide answer to question No. 1126 asked by Rao Sahib U. Rama Rao at the meeting of the Legislative Council held on the 13th December 1921, page 1639 supra.]

Dress Regulations.

First—The typical dress.—Turban, a long or short coat buttoned up to the neck, trousers, socks and English shoes. Under-clothing according to choice; but, where the material of the coat is not washable, e.g., tweed, a linen collar should be worn, and if the coat does not button up to the neck, collar and tie must always be worn, whatever the material. The Parsee hat and Burman head cloth are, for the purposes of these regulations, to be regarded as turbans.

Second—Modifications permissible.—(a) Students who wear a 'tuft' or who shave the scalp must wear a turban which must conceal the tuft when it is present.

(b) Students who dress their hair after the European fashion may wear caps; but in-doors, if their dress is otherwise European, the cap must be removed.

(c) A cap when worn must be black and may have a lace border, but must not be otherwise decorated. And no caps are allowed to be worn on ceremonial occasions, such as prize distributions, etc. Muhammadans may be allowed to wear the fez on ordinary occasions, but not at ceremonial observances.

(d) Any student may wear a dhoti or mundu; he must then go bare-footed in-doors, or wear socks and European shoes.

Third—All articles of dress must be clean.

APPENDIX III.

[Vide answer to question No. 1131 asked by Mr. M. Suryanarayana at the meeting of the Legislative Council held on the 13th December 1921, page 1641 supra.]

(1)

Dress Regulations.

First—The typical dress.—Turban, a long or short coat buttoned up to the neck, trousers, socks and English shoes. Under-clothing according to choice; but where the material of the coat is not washable, e.g., tweed, a linen collar should be worn, and if the coat does not button up to the neck, collar and tie must always be worn, whatever the material. The Parsee hat and Burman head-cloth are, for the purposes of these regulations, to be regarded as turbans.

Second—Modifications permissible.—(a) Students who wear a 'tuft' or who shave the scalp must wear a turban which must conceal the tuft when it is present.

(b) Students who dress their hair after the European fashion may wear caps; but in-doors, if their dress is otherwise European, the cap must be removed.

(c) A cap when worn must be black and may have a lace border, but must not be otherwise decorated. And no caps are allowed to be worn on ceremonial occasions, such as prize distributions, etc. Muhammadans may be allowed to wear the fez on ordinary occasions, but not at ceremonial observances.

(d) Any student may wear a dhoti or mundu; he must then go bare-footed in-doors, or wear socks and European shoes.

Third—All articles of dress must be clean.

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(2)

Telegram—from the Secretary to Government, Local Self-Government Department.

To—Lieut.-Col. E. M. ILLINGTON, I.M.S., Superintendent, Medical School, Vizagapatam.

Dated—the 26th September 1921.

Please place a notice in a prominent position of the Vizagapatam Hospital and school stating that all students who have been suspended by you for breaking rules of institution as regards dress to be worn when attending the hospital or school are hereby informed if they do not express regret for such conduct to you personally or in writing by October 3rd will be dismissed the school. Please placard a copy of dress regulations paragraph 61 alongside the above warning notice.

(3)

Telegram—from the Secretary to Government, Local Self-Government Department.

To—Lieut.-Col. E. M. ILLINGTON, I.M.S., Superintendent, Medical School, Vizagapatam

Dated—the 15th October 1921.

Reference Government telegram September 26th and petition October 3rd from 36 students Medical school stop. Inform these 36 students that unless they apologise to Superintendent for breach of dress regulations within 24 hours on receipt of orders from Superintendent they will be summarily dismissed.

APPENDIX IV.

[Vide answer to question No. 1143 asked by Mr. P. Venkatasubba Rao at the meeting of the Legislative Council held on the 13th December 1921, page 1646 supra.]

G.O. No. 1896, Law (General), dated 12th November 1921.

READ—the following papers:—

(1)

G.O. No. 2125, Home (Judicial), dated 25th August 1920.

ABSTRACT.—Sub-Judges and District Munsifs—Revised scale of pay—Sanctioned.

(2)

Letter—from the Registrar, High Court.

To—the Secretary to Government, Law (General) Department.

Dated—the 22nd February 1921.

No.—R.O.C. 456.

ABSTRACT.—Forwarding memorials from District Munsifs regarding the improvement of their pay and prospects.

Order—No. 1896, Law (General), dated 12th November 1921.

The Government have carefully considered the several prayers contained in the memorials of District Munsifs regarding the improvement of their pay and prospects and have come to the following conclusions:—

(i) *Sub. pro tem. service to count for increments.*—In fixing the minimum pay of District Munsifs at Rs. 300 account has been taken of the fact that they may

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have to wait for over three years prior to confirmation. The Governor in Council does not see sufficient reason to reconsider the direction in G.O. No. 2125, Home (Judicial), dated the 25th August 1920, that an officiating District Munsif should continue to draw Rs. 300 until confirmation.

(ii) *To place both District Munsifs and Subordinate Judges in one continuous cadre.*—The Hon'ble the Judges do not favour this proposal and the Governor in Council agrees with them.

(iii) *To count for increments acting and sub. pro tem. service of District Munsifs before appointment as permanent Sub-Judges.*—Orders will issue separately on this point.

(iv) *To cancel the rule requiring previous permission to leave the station on casual leave.*—His Excellency in Council is not satisfied that a change in the existing practice is necessary. In emergent cases the permission can be obtained by wire.

(v) *To revise the rules under the Madras Civil Courts Act regarding the appointment and punishment of subordinate civil court establishments.*—The rules were framed only in August last year and the High Court has been asked to make a report on their working in the annual civil justice reports. The Government do not consider it necessary to take any further action at present.

(vi) *To provide every civil court with separate nazarat and copyist establishment.*—In G.O. No. 2115, Home (Judicial), dated the 21st August 1920, the Government have already directed the introduction as an experimental measure of the system of separate nazarat and copyist establishments for the districts of South Malabar, Tinnevely and Gōdāvari.

(vii) *To reserve certain high posts for officers in the Judicial branch, e.g., High Court judgeships, District and Sessions judgeships, etc.*—The Government are not prepared to lay down any definite rules in this respect. Their policy is to select the best men available.

(viii) *To appoint experienced officers of the Provincial Civil Service (Judicial Branch) in the Secretariat and the High Court.*—The Government have already appointed two officers of this service in the Secretariat.

(ix) *To extend the period of vacation of District Munsifs' Courts from 1½ months to 2 months.*—The Hon'ble the Judges have hitherto rejected the request and the Governor in Council agrees with them.

(x) *To make temporary civil courts permanent.*—In accordance with the recommendations of the Public Services Commission and with the approval of the Secretary of State the High Court has already been requested in G.O. No. 384, Law (General), dated the 16th May 1921, to review all temporary appointments every five years, so that posts which have been found to be permanently necessary may be brought on to the cadre.

(xi) *Leave and pension.*—The recommendation of the Public Services Commission that members of the Provincial Civil Services should be under the Indian Service leave rules is under the consideration of the Government of India. The orders will be communicated in due course. The revised pension rules have already been announced in the Finance Department Resolutions Nos. 1085-E.A. and 1063-C.S.R., dated 15th November 1919 and 13th June 1920, respectively. No further action is needed in this respect.

(By order of the Governor in Council)

P. C. DUTT,
Acting Secretary to Government.

To the Hon'ble the Chief Justice (with C.L.).

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II

THE LATE DIWAN BAHADUR AGARAM SUBBARAYULU REDDIYAR.

The Hon'ble Sir LIONEL DAVIDSON :—“ Mr. President, before the Council proceeds to the ordinary business of the day, I ask leave to invite attention to the great loss which we have sustained since our last meeting by the death of one of our members, the late Diwan Bahadur Agaram Subbarayalu Reddiyar Garu. Born in the year 1853 in the village of Malayaperumal Agaram, from which he takes his first name, our late colleague received his collegiate education at the Presidency College, was enrolled as a High Court vakil in the year 1880 and then proceeded to take up practice in the headquarter town of his district, namely, Cuddalore. It was no long time before he became acknowledged as one of the leaders of the local bar; but not content with pre-eminence in his profession he sought and achieved greater pre-eminence in the public life of his district. In 1904, he became a member of the Municipal Council of Cuddalore and his connexion with that municipality was, I believe, continuous until 1920, including a term of some sixteen years as chairman. In 1911 he was appointed President of the Cuddalore Taluk Board, in days when un-official presidents of taluk boards were rare phenomena, and in 1917 he became President of the District Board of South Arcot and held that office also until the year 1920.

“ During the course of his public life the great services of the Diwan Bahadur were specially recognized on three occasions. In 1911 he received the title of ‘ Rao Bahadur ’ with reference to his municipal work in Cuddalore. In 1916 he was promoted to the honour of ‘ Diwan Bahadur ’ on account of his triple services on the municipal council, on the taluk board and on the Legislative Council and in recognition of his unquestioned loyalty and the great respect in which he was held throughout the district. Finally in the beginning of this year he was awarded the ‘ Kaiser-i-Hind ’ gold medal. This last distinction almost immediately followed his acceptance of the exalted office of First Minister. He was then at an age when he might fairly have claimed a life of leisure, but with his accustomed public spirit he assumed the heavy burdens of office only to lay them down a few months later under the stress of failing health. Sir, in that short period he endeared himself to his colleagues, of whom I am proud to have been one, by that spirit of gentle courtesy and consideration for others which I am told has been the characteristic of his whole life. Happy, Sir, is the public man of whom it can be said that he has made few enemies. That this is true of our late colleague I make no doubt whatsoever. During a friendship extending over many years I have seen much of Diwan Bahadur Agaram Subbarayalu Reddiyar Garu and I find it difficult to believe that any action of his, either public or private, could have given rise to enmity in any quarter.

“ I now beg leave, Sir, with your permission to move the resolution of which I have given you formal notice. It runs thus :—

‘ That an expression of the sincere regret of this Council at the death of M.R.Ry. Diwan Bahadur Agaram Subbarayalu Reddiyar Garu, B.A., B.L., recently Minister of Education and of deep sympathy with his bereaved family be placed on record and conveyed to them.’ ”

Mr. R. SRINIVASA AYYANGAR :—“ Mr. President, coming as I do from the district of South Arcot wherein he and I were born and on which he has shed much lustre by work, good and useful, done by him quite unostentatiously within the past 30 years and more, and possessing as I do an intimate knowledge of his

[Mr. R. Srinivasa Ayyangar]

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life, work and career by reason of close and intimate association with him in various spheres of activity, professional, social and otherwise, I wish, over-weighted as I am by a sense of deep sorrow and regret, to associate myself with the leader, of the House, the Hon'ble Sir Lionel Davidson, in the glowing, eloquent and, I may be permitted to state, well-merited tribute that he paid to the memory of that great man, and my esteemed friend, the late lamented Diwan Bahadur Agaram Subbarayulu Reddiyar Garu. Endowed with remarkable memory and keen intellect and dowered with sturdy and robust common sense, he made his mark in the legal profession to which he and I have the honour to belong much sooner than had fallen to the lot of many of his compeers. His was a noble example, and he owed his great success in life to the steadfastness of his purpose and to the high ideals that he set before himself and which he sincerely and loyally carried out amidst all opposition caring not for the blighting blasts of fierce and even hostile criticism. His conception of duty was really high, really noble and really great. His was a towering personality, and so far as our district of South Arcot was concerned, he was the guiding spirit and he was the inspiring genius. There was not one association, not one institution, not one movement with which he was not connected and the affairs of which he had not directed or even controlled within the past 30 years, and if I may be permitted to say so, during the past 30 years and more, he played the role of a really peaceful Dictator. His first love the moment he entered life was the legal profession which he wooed with all the unrelenting care and diligence the exacting duties of which demanded of him. He was liked by the Judges, loved by the people and, may I say, befriended by the powers that be. He was a man of great force of character and his independence was really of a useful and assertive nature.

"If I remember right, later on in his life, in the year 1904, at the advice of some of his friends, he resolved to devote part of his time, talents and energy to the betterment of the condition of the people of the district and for the promotion of the public weal. I may state that he had enjoyed in a very large degree, the honour and distinction of having been returned to the municipal council as its elected chairman for five periods covering a period of 15 years during which time, the municipal administration reached a high water mark of efficiency. Later, I believe somewhere about the year 1911, when the Government conceived the idea of liberalising local self-government and were casting about as to the centres where these experiments could be tried, the Government necessarily turned their eyes to the district of South Arcot; for there was a man in South Arcot ready and competent to discharge the onerous duties and the success of that experiment enabled the Madras Government, five or six years later to extend its scope in a larger sphere and in a larger body, to wit, the district board with the result that in September 1917, the Government nominated non-official presidents to four district boards including South Arcot and the late Diwan Bahadur who had richly merited the honour and distinction by the strenuous and active work he had been doing being one of them.

"The House may perhaps remember that he was an elected member of this Council in the pre-reform Government twice for a period of 6½ years prior to 1919. In 1920 when the District Municipalities Bill and the Local Boards Bill were on the legislative anvil, the Government did not want to lose itself of the invaluable experience, knowledge and ripe judgment of our esteemed friend and for that reason the Government nominated him as a Member of this Council. Needless to say that he was of great help to this Government in piloting the Bill through this Council.

[Mr. R. Srinivasa Ayyangar]

11-15 a.m. "He was a man of high and lofty ideals and though of an exacting nature he was also liberal. He recently made large contributions to the founding of a hostel known as the 'Reddi Hostel' which was mainly and primarily founded for the benefit of the men of his community. Though somewhat conservative by nature, he was very communicative to his friends, to one and all of whom he gave his advice, freely and whole-heartedly, so much so that whenever any doubt or difficulty arose people looked up to him, and drew inspiration from him. That is the high and unique position which he actually held and enjoyed. The House may also remember that after the introduction of the 'Montford' Reforms Scheme he stood as one of the candidates for South Arcot and came out at the head of the polls. The history of the district of South Arcot in general, and the town of Cuddalore in particular, for the past thirty years is the life of the late lamented Agaram Subbarayulu Reddiyar. If you go to Cuddalore to-day you can witness in the monuments with which the city is studded proof of his public spirit and public activity. In his demise we, of South Arcot, have lost our guide, philosopher and friend, his community a real ornament, and the Government a most prominent, respected and loyal citizen. Of him it may be truly said that he died full of years and honours."

Sir P. TYAGARAYA CHETTIYAR:—"I join the Hon'ble Sir Lionel Davidson in expressing sorrow at the death of the late lamented Diwan Bahadur Agaram Subbarayulu Reddiyar. From the time of his college days I knew him, and the friendship I had for him was so great that in afterlife we were close friends so that on every matter of public interest we discussed. When, at the time of the formation of the Cabinet, His Excellency consulted me, the first name that came to my mind was the name of Diwan Bahadur A. Subbarayulu Reddiyar. That shows the great esteem I had for him and the great respect in which he was held by the public in general. The Hon'ble Sir Lionel Davidson has mentioned to you the service he has done in the Council during the short period of three months.

"I must say that when he was asked to take the ministership he was quite unwilling. It was I that forced him to accept it. When His Excellency asked him if he would accept it, he would not answer, and I told His Excellency to take it from me that he accepted. That shows the absolute necessity we then felt of the help of the great man, and his unwillingness to accept and his life of five months in the Council is a proof of what he was capable of doing. Unfortunately he was not keeping good health even before he was appointed. I thought that he could work for a year or two, but considerations of health forced him to resign in a short time.

"It is very unfortunate that at this time his services to the country are lost. However it is the will of Providence. Well, I must say that I was responsible for his death, as it was I that forced him to accept the post of first Minister, and but for this he might not have succumbed so soon. However, it was his duty that called him; he obeyed it and we feel the whole Council regrets his death."

Khan Bahadur MUHAMMAD USMAN SAHIB:—"I beg to associate myself with all that has been said on the unfortunate death of this great man. Diwan Bahadur Subbarayulu Reddiyar was a gentleman who was respected and loved alike by all communities. In his death the Muhammadan community has lost a well-wisher and a great friend. On behalf of the Muhammadan members of this Council, I beg to express our great regret at his unfortunate death."

[Mr. R. Srinivasa Ayyangar]

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life, work and career by reason of close and intimate association with him in various spheres of activity, professional, social and otherwise, I wish, over-weighted as I am by a sense of deep sorrow and regret, to associate myself with the leader, of the House, the Hon'ble Sir Lionel Davidson, in the glowing, eloquent and, I may be permitted to state, well-merited tribute that he paid to the memory of that great man, and my esteemed friend, the late lamented Diwan Bahadur Agaram Subbarayalu Reddiyar Garu. Endowed with remarkable memory and keen intellect and dowered with sturdy and robust common sense, he made his mark in the legal profession to which he and I have the honour to belong much sooner than had fallen to the lot of many of his compeers. His was a noble example, and he bowed his great success in life to the steadfastness of his purpose and to the high ideals that he set before himself and which he sincerely and loyally carried out amidst all opposition caring not for the blighting blasts of fierce and even hostile criticism. His conception of duty was really high, really noble and really great. His was a towering personality, and so far as our district of South Arcot was concerned, he was the guiding spirit and he was the inspiring genius. There was not one association, not one institution, not one movement with which he was not connected and the affairs of which he had not directed or even controlled within the past 30 years, and if I may be permitted to say so, during the past 30 years and more, he played the role of a really peaceful Dictator. His first love the moment he entered life was the legal profession which he wooed with all the unremitting care and diligence the exacting duties of which demanded of him. He was liked by the Judges, loved by the people and, may I say, befriended by the powers that be. He was a man of great force of character and his independence was really of a useful and assertive nature.

"If I remember right, later on in his life, in the year 1904, at the advice of some of his friends, he resolved to devote part of his time, talents and energy to the betterment of the condition of the people of the district and for the promotion of the public weal. I may state that he had enjoyed in a very large degree, the honour and distinction of having been returned to the municipal council as its elected chairman for five periods covering a period of 15 years during which time, the municipal administration reached a high water mark of efficiency. Later, I believe somewhere about the year 1911, when the Government conceived the idea of liberalising local self-government and were casting about as to the centres where these experiments could be tried, the Government necessarily turned their eyes to the district of South Arcot; for there was a man in South Arcot ready and competent to discharge the onerous duties and the success of that experiment enabled the Madras Government, five or six years later to extend its scope in a larger sphere and in a larger body, to wit, the district board with the result that in September 1917, the Government nominated non-official presidents to four district boards including South Arcot and the late Diwan Bahadur who had richly merited the honour and distinction by the strenuous and active work he had been doing being one of them.

"The House may perhaps remember that he was an elected member of this Council in the pre-reform Government twice for a period of 6½ years prior to 1919. In 1920 when the District Municipalities Bill and the Local Boards Bill were on the legislative anvil, the Government did not want to lose itself of the invaluable experience, knowledge and ripe judgment of our esteemed friend and for that reason the Government nominated him as a Member of this Council. Needless to say that he was of great help to this Government in piloting the Bill through this Council.

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"He was a man of high and lofty ideals and though of an exacting nature he was also liberal. He recently made large contributions to the 11-15 a.m. founding of a hostel known as the 'Reddi Hostel' which was mainly and primarily founded for the benefit of the men of his community. Though somewhat conservative by nature, he was very communicative to his friends, to one and all of whom he gave his advice, freely and whole-heartedly, so much so that whenever any doubt or difficulty arose people looked up to him, and drew inspiration from him. That is the high and unique position which he actually held and enjoyed. The House may also remember that after the introduction of the 'Montford' Reforms Scheme he stood as one of the candidates for South Arcot and came out at the head of the polls. The history of the district of South Arcot in general, and the town of Cuddalore in particular, for the past thirty years is the life of the late lamented Agaram Subbarayulu Reddiyar. If you go to Cuddalore to-day you can witness in the monuments with which the city is studded proof of his public spirit and public activity. In his demise we, of South Arcot, have lost our guide, philosopher and friend, his community a real ornament, and the Government a most prominent, respected and loyal citizen. Of him it may be truly said that he died full of years and honours."

Sir P. TYAGARAYA CHETTIYAR:—"I join the Hon'ble Sir Lionel Davidson in expressing sorrow at the death of the late lamented Diwan Bahadur Agaram Subbarayulu Reddiyar. From the time of his college days I knew him, and the friendship I had for him was so great that in afterlife we were close friends so that on every matter of public interest we discussed. When, at the time of the formation of the Cabinet, His Excellency consulted me, the first name that came to my mind was the name of Diwan Bahadur A. Subbarayulu Reddiyar. That shows the great esteem I had for him and the great respect in which he was held by the public in general. The Hon'ble Sir Lionel Davidson has mentioned to you the service he has done in the Council during the short period of three months.

"I must say that when he was asked to take the ministership he was quite unwilling. It was I that forced him to accept it. When His Excellency asked him if he would accept it, he would not answer, and I told His Excellency to take it from me that he accepted. That shows the absolute necessity we then felt of the help of the great man, and his unwillingness to accept and his life of five months in the Council is a proof of what he was capable of doing. Unfortunately he was not keeping good health even before he was appointed. I thought that he could work for a year or two, but considerations of health forced him to resign in a short time.

"It is very unfortunate that at this time his services to the country are lost. However it is the will of Providence. Well, I must say that I was responsible for his death, as it was I that forced him to accept the post of first Minister, and but for this he might not have succumbed so soon. However, it was his duty that called him; he obeyed it and we feel the whole Council regrets his death."

Khan Bahadur MUHAMMAD USMAN SAHIB:—"I beg to associate myself with all that has been said on the unfortunate death of this great man. Diwan Bahadur Subbarayulu Reddiyar was a gentleman who was respected and loved alike by all communities. In his death the Muhammadan community has lost a well-wisher and a great friend. On behalf of the Muhammadan members of this Council, I beg to express our great regret at his unfortunate death."

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Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, I beg leave to associate myself with the previous speakers in giving expression to the sentiments of profound regret at the loss sustained by the Council owing to the untimely death of Diwan Bahadur A. Subbarayulu Reddiyar. I had the rare privilege of being acquainted with the deceased for a period of twenty years, and I should be failing in my duty did I not pay to the memory of the deceased this simple tribute of bearing witness to his worth and his rare excellences. A man simple in his habits and unassuming in his ways, he was a striking personality in South Arcot even before he became the Chairman of the Cuddalore municipality, non-official President of the District Board or member of the pre-Reform Legislative Council. As a lawyer, he built up a reputation which went on increasing, day by day, in spite of his multifarious activities. He could count his clients by hundreds not only among the leading merchants and *mirasidars* of South Arcot and Pondicherry but also among people of average means who knew that in Mr. Reddiyar they had a man of unbounded sympathy, one impelled irresistibly by the desire to do good, to relieve suffering and to afford help without calculating, in terms of money, the cost of the effort needed for helping the people. His relations with the bar were most cordial and, as my friend Mr. R. Srinivasa Ayyangar remarked, the junior members of the bar readily conceded to him a position of pre-eminence, which was certainly his due, by reason of his merit, standing and influence, while the recipient of that homage hardly thought of himself, or of his position in any other light than as an instrument for doing good.

"To many it might have come as a surprise that one who had been for many years connected with the municipal and district board administration happened to be given the portfolio of Education. But, Sir, education was his hobby. He was connected with the Town High school, Cuddalore, for over a quarter of a century. He was president of the board or council of that institution and but for his urbanity, his tact and the zeal he was able to kindle in his colleague that institution would not have attained to its present prosperous condition. Again, Sir, he did whatever he could to promote the education of certain backward classes. For the purpose of promoting the education of the members of his own community he founded a home which was liberally endowed. I know that provision has been made for scholarships to deserving and promising Reddi students to prosecute higher studies. Successive generations of students will certainly bless his memory, and his memory will also be blessed by large sections of the people of Cuddalore, many of whom told me what was just now expressed by Sir P. Tyagaraya Chettiyar that they had killed him, because it was they who did not permit him to enjoy his *otium cum dignitate*, for they knew that if he stood as a candidate for the Council he would be elected and would be appointed Minister, and their interests, the interests of the less articulate sections of the people, would be certainly safe in his hands. Therefore, Sir, as one who had known him for a period of twenty years, and on behalf of the Indian Christian community for which he had done very much, I beg leave to associate myself with the sentiments expressed at the loss of Diwan Bahadur A. Subbarayulu Reddiyar."

Mr. A. T. MUTTUKUMARASWAMI CHETTIYAR :—" Mr. President, Sir, I come from the same district as the late Diwan Bahadur A. Subbarayulu Reddiyar, and I feel it my duty to say a few words. We have lost one who assumed this month last year the high office of the first Minister for Education. The Government of Madras have lost a most loyal, straightforward, honest and able Minister and statesman. His Excellency the Governor and the Hon'ble the President have

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lost a personal friend, and the country a great man. South Arcot district cannot forget him for centuries to come. He was the first elected chairman of the Cuddalore municipality, and he was the first nominated president first of the taluk board and then the district board. During his time he built three or four wards and made large improvements to the municipal hospital, which has now been taken over by the Government. He built a beautiful municipal office from the savings of the funds. He built dispensaries and water-taps out of contributions from public persons. He made many improvements to the municipality. He also built a district board office after he assumed the office of the President, District Board, Cuddalore. The Hon'ble the President laid the foundation stone of the building when he visited Cuddalore, and the building was finished within a year. The late Diwan Bahadur Subbarayulu Reddiyar improved many institutions in his time. He took a genuine, wholehearted, warm interest in everything he did. In fact, we have lost a great man."

Mr. J. F. SIMPSON :—" On behalf of the British community I desire to associate ourselves in this expression of sorrow in the death of a leader of the people. It is a matter of great regret that he was not spared longer to this Reformed Council, but his labours for the country are well known and we have the consolation that his works will follow him."

Mr. MADURAI PILLAI :—" இந்த அய்யில் உள்ள கவுன்சில் மெம்பர்கள் யாவருக்கும் தெரிவிப்பது யாதெனில் கம்முடைய மினிஸ்டர் சுப்பராயலு ரெட்டியார் அவர்கள் மந்திரியாகயிருந்து காலஞ்சென்றதை முன்னிட்டு அவரைக்குறித்து யான் இந்த சபையில் புகழ்ந்து சொல்லுவதாவது அவர் உலகத்தில் மானிட ஜென்ம மெடுத்து அவர் தன்னுடைய நற்குணங்களால் உலகத்தில் நல்ல கீர்த்தியை எடுத்தார். சகல வம்சத்தினர்களுக்கும் தான் இருந்த ஓர் நன்னடக்கையினால் அவரை நற்குணமுடையவர் என நம் கியாதியையடைந்தார். அதாவது சகலருக்கும் உபகாரம் செய்தது ஒருபக்கமாக இருந்தபோதிலும் பஞ்சம ஆதிதிராவிடர்களுக்கு சகல நன்மைகளையும் செய்து வேண்டிய உபகாரங்களையும் செய்து இருக்கின்றார். இத்தியாதி குணங்களை யுடைய புண்ணிய புருஷன் செய்திருக்கிற உபகாரங்களுக்கு பிரதி உபகாரமாக அவருக்கு பரமபதத்தில் மேன்மேலும் நற்பதவி கிடைக்க வேண்டுமென்று நாம் எல்லோரும் கம்முடைய ஜெபதப்பங்களில் குறிக்க வேண்டுமே."

The resolution was put and carried, all the members standing.

III

MOTION FOR ADJOURNMENT OF BUSINESS TO DISCUSS THE MAPPILLA PRISONERS' TRAIN TRAGEDY.

Mr. R. K. SHANMUKHAM CHETTIYAR :—" Mr. President, under Standing Order No. 20, I ask for leave to make a motion for the adjournment of the business of this Council for the purpose of discussing a definite matter of urgent public importance, namely, the death of a number of Mappilla prisoners in a railway van on or about the 20th November 1921."

The Hon'ble the PRESIDENT :—" Under Standing Order No. 22, I have now to ask the House whether the Honourable Member has leave to make the motion which has just now been read to you."

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The Hon'ble Sir LIONEL DAVIDSON:—"I rise to object to this motion on the ground that the subject under issue is now under the examination of a committee whose report has not yet reached the Government."

The Hon'ble the President then put the motion to the House. More than 20 honourable members having risen in their places in support of the motion the Hon'ble the President intimated to the House that the motion would be taken up at 4 o'clock to-day.

IV

VISIT OF HIS ROYAL HIGHNESS THE PRINCE OF WALES.

The Hon'ble the PRESIDENT:—"I have to inform the House that I have received through the Local Government a communication from the Government of India in the Foreign and Political Department No. 965-R., dated the 16th November 1921, stating that the resolution passed by this House with acclamation on the 6th August last, offering a most cordial and hearty welcome to His Royal Highness the Prince of Wales, has been duly placed before His Royal Highness. I have been asked to convey thanks to the members of the House for their loyal message and I have much pleasure in doing so."

V

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

The Hon'ble the PRESIDENT:—"I have to inform the House that the Madras District Municipalities Amendment Act, 1921, and the Madras City Municipal Amendment Act, 1921, received the assent of His Excellency the Governor-General on the 21st November 1921."

VI

COMMUNICATIONS TO THE COUNCIL.

With reference to the answer given to question No. 21, at the meeting of the Legislative Council held on the 14th February 1921, the Secretary laid on the table a statement showing the expenditure incurred by the Government in connexion with the elections to the Legislative Council.

VII

COMMITTEE ON PUBLIC ACCOUNTS.

The Hon'ble Sir CHARLES TODHUNTER:—"I beg to move the resolution which stands in my name—

'That with a view to the filling up of two vacancies on the Public Accounts Committee caused by the resignation of the Hon'ble Rao Bahadur A. P. Patro and the acceptance by Mr. M. D. Devadoss of an office in the service of the Crown, this Council do proceed to elect two members of the said Committee.'

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I beg to second the motion."

The motion was put and carried.

The Hon'ble the PRESIDENT:—"I have now to fix a time within which nominations should come in. I fix 3 o'clock this afternoon for the purpose. Should the number of members nominated exceed two, the regulation of the single transferable vote will be applied sometime to-morrow."

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VIII

AMENDMENT TO STANDING ORDERS.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Mr. President, I beg to present the report of the Select Committee appointed at the meeting of the Council, dated the 16th November last, to consider certain amendments to Standing Order No. 53. I understand that the report has been circulated to the honourable members. Under the rules the amendments will have to be put at a later stage. Nothing further need be done at this stage. I consulted the Secretary and he tells me that notice will be necessary before considering these amendments to the Standing Orders at a future meeting of the Council."

IX

1. THE MADRAS CITY TENANTS' PROTECTION BILL, 1921.

The Hon'ble the PRESIDENT:—"I have to inform the House that I have received a message from His Excellency the Governor in regard to the City Tenants' Protection Bill which was passed at the meeting held on the 16th November last. I shall now read the message:—

'After the Madras City Tenants' Protection Bill of 1921 was passed in Council, it was brought to the notice of the Government that in some registered documents taken from the tenants in the locality known as Azimpet, there are stipulations as regards buildings to be erected after the date of the instrument, though almost all the tenants have been living in buildings built by themselves or their predecessors long before the registered instrument. A literal reading of clause 12 of the Bill as it stands may possibly affect these tenants and prevent them from getting the benefit of the Act. As is well-known, it was always intended to give protection to such class of tenants. His Excellency the Governor therefore remits clause 12 of the Bill for reconsideration and recommends that the following clause be substituted for clause 12:

'Nothing in any contract made by a tenant shall take away or limit his rights under this Act, provided that nothing herein contained shall affect any stipulations made by the tenant in writing registered as to the erection of buildings, in so far as they relate to buildings erected after the date of the contract.'

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Under Standing Order No. 51 the President has to put the substituted clause before the Council. The Standing Order says: 'When a Bill which has been passed is returned by the Governor to the Council for reconsideration, the point or points referred for reconsideration shall be put before the Council by the President, and shall be discussed and voted upon in the same manner as amendments to a Bill.'

Mr. O. TANIKACHALA CHETTIYAR:—"Before we proceed further with this subject I must bring to the notice of the House the fact that this amendment which is proposed to be introduced . . ."

The Hon'ble the PRESIDENT:—"Order, order. I believe the proper procedure is that I should formally put the matter to the House and then the honourable member could speak upon it."

Mr. O. TANIKACHALA CHETTIYAR:—"I object to the taking into consideration of the amendment to-day by this House. I claim that notice must be given to us to consider the effect of this amendment."

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The Hon'ble the PRESIDENT:—"Will the honourable member be so good as to quote the Standing Order on which he relies?"

Mr. O. TANIKACHALA CHETTIYAR:—"Standing Order No. 51 says: 'When a Bill which has been passed is returned by the Governor to the Council for reconsideration, the point or points referred for reconsideration shall be put before the Council by the President, and shall be discussed and acted upon in the same manner as amendments to a Bill.' We have no notice of this so that we can raise the necessary objection for our not giving our assent to this amendment. The amendment was, for the first time circulated to us yesterday or the day before and we have not had sufficient time."

The Hon'ble the PRESIDENT:—"I have no discretion in the matter. I have to put the point to the House. If any honourable member considers that for lack of adequate notice or for any other reason it would be undesirable to discuss to-day, he should formally move for the adjournment of the consideration of the subject to a later date."

Mr. O. TANIKACHALA CHETTIYAR:—"I accept the suggestion and I formally move that this matter be adjourned to the January meeting."

Mr. T. A. RAMALINGA CHETTIYAR:—"I second it."

The Hon'ble the PRESIDENT:—"The motion now before the House is to postpone the further consideration of this subject to the first day of the January meeting."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"I am sorry I have to oppose this. This is really a formal draft for the purpose of giving effect to what has been accepted by this House already. I am not going to make a long speech. I am only pointing to the House the urgency of this matter. As has been pointed out on the last occasion, there are suits now pending and we want to give relief to those tenants also. When section 12 was passed, nobody had any idea—and I had none—that in those documents there was a stipulation as regards future buildings also. After the Bill was passed in this House I had occasion to look into one of those documents and that was why I thought an amendment was necessary, so that the particular class of tenants might not be affected. So I thought it proper not to allow the Bill to be passed into law and afterwards come in with an amending Bill but to take advantage of the interregnum before the Bill was assented to. It is with a view to that the present amendment has been introduced."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, I entirely agree with my hon'ble friend Mr. Srinivasa Ayyangar, that this matter need not be put off till the January meeting. If there is any difficulty about the wording of this amendment, or if any further amendment has to be made, I would suggest to my hon'ble friend Mr. O. Tanikachala Chettiyar to have this matter put off, if necessary, to the 15th or the 16th instant and to see that this matter is disposed of before we adjourn this meeting. It seems to me a great deal has been said at the last meeting even by my friend Mr. O. Tanikachala Chettiyar among others, and the Judges of the Small Cause Court are getting impatient about the numerous adjournments in the disposal of applications for the execution of decrees. If my friend wishes to do a service to this class of tenants, I should advise the putting off of this matter to Friday next so that any amendment of which he intends to give notice may be submitted to this Council and this legislation passed before Friday."

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Mr. T. ARUMAINATHA PILLAI:—"I rise to oppose this motion for adjournment. As it is already known to the members of this Council, suits have been filed not only in the City Civil Court but also in the Small Cause Courts. The City Civil Court is flooded with a number of cases, and also the Small Cause Courts. On account of the delay in the passing of this Bill the Courts have been staying the decrees for some time; and any one who goes into the Courts is simply flooded with inquiries from vakils on both sides asking when this Bill would receive the assent of the Governor and the Governor-General. If the House is to adjourn this motion to January, most probably this Bill would not receive the assent of the Governor and the Governor-General in Council before March 1922. And it will be truly impossible to expect any court of law to stay its hands till then. Moreover, so far as this new section, which has been sent for reconsideration by His Excellency the Governor, is concerned, it simply amplified what was intended by the original section which was passed by this Council. The original section was somewhat ambiguous, and this section removes that ambiguity and puts the law beyond all doubt. As such, I do not see any reason why there should be objection to this clause being passed. I therefore oppose this motion for adjournment."

Mr. C. NATESA MUDALIYAR:—"Sir, Mr. President, I thank His Excellency for the magnanimity with which he came to the rescue of the oppressed tenants of the City. I thank the Hon'ble the Law Member for the keen interest he has been evincing in this affair. If the Hon'ble the Law Member and the honourable the mover of this motion are aware that there are any number of suits, appeals and executive petitions pending in the law courts, it is better this affair is finished as early as possible. So I request the mover to have it adjourned to 15th or 16th instant instead of having it for the next meeting."

Mr. O. TANIKACHALA CHETTIYAR:—"Mr. President, I have no objection to the adjournment only to the 16th. But however much it may be said that there is urgency about a legislation of this kind being passed and that people should be free to invoke the aid of the Act it is at the same time the duty of the Council to bear in mind the nature of the change which is sought to be introduced by this amendment, which is of a far-reaching character, more far-reaching than what has already been introduced. Clause 12 says: 'Nothing in this Act shall apply to tenancies created by writing registered containing specific stipulations as to the erection of buildings.' Therefore people who have registered instruments would not be affected by this legislation. But now to say that even if there is a registered instrument it shall be ignored and treated as a scrap of paper is a very serious thing. For instance, in the very statement of facts justifying the amendment which is proposed, it is stated it is intended to deal with the tenants of Azimpet. It may not be sufficiently known what a serious thing it is to interfere in this matter, it is found that this property was bought last year by the owners for a sum of Rs. 1,80,000 and it has been let to people who are only paying about Rs. 70 for Rs. 77 grounds and they are themselves owners of land and superstructure for which they get about Rs. 100. But before they purchased the property they made certain that the tenants would remove the superstructure if wanted, and after taking registered instruments from all those tenants they made the purchase. And this Council, by a stroke of the pen in its sympathy for the tenants, is asked to pass this amended legislation. The consequences which will flow from the passing of this amendment will be serious, and it becomes necessary that those who will be affected, namely, the owners and others of the same status,

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should have notice and be given an opportunity to make representation as to what extent they will be affected if it is considered necessary to pass this legislation. As I said, so far as the huts in oheri land and other places are concerned the Bill may immediately be assented to, and anything which will affect Azimpet may be the subject of amending legislation if it is considered necessary or desirable. But while it was intended primarily for the oheris of Madras, by a stroke of the pen, at the last moment, to nullify the assurance given by section 12 of the Bill to the owners of Azimpet is not fair. It is open to the owners of Azimpet to say 'we kept back because of the reservation contained in clause 12.' To pass this amendment will work a great hardship on the owners of land. I have no objection to leave the consideration to the 16th instant, but on the 16th it may become necessary that the Council will have to decide whether notice should not be issued to the people who may be affected by it and invite their objections to be submitted before a select committee."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—" Mr. President, I am afraid that my honourable friend Mr. O. Tanikachalam Chettiyar has not remembered the previous discussions with regard to this matter. When I introduced this Bill I almost in specific terms said that I was introducing the Bill because of the Azimpet people who were going to be affected, and if I remember right—I have not got chapter and verse—I said to the House that buildings worth about 7 lakhs are likely to be demolished in that quarter. Apart from that, on the last occasion, when there was a discussion with regard to clause 12, Mr. Natesa Mudaliyar asked a point blank question whether this Bill would protect the Azimpet tenants and he introduced, it might be remembered, an amendment to the section as it now stands to the effect that any agreement which had been taken subsequent to the particular date shall be invalid. It was really for these Azimpet people, when I realised the position in which they stood, that this Bill was primarily intended. There was no question whatsoever with regard to the registered instrument, as such, with the knowledge which I then possessed, viz., that there were registered instruments in writing taken from the Azimpet people; but under the impression that they related to buildings already erected I allowed section 12 to stand as it is. I did not know at that time, it was subsequently that it came to my knowledge, that those very documents contained also stipulations as regards buildings to be erected subsequently. With that knowledge it would have been utterly impossible for me to allow section 12 to stand, consistently with the opinion the House has expressed at the last meeting, consistently with the view as regards section to be given to those tenants. It is nothing new which I am introducing the purpose of relieving the tenants of Azimpet, and this new amendment is quite clear that persons who build after the contract shall not be protected. In Mylapore and other places, persons have taken leases of temple lands for view to build thereon. These persons have not to be protected. I believe the amendment now proposed exactly carries out the intentions of the House as repeatedly expressed before."

The Hon'ble the PRESIDENT :—" Does the honourable member withdraw his motion to adjourn this subject to the January meeting ?"

Mr. O. TANIKACHALA CHETTIYAR :—" I withdraw my motion. Instead of at the January meeting it may be taken up on the 16th instant."

The motion was by leave withdrawn.

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Diwan Bahadur M. RAMACHANDRA BAO PANTULU :—" I formally move that this be adjourned to 16th."

Mr. A. RANGANATHA MUDALIYAR :—" I second it."

The motion that the subject be adjourned to 16th instant was put to the House and carried.

2. A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920

Mr. T. A. RAMALINGA CHETTIYAR :—" Sir, I beg to present the report of the Select Committee appointed to consider the Bill to amend the

12 noon.

Madras District Municipalities Act, 1920, and move that the Bill as reported by the Committee be taken into consideration. The report was circulated about a month back, and the only changes that have been made by the Select Committee were made to meet two circumstances, and the reasons necessitating the proposed changes are mentioned in paragraph 8 of the report of the Select Committee. I need not reiterate what has been stated there and I move that the Bill be taken into consideration."

Diwan Bahadur M. KRISHNAN NAYAR :—" I second the motion."

The motion was put and adopted.

The Hon'ble the PRESIDENT :—" It would, I think, be convenient if I put the Bill as amended by the Select Committee, clause by clause, under Standing Order 48."

Clauses 1, 2 and 3 and the preamble were put to the Council one by one and passed unanimously and allowed to stand part of the Bill.

Mr. T. A. RAMALINGA CHETTIYAR :—" Sir, no amendment having been made to the Bill, I move under Standing Order No. 49 that the Bill be passed."

Diwan Bahadur M. KRISHNAN NAYAR :—" I second it."

The Bill to amend the Madras District Municipalities Act was then passed unanimously.

X

RESOLUTION MOVED BY THE HON'BLE THE MINISTER FOR LOCAL SELF-GOVERNMENT.

Appointment of Registrar of Panchayats.

The Hon'ble Mr. P. RAMAIAH :—" Mr. President, Sir, I beg to move—

'That this Council recommends to the Government that a registrar of panchayats to be paid from Provincial funds be appointed under section 37 (1) of the Madras Village Panchayat Act, 1920, for a period of one year for the whole of the area to which that Act applies.'

"Sir, section 37 of the Village Panchayat Act gives power to the Government to appoint a registrar for the organization of village panchayats to be paid from the Provincial funds. Paragraph 4 of the Statement of Objects and Reasons to that Bill explains the necessity for the appointment. From that paragraph we see that it was the intention of the then Government to appoint a registrar as soon as the Bill was passed, so that the registrar might organize the panchayats. In March last, however, an informal conference of presidents of district boards and chairmen of municipal councils was held and in the conference it was decided that

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the discretion as to which agency, official or non-official, should be employed for organizing panchayats should be left to the presidents of the district boards. Some of the district boards decided that the presidents of the taluk boards should be employed as the agency for organizing the panchayats. As a matter of fact, orders have been passed appointing a few of the presidents of the taluk boards to organize the panchayats in the areas within the jurisdiction of their boards. Notwithstanding this it is found that the appointment of a trained administrative officer is necessary to carry on the work. The Government are strongly of opinion that until the work of organization is completed, an officer of the grade of Collector should be appointed to supervise the work of bringing panchayats into existence. There is provision in this year's budget for funds to meet the cost of the appointment till the end of the year. The appointment of the special officer that was made last year comes to an end by the 15th of December, while provision for his appointment is made till the end of the current year. Thus there will be no difficulty about funds for the current year. In these circumstances, Sir, I have no doubt that the Council will accept the resolution."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—" I second it."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Mr. President, Sir, I have got considerable difficulty in giving my assent to the resolution that has been placed before the Council. The Hon'ble the Minister for Local Self-Government has been good enough to inform us that as the result of an informal conference held with some presidents of district boards and some chairmen of municipal councils and others it was thought that the discretion for determining the agency should be left to the district boards and that some taluk board presidents have also been appointed registrars. The scheme of the Act, so far as I am able to remember, does not contemplate the appointment of registrars where it is possible that there might be a conflict of jurisdiction. It is clear that some presidents of taluk boards have already been appointed registrars under section 37 of the Act, and they have jurisdiction over their respective areas. If to-day we should give our assent to the appointment of a registrar for the whole of the Presidency, is it to be supposed that there will be two sets of officers having concurrent jurisdiction for the limited area of the taluk board concerned? I believe that at the time when this question was considered at the informal conference it was expressly understood that because the Government would not be able to find adequate financial provision for the appointment of a registrar, they should try the experiment of appointing non-official agency without any payment whatever. I believe we agreed to them only under those conditions and as a sort of temporary arrangement to avoid the appointment of a highly-paid officer. The Hon'ble the Minister has been good enough to tell us that the appointment made would expire from the 15th December and that funds are available for the remaining portion of the year. Probably he is referring to the appointment of inspector of municipal councils and local boards, though he did not expressly refer to that when he said that the appointment would expire on the 15th December. Sir, I am really uneasy at the way in which this question is tried to be brought forward. At the informal conference it was stated that because the finances did not permit, the taluk board presidents can do honorary work, and some of them have been actually appointed as registrars. And now, I find that because the appointment of inspector of municipal councils and local boards would expire by the 15th December, the Government intend appointing or rather creating an appointment of a registrar probably on the same salary or on the same terms. I would further

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suggest to the Hon'ble the Minister to postpone consideration of this matter until after a fair trial is given to the system which has already been put into operation. It was at his instance and in consultation with him that the taluk boards were advised to take upon themselves the duty of registering panchayats, which is a purely honorary work without any payment whatsoever. Some suggestions were made as to whether they would be given the assistance of some paid agency, which too was not considered feasible; and some taluk boards have gladly taken up the task. After receipt of an order suggesting such a course, the district board presidents consulted the various taluk board presidents as to whether the latter would take up the task, and several signified their willingness to take up this honorary work. Having gone so far, is it not fair that we should give that system a much further trial than has been given and then think of the necessity or otherwise of having paid agency for that purpose? Otherwise, Sir, it will only appear that the Government, having issued about a month ago an order suggesting the appointment of taluk board presidents as honorary registrars, now propose either superseding it or modifying it to appoint a highly-paid officer as registrar. There is something which is really incongruous in such state of things. Apart from the incongruity, I believe that the Act itself does not provide for anything like assistant registrars, but it merely refers to registrars. Are we to have a number of taluk board presidents as registrars and also a highly-paid officer as registrar for the same work? There is something in the Act which requires amendment, before the proposed course is taken.

"For all these reasons, I think that the present proposal is somewhat premature. I would ask the Hon'ble the Minister for Local Self-Government to consider whether he cannot give the system already inaugurated a further trial and for a sufficiently long time and then think of appointing a highly-paid officer."

Mr. T. A. RAMALINGA CHETTIYAR :—" Mr. President, Sir, I rise to support the motion of the Hon'ble the Minister for Local Self-Government. I was a member of the informal conference and also of the Finance Committee before which the matter came up for consideration and discussion. The Finance Committee after discussing all the merits of the case, has finally sanctioned this appointment. The object of this appointment is not, as Mr. Krishna Rao has put it, to provide an officer for the organization of panchayats and the supersession of the honorary officers that have already been appointed. The Village Panchayat Act was passed last year, but still the rules have yet to be framed and a committee has been appointed only recently for the purpose. Probably it may take some time to frame those rules. Even though the Act was passed last year, no panchayats have yet been formed. In the beginning it would be necessary to give some sort of encouragement to the formation of the panchayats and to secure some uniformity in their work. All these considerations were put forward before us in the conference and the committee and we thought it necessary that an officer should be appointed who can go round and help and advise the taluk board presidents who are honorary registrars and who would continue as such, and that the officer would co-ordinate their work and help in the formation and working of the panchayats.

"It was also thought at the time of the discussion in the committee that unless an officer of this stamp is to be appointed there was no chance of things getting through the Secretariat itself. The work in the Secretariat is said to have very much increased and unless a special officer is appointed, it may not be

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possible to get through the large amount of work that will come in in connexion with the working of this Act. So this officer would be a sort of Secretariat officer in charge of this work, apart from the Secretary of the Local Self-Government Department. He is also a touring officer and he would be in a position to help the presidents of taluk boards who are now honorary workers. This would be also a measure of relief to the Secretariat. It has been specifically mentioned that the post will continue only for one year and that no further sanction of the Council would be asked for, to continue it next year. It was in consideration of all these facts, Sir, that the Finance Committee thought fit to approve of this appointment.

"It was also said that as the inspector of municipal councils and local boards has been doing very useful and good work, that his work in several directions has not been completed and that this officer can complete what he has hitherto begun. It was understood that the office (Inspector of Local Boards and Municipalities) as such was not necessary but as registrar of panchayats this officer might be able to devote some of his time for helping the taluk boards and municipalities wherever they may need his help. It was thought that his services could be utilized in this way also. I also think, Sir, that this office will not be perpetuated. So, Sir, I have great pleasure in supporting the motion that has been made by the Hon'ble the Minister for Local Self-Government."

Diwan Bahadur T. DESIKA ACHARIYAR :—"Sir, I support this motion. I have been taking a considerable amount of interest in the organization of informal panchayats; a large number of panchayats was organized three years ago. Now they are no longer active; most of them have become moribund; many of them are dead. That was on account of the want of co-ordination, want of central guidance and want of some person who could go and advise taluk board presidents and others who set about organizing these panchayats. It is necessary that there is employed an officer of some standing who is perfectly conversant with official routine and who is also conversant with matters relating to local self-government, to go from district to district, as the Inspector of Local Boards and Municipalities has been doing, and advise taluk board presidents and honorary registrars in the matter of the proper organization of these panchayats. It is not correct to say that after the appointment of a registrar of this kind, there would be any overlapping of activities. On the other hand, the registrar would in most cases merely advise the taluk board presidents as to how things should be done and as far as I can see there is nothing in the Act which prevents the appointment of such an officer. Unless a registrar is appointed, the activities, in many of the districts, of honorary assistant registrars—who have so many other things to do,—are not likely to come to fruition in the direction contemplated in the Act. This appointment is necessary not for one year only, but for some years until these panchayats are properly organized, and when they are brought to the status of the co-operative credit societies which are being organized and fostered under the control and guidance of Government, then it would be time to think of dropping the appointment. For the present, I think the motion before the House that a registrar should be appointed is a very good one, and I support it."

Diwan Bahadur M. KRISHNAN NAYAR :—"Sir, I also rise to support the motion before the House. When the Hon'ble Sir Charles Todhunter placed this subject before the Finance Committee, some doubt was expressed at first in the Committee as to the need for this appointment, but after a free and unfettered

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discussion in that committee—the discussions in that committee are always free and unfettered—the committee unanimously came to the conclusion that this appointment was necessary. It was pointed out in the Finance Committee—and it has also been pointed out now before this House—that though this Village Panchayats Act has been on the statute book for some time past, not a single village panchayat has been formed till now. The immediate result of this appointment will be the inauguration of these village panchayats.

"Then there is the question of funds. The present Inspector of Local Boards and Municipalities continues to hold his office till the 15th December and from that date his appointment ceases, and, as has been pointed out, provision has been made in the current year's budget for that appointment till the 31st March 1922, so that the funds for this new appointment, if this resolution be carried, will be met from the existing provision in the budget till the 31st March 1922 and this resolution as it stands, asks for funds only for a further period of about six months or so. So, in order that the Act may not be a dead letter, it is highly necessary that this resolution should be accepted. For these reasons, I support the resolution."

Rai Bahadur T. M. NARASIMHACHARLU :—"Mr. President, I also rise to support the motion on two grounds. In the first place, under the Local Boards Act, it is only unions that have got a population of 5,000 and more that will be called union boards. Temporarily all the old unions have been declared unions under the new Act. Now, there is a good deal of work to be done to bring up all the minor unions under the category of village panchayats. For that, there is necessity for a central officer who will do the thing in a systematic manner. That is one reason. The other reason is this. As has been already pointed out, a certain degree of uniformity is required in the formation of village panchayats. The village panchayats will be minor unions with some more powers with regard to the village forests, village irrigation and other matters. In this connexion, I think, it will be highly desirable that an officer who has got experience in the Revenue Department and who will certainly understand the underlying principles of what forests could be safely entrusted to the village panchayats and what irrigation works could be safely entrusted to them, should be available. Instead of leaving the matter to the presidents of taluk boards, it will confer great advantage to the people if a central officer for the whole Presidency is appointed, so that he might move not only with the people but also with the Government officers and make out a list as to what particular works should be entrusted to the care of these village panchayats. It is in this way that a central officer for the whole Presidency is absolutely essential. Even when the informal conference was going on, I believe it was urged that a central officer at the outset might be appointed and that after the officer had organized the whole thing and had set the whole machinery at work, then it might be thought desirable to entrust the actual management of the progress of these institutions to the care and guidance of the taluk board presidents. But then the question was one of funds. But now that happily, so far as this officer is concerned, that problem is solved, I think there should be no longer any difficulty in the way of this appointment."

Rao Bahadur T. BALAJI RAO NAYUDU :—"Mr. President, I am also one of those who are in favour of creating this appointment. At the time when the Village Panchayats Act was passed, it was thought that the appointment of an officer like this was necessary. I do not believe that the steps which had been taken by the Hon'ble the Minister for Local Self-Government of appointing taluk board presidents and district board presidents to organize these village panchayats will be of

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great value. Before the passing of the Act, myself and my friend Mr. Narasimharaju tried to form a number of panchayats, and we had a lot of trouble and little success. However, I am sure that without the official interference these honorary officers or taluk board presidents and district board presidents can do anything in the matter. The appointment of even a single Registrar will not do. The co-operation of the district and divisional and taluk officers of the Revenue Department must be sought for until the organization is completed. So, to start with I think a Registrar should be appointed."

Mr. K. GOPALAKRISHNAYYA :—" Sir, I also rise to support the motion. I fail to see how this resolution causes considerable inconvenience in the mind of Hon'ble Mr. Krishna Rao so as to interfere with the existing agencies. I dare say that in his district where the agencies that are made to work this Act in the way of organizing village panchayats has been at a disadvantage. We feel that it is high time even now to think of other agencies in putting in force the provisions of this Act."

Rao Bahadur A. S. KRISHNA RAO PANTULU (*interrupting*) :—" With reference to the suggestion made as to the agency appointed in my district, I wish to remind the honourable speaker that such agencies have not yet been appointed in most of the districts. It is only in one district that this was done by a gazette notification duly issued. It is only after a Registrar has been appointed, that the organization of village panchayats can go on."

Mr. K. GOPALAKRISHNAYYA (*continuing*) :—" That is why, Sir, I say that in order to try the experiment even in one district, it is enough to say that in the district in which this experiment has been put in force there is no success. It is no use extending the principle to other districts and probably keeping the Act for two or three years more as a dead letter. It will be very good, Sir, to talk of non-official agencies and to think of non-official gentlemen to organize these societies. We know from experience of local bodies how such agencies have been faring, in the matter of acting in a responsible manner. Certainly, we feel that some goading stick is necessary from above and unless there is some pressure from above, even the local boards will not be in a position to exert themselves in a fitting manner to organize these panchayats. People were expecting that some good will come out of this Village Panchayat Act, and so far as we are able to see, it is only in very few villages that this Act has been put in force, and as such I suggest that this motion should be accepted by the House."

Mr. A. RANGANATHA MUDALIYAR :—" Sir, I am one of those who think that this appointment has been long overdue. My surprise is that these district board presidents and taluk board presidents should ever have been thought of in this connexion, and I am very glad that many of the speakers who have preceded me are either presidents of taluk boards or of district boards and a plainer confession of their inability to form panchayats than what they have given expression to could not be made."

Mr. T. A. RAMALINGA CHETTIYAR (*interrupting*) :—" I did not say that taluk board and district board presidents are incompetent or unable to work this Act."

Mr. A. RANGANATHA MUDALIYAR (*continuing*) :—" Very well, Sir. The very fact that they strongly press for the appointment of the Registrar shows that, without him these presidents of taluk and district boards do not hope to do as well as they should, if the Act is to be worked successfully. I think this appointment is absolutely necessary and should be proceeded with."

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Mr. T. SIVASANKARAM PILLAI :—" Sir, I also rise to support this resolution. One of the previous speakers took exception to the appointment of taluk board presidents as assistant registrars. So far as I know, no formal appointments have been made. It is only some consultations that have been going on and probably the Secretariat wanted information as to who were all willing to serve in this direction. I am not however aware of any appointments having been made. If there are any appointments more they will be of course subject to the rules that are going to be framed under the Act. There is nothing wrong if some of the president registrars feel unequal to the task without official help. So it is but fair that we have some one to guide us in the work, though not to goad. In this sense of the matter, I say that a registrar is absolutely necessary. This Act is a very useful means towards creating what is called 'responsible Government' in villages. Having an eye to the importance of the task, I think it is necessary to have a full-time officer so that he may devote all his attention for the development of public life in villages."

Mr. R. SRINIVASA AYYANGAR :—" Mr. President, it cannot be cast into my teeth that anything that I propose to say, or wish to say, is tainted by bias, for I am not at present connected with any of these boards. 12-30 p.m. It may perhaps be said of a large number of speakers who preceded me that their connection with the district boards entitled them to speak with a certain amount of knowledge; but till recently I was connected with the boards and speaking from my past experience, I am led to think that the appointment of such an officer is indispensable in the best interests of the local boards and in the best interests of the village panchayats. Therefore, as one unconnected with these local bodies for the time being, I heartily support the motion before the House."

The Hon'ble Mr. P. RAMAIAH :—" Mr. President, I have only a few words of explanation in reply to what my Hon'ble friend Mr. Krishna Rao observed. The Hon'ble Mr. Krishna Rao said that the jurisdiction of the official registrar of panchayats would overlap the jurisdiction of the non-official registrars. It is not proposed that the powers of the official registrar for the whole Presidency should come in conflict with the powers of the non-official registrars, i.e., the taluk board presidents. The former is expected to advise the latter and generally supervise their work."

"The other objection which Mr. Krishna Rao raised was about the funds. Funds have already been provided for the appointment of the special officer to inspect the local boards and municipalities, and the officer who is to be appointed as registrar of the panchayats will also be the special officer to inspect the municipalities and district boards. It is also proposed that his services will be utilized for the introduction of compulsory education in the districts. His pay will be met from the budget provision for the pay of the special officer."

The motion was put to the House and carried with two dissentients.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

Reduction of the strength of the gazetted services.

Mr. C. V. VAKKATARAMANA AYYANGAR :—" Sir, the resolution that I want to move before the House runs in these words :—

'167. That this Council recommends to the Government that it is desirable to take necessary steps as early as possible to reduce the strength of the gazetted services in the province by 20 per cent with a view to carry out retrenchment in public expenditure and subject to such conditions as may be found necessary.'

"This, Sir, is the third point in the scheme of retrenchment which some of us want to have. The first is of course reduction in the salaries, the second is the

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reduction in the travelling expenses and the third is the reduction in the number of gazetted appointments. So far as the first two are concerned, this House has with no mistaken voice expressed its opinion that some retrenchment must at once be effected, though the Government has not so far given effect to those resolutions and probably expect the Finance Committee to help them. Whatever that may be, so far as the present question is concerned, there can be no doubt that we will all agree, especially when the figures are presented to the House, that a good deal of retrenchment is absolutely necessary. I had prepared some figures for the year 1900 and 1921. The Hon'ble the Finance Member was kind enough to have a talk with me and he was pleased to give the figures for the Government for the years 1901-02 and 1921-22. As there is a likelihood of some mistake in my figures, I will adopt the figures prepared by the Government so far as the comparative figures for these two years are concerned. I shall first give the figures for 500 and above and then generally between 500 and 1,000; and then for 1,000 and above. Now, the number of appointments on Rs. 500 and above in the year 1901-02 was 412, whereas in 1921-22 the number is 920; that is, the appointments on Rs. 500 and above which were only 412 in 1901-02 have more than doubled, and the figure stands at 920 to-day. The total cost for those establishments in 1901-02 was 53 lakhs, whereas now it is nearly three times as much, viz., 127 lakhs. If we divide these figures, we will see that there were 244 appointments between Rs. 500 and Rs. 1,000 in 1901-02, costing 19 lakhs, while we have 497 such appointments this day costing 38½ lakhs. But the state of affairs is worse when we take the appointments on Rs. 1,000 and above. The number of such appointments in 1901-02 was 168 costing 34 lakhs; it has now come up to 423, i.e., more than double, but the cost is 88 lakhs, nearly three times. To repeat it, Sir, the number of appointments on Rs. 1,000 and above has more than doubled in these twenty years with the result that the cost also has increased nearly three times, being 88 and odd lakhs. Therefore, it is not necessary to give any further reasons for the reduction excepting these. Taking the appointments on Rs. 500 and above as a whole we consume so much as 127 lakhs annually for the salaries. It was stated the other day in the discussion of the other resolutions that two-thirds of our income is spent on the establishments. Probably the figure may not be quite correct if we take the pay alone into consideration, as the actual pay of all the establishments from bottom to the top comes to 620 lakhs; but we have a very large figure to add to this by way of House-rent allowances, by way of contingencies and by way of that big white elephant item, travelling allowances. There is no doubt, therefore, that if all these are combined, the expenses might come a little near to two-thirds of the whole expenditure."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"I venture to say Sir, that it is a great pity that figures like that should be given to the public. The total revenue is 17 crores, and as the honourable member put it, the total cost of all the appointments of all sorts is six crores. That does not come to two-thirds of the revenue."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I said that, Sir, so far as the cost alone is concerned; because, to my mind, cost includes travelling allowance, house-rent, contingencies, etc., besides the pay."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"Does the honourable member suggest that we spend 6 crores on house-rent and travelling allowance?"

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Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I did not say that. I simply said that if those allowances are added, the cost might come to about two-thirds. My point to-day is this. If this resolution is carried, and if there is a substantial reduction in the number of higher gazetted officers, it would necessarily involve the reduction of expenses under various other items also; because we know that a gazetted officer means a number of non-gazetted officers; we know that a gazetted officer means plenty of contingencies and, above all, we know that it means a large sum of travelling allowance. Therefore this proposition maintains that if this number is reduced there will be reduction not only so far as the actual pay is concerned, but also so far as the total cost of the establishment is concerned. Taking these figures into consideration, the fact that there could have been such a large increase within these twenty years is certainly a very good excuse for us to say that it could be reduced."

"I might give a few figures taken from the records to show how the heads of various departments have increased in numbers from year to year, or from decade to decade. And there can be no doubt whatever that if in 1900 we could have managed with only 420 gazetted officers drawing Rs. 500 and above, there is no reason why we should necessarily have 920 to-day and why we could not have a reduction of about 200 out of that. It will be said of course that the work has enormously increased. So far as I can see, the number of non-official agencies has increased and therefore the work of the paid agencies is also considerably reduced. Also, the various Acts that have been passed give power to Government to appoint honorary agencies in various departments and therefore if there is any necessity, more honorary agencies might be created and the paid agencies reduced."

"So far as my proposition is concerned, it is a very simple one. It may be asked as to how I arrived at the 20 per cent figure. I have only taken what is embodied in the Government Order. The Government in that Government Order, of which much has been said and so very little done, said that every department was expected to show something by which 20 per cent reduction could be made. This reduction can be effected not by the reduction of so many appointments of peons or clerks, but only by the reduction in the higher appointments. Therefore, if the Government want really to give effect to that Government Order, I think the best thing will be to accept this resolution, and to send it on to the Finance Committee or any other committee to find out as to how effect could be given to it. I know that it may be said that a few appointments will be taken away and probably in the course of the debate we might understand that about 80 appointments or so are to be taken away. Probably, these 80 appointments might cost about 60 or 70 lakhs, but so far as the number 80 is concerned, it is nothing out of 920 appointments. It will not be even 10 per cent; it will only be about 8 per cent. I believe if these 80 appointments are taken into consideration, there may not be about 10 or so drawing more than Rs. 1,000; a large majority of them will be those that draw below Rs. 1,000. That will not be of any use at all to us. Reduction must be more in the top."

"I have got figures here for the subordinate non-gazetted officers also. The increase in the lower subordinates is not so much. For instance, let us take the hands below Rs. 100. Those who got below Rs. 100 in 1901-02 were 47,000, whereas they are only 60,000 now, i.e., an increase of about 25 per cent."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"May I ask the honourable gentleman if he has considered the fact that many of the people who drew less than Rs. 100 formerly are now given more than Rs. 100?"

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MR. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I do not think it is a point of order, but I have certainly considered that point. If below Rs. 100 is considered, below Rs. 500 also should be considered, because people below Rs. 500 also would have gone above."

"I wanted to take the whole of the gazetted service into consideration. The Hon'ble the Finance Member has prepared figures as c 12-45 p.m. regards the pay received by various grades. I say, Sir, that what applies to the gander applies equally to the goose. What applies to people on below Rs. 100 applies to people on above Rs. 100. There is no need to trouble ourselves with possible explanations. All that I want to say, Sir, is this. There is only an increase of about 25 or 30 per cent in the case of people who are on Rs. 100 and below, whereas in the case of people on above Rs. 1,000 the increase has been cent per cent and if the increase in the establishment charges is taken into consideration, it is more than double than what it was formerly. I do not think my arguments can be wrong, the figures being those taken from the Finance Department itself."

"Well, it may be said 'how can we make retrenchment?' With due respect to the Hon'ble the Member for Revenue, who thinks that whatever may be the case with other departments, the establishments under him are an irreducible minimum and who is ready to safeguard the interests of his Collectors, Deputy Collectors, etc., I think some retrenchment can be effected in the departments under his charge—retrenchment not in the abolition of a few posts of clerks, not in the abolition of a few posts of dala-yats, but in the substantial decrease of a few Collectors and Deputy Collectors. To-day a question was asked in this connexion, and the answer is 'refer to some other answer which was given some months ago,' that answer to my question being 'we cannot make any reduction so far as the heads of offices are concerned.' The number of Collectors in 1880 was 19 and became 22 in 1900. But now, Sir, I believe it has gone up to 34. I give these figures subject to correction. I take into consideration the District Collectors actually working as such and persons who are in the same cadre."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"I presume the honourable member has taken into consideration also the members of the Indian Civil Service in the senior grade, which includes senior Sub-Collectors also."

MR. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"Yes. Unfortunately on account of the magical transformation recently made by the Secretary of State, the word 'Collector' perhaps goes away and the terms 'senior grade' and 'senior Sub-Collectors' are to be used. I am talking of people who are in the same cadre as were the Collectors hitherto. Once for all I may say, Sir, that we are not here to blame either the Madras Government or the Government of India or the Secretary of State. Perhaps all are wrong. If under the rules there are to be 93 appointments or so for which I.C.S. people are to be posted, under some magical rule that number has come to be double. Thus we have now 180 of such appointments because of the rule that for every one in the substantial cadre there should be one under training. I say, Sir, that serious reduction can be effected at least in the case of people under so-called training."

"Now, let us come to the case of Sub-Collectors, Head Assistant Collectors and Assistant Collectors. As the Hon'ble the Finance Member desires, I will take the total figure. The total number of these was 101 in 1900—I am speaking subject to correction—and I understand that there are 121 of them in actual employment to-day. There is a rapid increase in the number of deputy collectors. If

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increase in the number of deputy collectors is given as an excuse for reducing the number of civilian revenue divisional officers, we can understand it. But it is not so. There is an all round increase. The deputy collectors were 80 in 1890, 72 permanent and 30 acting in 1900, whereas now there are 154 permanent and 88 acting, besides a number of settlement officers and others. Many of us feel that there is an unnecessary increase in the number of revenue divisional officers. I may give one instance in the Coimbatore district. It now comprises of nine old taluks. One big taluk, Karur, is taken away from the district, but there is no reduction in the number of divisional officers but on the other hand there is an increase. Their number has gone up from 4 to 5. Sometimes a deputy Collector is in charge of three taluks and when he comes to another division he will have to be in charge of two taluks, and sometimes of one taluk even. There can be no doubt, Sir, that some retrenchment can be effected in this direction by adding one more taluk to each of most divisions and thus reducing the number of revenue divisions."

"I may say, Sir, something about the Collectors. Of course it will be said that they will have to do travelling, etc. I am sorry to say that this very travelling probably adds to the number of these Collectors. I have heard of old day civilians travelling in double bullock carts during nights and attending to work during daytime. But now the Collectors travel long distances during day and get tired when they reach the destination and do practically no work that day. Of course it is no wonder that they do no work at all. I have requested the Hon'ble Sir Charles Todhunter to scrutinize the travelling bills of these people. I know of a Collector who travelled from one corner to another from 7 to 10 and from that to other corner from 12 to 2 and went to some other corner from 4 to 6. Unfortunately the travelling is now done in motor-cars. I will welcome a rule that no district officer or divisional officer should own a motor-car. In good old days they used to travel a few miles in a day and stop at some chatram or travellers' bungalow. Now the Collector generally starts in Coimbatore and goes to Erode in a day, a distance of nearly 63 miles. The chatrams are going to ruins because they are not used. It is the travelling that is giving a good deal of trouble now. If a rule is made that no officer should travel more than 20 miles in a day, there will be no more papers pending. In spite of increase in the number of officers more papers are now pending than before. Well here, Sir, I do not want to trouble the House with more figures. It is the same sad tale in other departments also. Coming to the Forest department, whereas in 1880 the number of Conservators was 1, in 1900 it was 3 and in 1920 it has actually doubled and is 6. I have great respect to some of the officers of this service. I have come in contact with some of them. But I think the number of higher officers in this department can be reduced by at least 50 per cent without causing more danger by the animals in the forests or less convenience to the ryots. The post of the Chief Conservator is newly created. I do not see any reason why having already an efficient and experienced Chief Conservator, Mr. Cox, the number of Conservators should be increased from 3 to 6. If we take the whole number of Conservators, Assistant Conservators, Deputy Conservators, Extra Assistant Conservators, etc., the number has gone three or four times. More number among these officers means more trouble and unnecessary vexation. Therefore taking the Forest department also, there can be no doubt that some retrenchment may be made as in the case of the Revenue Department. What is wanted is strong will."

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"The same thing applies to the Police Department also. The number of District Superintendents of Police—I am speaking subject to correction—in 1880 was 20, 25 in 1890, 26 in 1900 and 34 now. The number of Assistant Superintendents in 1880 was 20, 30 in 1890 and 36 in 1900 whereas it is 34 now and to assist them there are now 41 Deputy Superintendents. We thought that when the Deputy Superintendents were appointed, the Assistant Superintendents might go at least to some extent. But, no. Whereas 41 Deputy Superintendents are newly created and are in existence now, the number of Assistant Superintendents has gone up from 20 to 34. I appeal to the Council to consider whether so many are necessary.

"So far as the Collectors and Deputy Collectors are concerned, I think it is possible to have a considerable reduction; because we have got a number of other departments newly created.

"The Collector was formerly at the head of local boards, forest, police, and everything else and many of these departments are now taken away from his charge.

"I do not want to trouble the House so far as the transferred subjects are concerned. I have reasons to think I am glad to say that so far as the Public Works Department is concerned, a good deal of reduction is to be made. In the case of Registration department, I submit for the consideration of the Hon'ble Minister whether it is necessary to have an increased number of District Registrars.

"The number in 1880 was 21, in 1900 it was 23 and now it is 32. I see the Hon'ble the Minister nods his head and that is probably because if

we look into the Quarterly Civil List we can see that three posts are now vacant. In many of these departments as a rule, Sir, a very large number of higher appointments have been created and many such appointments are now vacant showing that the increase was at least partially unnecessary.

"Let us now take the Agricultural department—I am sorry the Minister in charge is not now present in the House. This is a growing department; but what does it grow? It grows a large number of experts from England and English master-farmers have been appointed to our cholam, our maize, etc., about which they know nothing at all. The Government have sanctioned about 25 expert officers but nobody has yet been appointed to some of these posts and probably they are still searching for experts. I appeal to the Hon'ble the Minister to see if he cannot reduce this number. I request him at least to see that vacancies are not filled up and I think that considerable retrenchment can be effected if this is done. I must add that the Hon'ble the Minister is not responsible for these appointments and as they were created just before the change in the Government.

"I think I have given sufficient reasons to show that we have no alternative other than that of reducing the number of officers. The other alternative is that to meet the expenditure we are going to have additional taxation and additional taxation is considered to be a remedy for all kinds of evil. But we should reserve it for another thing. There is a great chance of a large reduction in the abkari income. Thanks to the decided opinion of the public on the matter. The Government or rather the Publicity Bureau have told us that the reduction had already come to 60 or 80 lakhs. We have got to be prepared for more reduction which is likely to come up to two crores soon out of the total income of 5½ crores for the whole Abkari department. Therefore, Sir, I think the House will take these matters into consideration and pass this resolution."

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Mr. R. SRINIVASA AYYANGAR:—"Mr. President, I have great pleasure in seconding the resolution before the House. The figures quoted by the honourable mover speak for themselves. The gazetted services above Rs. 500 have rightly come in under the heavy artillery fire very briskly opened by the honourable mover, and it seems to me that the only possible way of escape therefrom would be to accept this resolution in the sympathetic spirit which permeates and underlies it. I, therefore, hope and trust that it will be possible for the Government to devise ways and means by which they will be enabled to reduce the strength of the gazetted services in the Province either by 20 per cent as the resolution demands or by such other percentage as the circumstances may warrant without either impairing the efficiency of the services or without detriment . . ."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"May I ask, Sir, whether the honourable member is seconding the resolution on 20 per cent reduction or is proposing an amendment suggesting some other percentage of reduction?"

Mr. R. SRINIVASA AYYANGAR (*continuing*):—"While seconding the resolution before the House and requesting the Government to give effect to it, I only wanted to throw out a suggestion which they may in the plenitude of their wisdom, accept or reject. My submission is that the proposed reduction of 20 per cent is in no way likely either to paralyse or embarrass the Government, and that it will be possible to give effect to it (in view of the fact that in the past twenty years the service has doubled itself) if only the Government are disposed to do so. With these few words, I second the resolution."

Rao Bahadur T. BALAJI RAO NAYUDU:—"Mr. President, the amendment that stands in my name runs as follows:—

"Omit the words "as early as possible" between "to take necessary steps" and "to reduce the strength"; and substitute the words "so as to give full effect to the reduction in the course of four years" for the words "subject to such conditions as may be found necessary".

"My amendment simply amounts to this: that the Government may give effect to this resolution proposed by my friend Mr. Venkataramana Ayyangar in the course of four years so that there might be no inconvenience felt by them or by those who are likely to be affected by the passing of the resolution. My friend, Mr. Venkataramana Ayyangar has given us sufficient details to justify the curtailment of the appointments about which we have often and on spoken in this Council. There is no doubt that everybody feels—and I suppose that even the Government themselves must be feeling—that we have too many appointments. The resolution which has already been passed in this Council also shows that the country and we in this Council feel that considerable reduction in the cost of administration should be made. So, instead of leaving the matter at this stage we must think of some means of effecting a retrenchment and this is one of the ways in which we suggest to the Council that the reduction may be made gradually though not all at once. Mr. Venkataramana Ayyangar gave a number of figures which might have already convinced the members of the Council of the fact that the establishment costs too much and one and all of us are against having the establishment at such a heavy cost. This amendment of mine is intended, as I told you, to give effect to the resolution in an easy manner and in the course of four years. There is no doubt that there is every scope of making the reduction proposed by the honourable the mover practicable.

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"I understood that in some districts Collectors and Deputy Collectors suggested it to the Government that some divisions may be clubbed together and some Deputy Collectors might be done away with."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB (*interrupting*):—"I beg to point out, Sir, that the Government have no such information."

Rao Bahadur T. BALAJI RAO NAYUDU (*continuing*):—"My information was that the Government had suggestions of retrenchment in that way."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB (*interrupting*):—"If I understood the honourable member correctly, I heard him state distinctly that some Collectors and Divisional Officers had definitely sent reports that some divisions may be amalgamated. I hope, I heard him wrong."

Rao Bahadur T. BALAJI RAO NAYUDU (*continuing*):—"So far with regard to that subject and I don't know if my information is not correct. Some time back, I understand, that the Board of Revenue sent up a proposal to the Government that two of the departments in the Board might be clubbed together. They were not given effect to by the Government. They were proposals from their own officers, and I don't know why the Government should not consider them."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB (*interrupting*):—"The proposal referred to is, I believe, the recommendation of the Board of Revenue for the amalgamation of the Secretariat and the consequential abolition of certain appointments. The proposals have been accepted by the Government, and the papers have been sent to the Government of India for orders."

Rao Bahadur T. BALAJI RAO NAYUDU (*continuing*):—"Leaving that question also aside, the departments in which reductions can conveniently be made are the Public Works Department subdivisions, the Revenue divisions, and the number of Munsifs' and Subordinate Judges' courts. If the Government would call for figures of papers disposed of, or suits and cases, which have been disposed of by all the former courts put together, and the present number of courts put together, it will be found that the so-called increase of work is not in proportion to the increase of establishment made in recent years. In the district of Kistna, for instance, the increase in the Revenue work is not at all in proportion to the increase in establishment. If the Government will refer to the Collectors for the actual disposals it will be evident that the increase has been disproportionate. It may be that the number of office notes has increased and the number of formalities have increased. But surely the number of actual work turned out at the present day, I do not think, justifies such a large increase as has been made in recent years."

"In these circumstances, I would request the House to accept my amendment. Though I am entirely at one with the resolution, yet I think my amendment may be adopted to make it more convenient to the Government to give effect to the resolution, so that in the course of four years, a number of posts might be absorbed. I therefore commend the amendment to the acceptance of the House."

Rao Sahib U. RAMA RAO:—"I second the amendment."

The Hon'ble the PRESIDENT:—"Probably it will be convenient if the Hon'ble Member Mr. C. V. Venkataramana Ayyangar will now say what his views are in regard to the amendment proposed."

Mr. C. V. VENKATARAMANA AYYANGAR:—"My views on the amendment are very simple. After all, this is not a legislation. It is only a recommendation, and it does not very much matter in what words we make the recommendation. My only fear in accepting the amendment is that some may think that my resolution

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itself is more correctly worded because it gives Government more opportunities and probably extends the time for the giving effect to it as it states 'as early as possible'. I have no objection to either my resolution or the amendment being passed by the House. I only wish to know the views of the Government and I prefer to wait until some other members have spoken."

The Hon'ble the PRESIDENT:—"I think it will be convenient to allow the discussion to proceed on both resolution and amendment. Later 1-15 p.m. on it will be possible to take the sense of the House as to whether the original proposition or the one as amended has their support."

The Hon'ble Sir CHARLES TODHUNTER:—"Sir, I think it would save multiplication of speeches if we could see whether it is the general proposition or the amendment that has the support of the House."

The Hon'ble the PRESIDENT:—"We have had more than one instance in this House when we dealt with the proposition and the amendment together for a while."

The Hon'ble Sir CHARLES TODHUNTER:—"Sir, my desire was to ascertain how the honourable mover stands in the matter of reply, whether he will be allowed to speak on the amendment and again on the general proposition."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, I think, so far as the Hon'ble Sir Charles Todhunter is concerned he would be entitled to speak both on the original proposition and on the amendment. So far as I understand, the essential point which has been brought to my notice is that there should be a reduction of twenty per cent in the services which the proposer of the amendment also accepts. But he wishes this process to continue for a period of four years. So whether the reduction should be in the course of the next year or in the course of the next four years is really a small matter of detail. With reference to this if the Honourable Member wishes to speak on both the amendment and on the general proposition, he can now speak on the original proposition and on the amendment if he so wishes on a later day."

The Hon'ble Sir CHARLES TODHUNTER:—"Sir, if it is the sense of the House that, as the Hon'ble Member Mr. Ramachandra Rao has said, the essential thing is the figure of 20 per cent, then it is quite immaterial to me whether I speak on the amendment or on the main proposition. What I do wish to be satisfied is that we are speaking on that fraction of 20 per cent. It is for that reason that I rose to a point of order when the seconder proposed that we might reduce by 20 per cent or by such lower figure as might be convenient. On the last occasion when I was called upon to reply to one of those omnibus resolutions on economy I attempted to fix the proposers of that resolution down to the definite figure which they had put on the paper and I was told not to speak to that figure but to speak to 'the spirit of that resolution' or 'the spirit of the House' or some other impalpable abstraction which honourable members had in their minds. To-day I do not wish to fight with spirits or ghosts or other impalpable abstractions. I want to cross swords with something definite and to know where I stand. I hope I may take it that the honourable mover has undertaken the burden of proving that, where five gazetted officers are now employed, four can do the work. If that is the proposition, I am quite ready to meet it. And I propose to put it to the House that he has not yet shifted the burden on to my shoulders and indeed that the burden is a far heavier one than he has realised it to be."

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"He has discussed this question from the point of view of the desirability of general economy and on the basis of general statistics. As regards the general desirability of economy I hope it will not be thought, because I feel myself bound to oppose this proposition, that I do not accept that, that I am not absolutely in sympathy with it. It would be impossible for anybody holding the portfolio of finance under present conditions not to feel the need for all possible economies that can be made every waking hour of the day. The Finance Member's life is spent from day to day in meeting the reproaches of the departments for giving them too little except when on the rare occasions he comes to this House to be arraigned for giving them too much.

"It is only as regards the number given in the proposition, namely that wherever we have five men, four will do, that I join issue with the honourable mover. And here I should like to say in the first place that it is almost an impossible matter to discuss the statistics bearing on a question like this in set speeches in Council. I will just take one figure. The honourable mover has told us that the number of men in the Indian Civil Service has increased from 99 to 174. My honourable colleague Sir Lionel Davidson, has sent for the Civil lists and procured me the figures for three years that he has quoted for. The number in 1900 was 166, in 1910—174, and at present is 165, i.e., one less than it was in 1900. And that is the figure which I am asked to reduce by 20 per cent. Again, we are told that various proposals have been made but nothing has been done on them. My honourable colleague (referring to the Honourable Revenue Member) has corrected one or two statements of that sort. But still the honourable mover repeats the statement that all that we are doing in the matter of the 20 per cent reduction is to get rid of a few clerks and a few peons. I have been unable to place the proposals of the several departments before the Council because this economy question is an immense question to be dealt with in a large number of offices and involving immense issues and has not been dealt with completely yet. But I should like to give the Council a rough abstract of the proposals which are now before the Finance Committee. These proposals may be summed up as a reduction of about 80 gazetted appointments, costing 6½ lakhs, 600 non-gazetted appointments, costing 4 lakhs, 4,800 constables and menials and about 9,200 village officers and village menials. I do ask Hon'ble Members to say that these figures represent an effort, an earnest effort to meet the demand for economy. They show that the Government are fully in sympathy with the desire of this House to cut down unnecessary expenditure wherever possible and are not trifling with the question in the way that has now been suggested.

"Another reason why it is very difficult to discuss the figures which the honourable mover has put forward is that, as I attempted to point out while he was speaking, there has been a constant transfer from the lower to the upper, even from non-gazetted to gazetted. In the Salt department, in the Press, in the Medical department and in the Public Works department there are officers who were formerly in the non-gazetted ranks and who have been raised to the gazetted. I think the number of Assistant Surgeons and Sub-Engineers alone who have been added to the ranks of the gazetted officers amounted to something like 170. This change, it will be seen, involves no addition whatever to the charges of the Government, but is simply a change in status. I fully realise the difficulty of honourable members in getting accurate figures in a matter like this. I have felt it myself. I have found it extraordinarily difficult to get figures showing the growth in the number of appointments and in the pay because of alterations of this sort, and I ask the House to say that it is not a matter that we

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can settle in set speeches but one that requires patient examination of the facts and of the statistics. Meanwhile we have done what we think it is possible for us to do, and I put it to the House that it is up to anybody who thinks we should go further, not to indulge in generalities but to point out to specific appointments which are unnecessary. The position of the Government is that if efficiency is at all to be regarded, they have gone as far as they can go at present.

"I pass on then to the increase of departments and the increase of work. I would ask the honourable members, who have as many years' experience of work in the departments as I have, to consider the evolution which has taken place in the work of the services. The honourable mover took the Collector as his example and I will follow him. In the old days the Collector was the father of the district and controlled all departments with the aid of his Divisional Officers, through whom almost everything had to pass. The first stage in the evolution was the appointment of isolated specialists at headquarters, gentlemen whose duties were once humorously described as being 'to induce the Collector to distribute his neglect'. These specialists, as their activities grew, gradually found the necessity for more specialists in the districts, and so new departments grew up. Meanwhile, the old work grew more complex and a number of special officers had to be created directly under the Collector to deal with it. I remember being much struck when coming back to a district after an absence on special duty to find that the bulk of my time was taken up with a land records officer, an officer for union surveys, a deputy collector of inams, a special engineer for making roads in the area under a new irrigation work and a host of other special officers who were all directly under the Collector. The old practice under which other work came through the Divisional Officer was still there, but it had become only a branch of the Collector's work which was doubled by the fact that each of these special officers was working under special orders and had to be controlled by him personally in every detail.

"Now, over and above all these comes the new era of government by persuasion of questions by the thousand in this Council and of communal communism in the offices which makes the filling up of every fresh vacancy that occurs add a new terror to the Collector's life. It has been suggested that appointments can be reduced because a great deal of the Collector's work is routine. Now, I should like to ask the Council to say whether the fact that work is routine is a good reason why it should not be done. Routine is defined in the dictionary as a 'course of business or official duties regularly or frequently returning.' That is the feature of routine regularity. The work may be hard or it may be easy. It would be as much routine to try men for their lives as to rule red lines across a sheet of paper, if the one duty returned with the same regularity as the other. There seems to be an idea abroad that because there is routine work done by clerks and routine work done by Collectors we can displace the Collectors and replace them by clerks. That idea, if it exists, is wholly erroneous since we have decentralized whatever work we can out of that which the Collectors have to do, and therefore the only difference between a Collector's routine work and his other work is that the former has got to be regularly done. And here I should like to quote the authority of a member of this Council for the proposition not that the Collectors can be reduced because a large part of their work is routine, that but there are other duties which are not sufficiently frequently before them which should be added to the routine category. In a debate on a cognate subject in 1913, the Hon'ble Mr. B. V. Narasimha Ayyar made the following remarkable statement:

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'It is necessary for the Government to make it part of the routine duty of the heads of the districts to get opportunities of coming into contact with leading ryots and explaining to them what is the situation in respect of the various branches.'

"I should like to add to this quotation two further quotations from members not now present whose words I am sure will carry weight with every member in this House. In the debate to which I have just alluded, the late Diwan Bahadur Subbarayulu Reddiyar made use of the following expression: 'It is a matter of common knowledge that in almost every Collector there is an ardent and growing desire to know and to study the wants of the ryots, and as far as he may find it practicable to meet them. But at the same time it has to be remembered that the Collector of a district nowadays is so fully occupied over his daily official routine of work, consisting mostly of the disposal of bags of official files and correspondence that in spite of his best intentions he finds it hard to spare time to go about and mix with his ryots, to learn firsthand direct from the ryot what his needs and wants are.' Mr. Kesava Pillai made a still more emphatic statement to the same effect. 'I know it well that most of the Collectors have got the strongest desire to know the people, to serve the people and to do something for them. But unfortunately they are more or less bound to their desk and they are almost always engaged in returns and reports. They have no opportunity of mixing with the people at all.' And again 'The Collectors have got no opportunity now of mixing with the people. They know them only as litigants, plaintiffs and petitioners and seldom meet them as ryots. I challenge Sir John Atkinson to prove that the Collector has at present got any chance of meeting the people as people and not as petitioners and litigants.'

"Sir, I hope I have said enough to show that the mere quotation of general figures is quite inadequate to prove the honourable mover's case, and while I claim therefore that he has quite failed to shift the burden of proof on to me, I propose to give on the other side certain figures which I think will tend to show that he has a far more difficult burden of proof to shift than he has yet realized. It is not uncommon to say that our scales of salaries and number of high-salaried appointments are very large as compared with those in the United Kingdom. I was reading recently a criticism of the reorganization of the salaries of the officers of the British Post Office after the war. One fact which stood out was that there are now in that department no less than 687 posts on a salary of £800 a year, which we may take to correspond to Rs. 1,000 a month. Now the total number of posts on a salary of that size in the whole of the Madras Presidency in all departments is only 408, in other words, not much more than half of the number in one department in England. I put it to the Honourable Member therefore that he will find it hard to prove his case by the test of comparison with European countries.

"If we take the test by comparison with other provinces in India, we shall find the case to be much the same. If our districts were to be manned on the same basis with reference to area and population as some of those in the north, we should have, instead of 25 Collectors, 42 Collectors and eight Commissioners of Division. If we had the same proportion of superior officers to subordinates as they have in Bengal, we should have twice as many as we have at present.

"Lastly, I would ask the Honourable Members before they vote on this resolution to consider what is going to happen if it is passed. I think I have already said enough with reference to the case of the Collectors. The Hon'ble Member Mr. Balaji Rao Nayudu suggested the abolition of some of the District

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Munsifs and Sub-Judges. Well, if we do so, who is going to try the cases? We have already got very great arrears in nearly every court in the country and if we add 25 per cent to these arrears, what is going to happen? I believe we have now cases which have not come on for trial for four or even five years. Is it the suggestion of the honourable member that a few more years' delay will make no difference?

"What again if we reduce the number of doctors by 25 per cent? I have asked the Surgeon-General how he would carry on under such circumstances. His answer was 'By all means let the Council reduce the number if they wish, provided they are prepared to make a similar reduction in the accommodation of the hospitals.'

"In conclusion, I should like to repeat what I stated at the beginning, namely, that we are only too conscious of the necessity for retrenchment and that we have proposals in hand by which we hope to effect a reduction of no less than 80 gazetted posts, which will in our view reduce efficiency to danger point. We are quite ready to consider further proposals if a case can be made out for the abolition of particular posts. We have asked the Finance Committee for proposals in this regard and they are at present engaged in this question, and we hope to come to a decision before their sittings are completed. All that we cannot accept in this reduction by a definite fraction of one-fifth. If we undertook to reduce all our establishments by one-fifth whether at once or in a period of four years, then I am afraid we might find we had pledged ourselves to a course of action which would reduce the administration to chaos."

Mr. T. ARUMAINATHAM PILLAI:—"Sir, when the honourable the mover of this resolution placed this resolution before the Council, I expected 1-30 p.m. some programme or plan, if not a well cut and dried one by which the intention contained in this resolution could be given effect to. But unfortunately, I find that my honourable friend had not only not placed any definite plan but he seems to have confused the whole issue by quoting certain figures of gazetted officers above Rs. 500 and above Rs. 1,000 and all those things. I expected my honourable friend to take department after department and to say that these officers are quite unnecessary, in this department, there is a redundancy of officers in another department that in a third department a less number of officers would be able to do all the work which is now done by the present staff. No argument of that sort was forthcoming. The only argument which we have heard to-day *ad nauseum* is that retrenchment must be effected at any cost. True, Sir, when the question of retrenchment was raised in this House, I always voted for it; but I must object to retrenchment at the cost of efficiency. My honourable friend has been saying that there has been an increase of Collectors in this Presidency. Most probably he has forgotten that since the year 1900, there has been an increase of districts as well. Surely my honourable friend would at once concede that if the principle for which the district administration should come more and fighting, namely, that the head of the district administration should be more and more in contact with the people and by such coming should be more and more acquainted with the needs of the people, should be given effect to, it can only be done by putting a small range under the administration of separate officers. My honourable friend was one of those who voted in this Council when the proposal for the separation of the judicial and executive functions was brought forward in this Council."

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Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*):—"I may state for the information of my honourable friend that I myself brought forward that resolution."

Mr. T. ARUMAINATHAM PILLAI (*continuing*):—"I am glad to learn that my honourable friend himself was the mover of that resolution, but he did not propose then how he meant to carry out these proposals without additional expenditure."

Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*):—"I can do it without the addition of a single pie."

Mr. T. ARUMAINATHAM PILLAI (*continuing*):—"I am sorry to say, Sir, that my honourable friend has not really understood the real gist of that proposition. I may state for his information that so far as the separation of the two functions is concerned, it means that the powers which are now vested in the deputy magistrates are to be divided. There ought to be separate stationary sub-magistrates, separate stationary deputy magistrates and separate stationary first-class magistrates. There are also another set of officers, the deputy collectors who are now doing revenue work. I do not understand how my honourable friend could do all these things without incurring an additional expenditure of even a pie."

"Then again he quoted the instance of forest officers. I believe the House knows that my honourable friend is on the Forest Committee and I believe that he it was that proposed in this Council that the forests ought to be developed for the benefit of this Presidency so that more income could be derived from those forests which are now left unexplored. I think that my honourable friend never expects that without paying the men for all these things, this Presidency could get any benefit out of the Forest department. If by a magic wand all these things could be done without further trouble, then the resolution of my honourable friend would be quite welcome. Surely these things have got to be worked out by efficient officers and if efficient officers are to work out these details, then they have got to be paid. Then what is the use of grumbling by saying that so many officers have been increased. So far as the increase of officers is concerned, I do not want to bring the question of race such as so many I.C.S. officers or so many European officers have been increased. Whoever is the best man, by all means, employ him and pay him well. There is no use of saying that we want very thorough machinery but we do not want to pay for such a machinery. I believe that that is not a policy to which this House can commit itself."

"Then my honourable friend complained about the Police. Surely my friend is one of those who think that law and order ought to be maintained. Especially nowadays when so many of the political troubles are now stalking in this country and also when so many of these disorders are now prevailing, I believe that the efficiency of the police administration is essential. Does my honourable friend wish to give up all those things and then go back to whatever state he would like to live us in."

"Then my honourable friend was talking about the Public Works Department the Registration, Agriculture and such other things. It is alright, Sir, to stand up and say that these officers are not necessary, but it is difficult to work it up in practice. Taking the Agricultural department, for instance, my honourable friend was saying that so many master farmers in England have been brought over to India and dubbed as experts. I wish my honourable friend were right. But the Minister in charge of the department should, I believe, be credited with some knowledge of his own business and he could not have really appointed such men."

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Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*):—"Most of these appointments were made not by the Minister but before he was appointed."

Mr. T. ARUMAINATHA PILLAI (*continuing*):—"Well, if most of these appointments were made before, this department is now in charge of a popular Minister and, surely, when he took charge of this department, he would have considered whether these persons were necessary or not. When the Hon'ble the Minister himself thinks that these officers are essential for the improvement of the agricultural and other allied departments, then, surely, we ought to take the words of our popular Minister. My honourable friend would never say that agriculture ought not to be improved. Agriculture is the backbone of this country and, under all these circumstances, my honourable friend now comes forward and says: 'Yes, there shall be a general reduction of 20 per cent of the officers.' As I originally stated, there is no definite plan laid out on which the Government could act. If my honourable friend's plan is to be accepted, then I would only say that instead of this costly administration, we are bound to revert back to the old panchayat system and be satisfied with the matter of ready and rough distribution of justice and then the whole work could be done without spending even a single pie. If that is the idea with which my honourable friend has brought forward this resolution, then I am afraid he is not living in the year 1921, but he would have to go back to some centuries and revert to the old glorious systems."

Rao Bahadur T. BALAJI RAO NAYUDU:—"Mr. President, I should like to withdraw my amendment as it would make discussion easier, and the question can be finally settled."

1.45 p.m. The amendment was withdrawn by leave of the Council. The discussion then turned on the main resolution.

The Hon'ble Sir LIONEL DAVIDSON:—"Sir, I do not propose to weary the House for more than a few moments, and I will only do that because reference has been made to the Police and Forest departments and comparisons have been drawn with the figures of bygone years. I sent for the Civil Lists of 1900, 1910, and 1920 for the purpose of scrutinizing comparative figures. It is perfectly true that between the years 1900 and 1910 there was a substantial increase in the number of the police officers. But I would remind this House that it was during that decade that the Police Commission made its inquiries and formulated its considered proposals as to what the minimum strength of the police must be to ensure the maintenance of law and order. I find that the strength of the superior officers in 1910 was one Inspector-General, five Deputy Inspectors-General, thirty-four District Superintendents of Police, thirty-six Assistant Superintendents of Police and forty Deputy Superintendents of Police. Comparing each of these items with the corresponding figures in the Quarterly Civil List for October 1921, I find that there is an addition of one to the number of Deputy Inspectors-General; the number of District Superintendents of Police is the same; and there is an addition of one to the number of Deputy Superintendents of Police. I claim, Sir, that so far as the Police Department is concerned, since it underwent the exhaustive examination of the Police Commission, there has been practically no increase. I would also invite critics to look up and see what the total strength of the rank and file of the force was in 1900, 1910 and 1920."

"I turn next to the case of the Forest department, in regard to which there is really very little for me to say, as Mr. Arumainatha Pillai has already pointed out that if you want to develop our forest resources and revenues, you cannot do so

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without additional hands. Since 1910 there has been, as the Civil List shows, a substantial increase in the nominal cadre of the Forest department. I do not seek to justify that increase in any detail, because the justification for each step in advance can be found in the Government Orders relating to each addition which have been on many occasions printed and published; I may refer particularly to the case of the increase in the number of conservators of forests. But, Sir, there is one point to which I wish to draw attention. As shown in the Quarterly Civil List for October 1921, the total number of the Deputy and Assistant Conservators is 54, but no less than 22 of these posts are vacant and yet unfilled. That does not mean that it is in the interests of public service that the superior staff of the Forest department should be thus reduced. It merely means that the Forest department is as yet unable to get anything like the total number of trained officers who ought to be recruited and have been pronounced by competent authority to be essential for the proper administration of the department. The superior staff is at the present moment no less than 22 under the minimum sanctioned strength requisite; and any reduction of twenty per cent in the Forest department would be nothing short of disastrous."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB:—"Sir, as some of the departments under my control have also come under the fire, as was pointed out by the honourable member for South Arcot, I feel that I owe a duty to justify the existing position and to convince the honourable mover that if the number of deputy collectors to-day is a little more than it was about a decade or two ago, it is not due to a desire to swell the department with men who have no work to do, but that every addition was justified by the actual circumstances of the case. I believe one of the reasons which led to the increase in the number of deputy collectors has been already explained by my honourable friend, Mr. Arumainatha Pillai. Since and after 1900 repeated attempts had to be made to reduce the limits of a district so that it might be within the possibilities of administrative efficiency. Every one of us remembers what is well-known as the 'Meyer's Scheme.' A number of new districts had to be created, readjustments had to be made between district and district, and between division and division so as to make each division and each district a compact block which could be administered with efficiency. And then again in the good old days the Settlement department was supposed to have a separate life and a separate existence; but it was recognized that that department should be manned by men who held the position of deputy collectors, and that deputy collectors should be lent for work in that department. The work of the Settlement department has always been hard, unpleasant and least liked by the officials. When once an officer was sent to the Settlement department, it was not easy for him to come back to his regular line, and his chances of promotion were blocked. Therefore it was decided that the Settlement department was to be manned by the deputy collectors and a rule made that no deputy collector should be asked to work in that department for more than five years, after which period he must revert to the Revenue department. Now, again, Sir, the Co-operative department came into existence; there also it was found that its work could not be done efficiently until and unless the deputy collectors were brought in for the purpose. There is everywhere a demand for deputy collectors for every kind of work. We have lent a few deputy collectors as Diwans of States in the Presidency; some of them are serving in the Secretariat as Assistant Secretaries and Under Secretaries; and some are lent as Presidency Magistrates. In the olden days the Presidency Magistrates belonged to a separate cadre; now it is the deputy collector that mans all the posts except that of the Chief Presidency Magistrate. For all these

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reasons, about ten years ago, it was discovered that the cadre must be self-contained to provide for all its requirements, that the old system under which there was a small number of permanent men, with a large number in the acting list, was absolutely undesirable; for a deputy collector had to be in the acting list for a long number of years before he could be confirmed. The whole aspect of the question was examined. The departments for which the deputy collector was wanted had to be taken into account and the cadre was fixed some time ago by the Secretary of State. To-day, therefore, Sir, we have only the absolute minimum that we think we have to provide for. The number is not above our actual requirements. These various requirements have grown from time to time. We found a demand for the deputy collectors in various departments, and we had to provide for them. It is wrong to think that the deputy collectors have simply grown without any necessity."

The Council then adjourned for lunch at 1-55 p.m.

The Council reassembled after lunch at 2-30 p.m. and the consideration of the resolution in regard to the reduction of the strength of the gazetted services was resumed.

2-30 p.m.
Mr. T. SIVASANKARAM PILLAI:—"Sir, I feel I cannot commit myself either way with regard to this resolution. The reason is this. So far as the principle of retrenchment is concerned, that has been conceded by the Government and some honest endeavours are being made. With regard to the details of the wording fixing the responsibility of the Government in this matter, I find it hard to support. If I rise to speak now, it is with a view to make certain indications to the Government as to the directions in which retrenchment could possibly be attempted. What I would say in this connexion is to take one or two districts and consider whether experiments may be made in the direction of reducing the officers. Now let me take the case of Anantapur district. It is divided into three revenue divisions. There was a time when as many as five taluks were in charge of one divisional officer. Subsequently this area was reduced to four taluks and again it was reduced to three. These divisional officers used to do the work of presidents under Local Boards Act until very recently. They have been relieved of this work of late, so much so, that I have heard from more than one divisional officer that he feels his work lighter now. Now there is going to be another direction in which his work will be lightened. Many of these taluk stations and divisional stations are being provided with honorary magistrates' courts. In that way also much of the work which the divisional officer has to do in the capacity of a magistrate will be taken away from him. So in one or two districts this experiment of reducing the number may be safely tried.

"Then taking again the question of munsifs in my district with another taluk added to it from the adjoining one, they were getting on with two munsifs. Now we have three. The general feeling is that this three is one too many. There is no strong feeling in favour of the change. Of course there may be some interested parties who want three courts for the reason that without a court at Anantapur the concomitants of a headquarter city will not be complete. Perhaps it is in an experimental stage; the Government may consider this view of the question also.

"Then coming to the police superintendents and the deputy superintendents I should like to give the Council an idea of the work that is being done by these officers. There were recently two cases of complaints of police corruption, in which the aggrieved parties petitioned to the district authorities direct. Evidently there was some foundation for the grievance, and when the district superintendent

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was approached, he said he had no knowledge of the case at all. When it was subsequently pointed out to him that there was a petition of the kind, he said that it was not his job to know it; but that it was his deputy that was responsible. We pay these officers very heavy, and they are supposed to look after such matters like these personally. What they do is to refer such things to their assistants and drop the matter. The superintendent says it is not his job. He must consult his deputy and he does not know. In this way there is 'distribution of neglect' in the words of the Finance Member. Supposing he had no deputy, the superintendent perhaps, would have himself to attend to such matters. So far as my knowledge of the interior parts is concerned, these deputy superintendents have not added considerably to the efficiency of the service in proportion to the expenditure incurred.

"In the light of these remarks I would take one or two districts and find out by the reduction of the officers whether the administration could not be carried on on the same efficient lines as before."

Mr. S. ARUPUDASWAMI UDAIYAR :—"Mr. President, Sir, I will place before the House the issues arising from this resolution. First of all it is agreed that there is need for retrenchment and secondly there is the question as to what should be the nature and the extent of the retrenchment to be introduced. The Hon'ble the Finance Member has been very sympathetic in his reply. He has spoken of the great consciousness there is of the need for retrenchment and has said that this consciousness is far greater in him as a finance member than in any other person. So as regards the need for retrenchment, I think the Government are doing their very best and devising every possible means to give effect to this policy. Again, Sir, he has also corrected the figures quoted by the mover of this resolution, and told us very clearly that far from slight reductions having been effected in some subordinate services as the posts of a few peons or some minor clerks, substantial reductions have been certainly effected. So, as regards the first issue, namely, the need for retrenchment, it is unnecessary for me to say anything more and the House will practically agree with the Hon'ble the Finance Member in saying that the time has come for us to introduce retrenchment.

"Secondly, what is to be the nature and the extent of this retrenchment? From what has been said by the previous speakers, and from certain facts and figures quoted by the Hon'ble the Finance Member, we understand that 20 per cent reduction is certainly too much. So then, if we are only to confine ourselves to the question, namely, that the proportion must be slightly cut down, I believe the Hon'ble the Finance Member, even the mover of the resolution and the members of this House will have no objection whatever to adopt the resolution with that slight amendment which, of course, I cannot make without your permission, Sir, and the permission of the House.

"Incidentally, in the course of the debate, members have spoken of certain improvements which have to be introduced into the various departments. These improvements necessitate an increase in the staff. As regards this point, I think the Government will rightly concede that we are reaching a critical time, when certainly all schemes of improvements or at least many of the schemes for effecting improvements might very well be held in abeyance. Attention has been drawn to the fall in excise revenue and I would draw the attention of the House to another alarming feature, namely, the circumstance that the sky has not been pleased to shower abundant and copious rain in this season, especially when under normal periods abundant and heavy rainfall is the order of the day. I am

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sorry that the Hon'ble the Revenue Member has not begun his tour to Tanjore and Trichinopoly so that his presence at least might effect a change. (Laughter). I have been often going to the villages and have heard farmers complaining to me that if they had no rain within one or two weeks, the crops would certainly fail. The dry crops in very many places have actually failed and it might be that the Hon'ble the Revenue Member will be called upon, after one or two months, to authorize remissions on a large scale. So these schemes might very well be held in abeyance.

"Then, as to the question whether it is possible to effect substantial reductions, the Hon'ble the Finance Member has assured us that he has been giving his very earnest and best attention to this question and already substantial reductions have been effected. The honourable member, Mr. T. Sivasankaram Pillai, has told us that in certain places it is not very necessary to have more than two munsifs' courts. Therefore with regard to the appointment of munsifs and deputy superintendents of police, I think it is possible to effect a reduction in the interest of retrenchment. I have heard very many people telling me that the work of these courts has been increasing. I should like to know whether any practical inspection has been made, whether any attempt has been made to see whether these munsifs and deputy superintendents of police have been discharging their duties as earnestly and as satisfactorily as their predecessors or whether a real case has been made out for these additional appointments. Under these circumstances, instead of fixing a hard and fast rule, a definite and high fraction like this, we may slightly cut it down and say 15 per cent. In that case, I think, nobody would have any hesitation whatever in accepting this resolution. That depends, Sir, upon the permission which you would be pleased to give me and upon the permission of the House."

The Hon'ble the PRESIDENT :—"What is the amendment please?"

Mr. S. ARUPUDASWAMI UDAIYAR :—"15 per cent, instead of 20 per cent."

The Hon'ble the PRESIDENT :—"Has the honourable member given the requisite notice?"

Mr. S. ARUPUDASWAMI UDAIYAR :—"No, Sir."

The Hon'ble the PRESIDENT :—"Does any honourable member object on the score of want of notice?"

Rao Bahadur T. BALAJI RAO NAYUDU :—"I object."

The Hon'ble the PRESIDENT :—"Then I uphold the objection."

Diwan Bahadur M. KRISHNAN NAYAR :—"I want to say only one or two words on this resolution. There is no doubt whatever that everybody in this House inclusive of the Hon'ble the Finance Member is extremely desirous of effecting as much retrenchment as possible. The specific question, however, now before us is, whether we should pass this resolution recommending that a 20 per cent reduction of the expenditure should be carried out. The Finance Member has told us, Sir, of the expenditure should be carried out. The Finance Member has told us, Sir, that the Finance Committee is considering in detail the whole question of the reduction of establishment as well as the reduction of expenditure in general. He has already quoted to the House certain figures showing how the strength of the establishment in different departments is sought to be reduced. I may also, Sir, supplement that information."

The Hon'ble the PRESIDENT :—"Order, order. The honourable member is presumably quoting from some public documents. Have they been placed on the table?"

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Diwan Bahadur M. KRISHNAN NAYAR:—"I shall not quote, Sir. I may state, Sir, that the Finance Committee is considering the whole question and we have already come to the conclusion of effecting a retrenchment of about 71 lakhs of rupees spread over this year and the next year. It is only due to the Finance Member to say that he is as anxious as any other member of the Finance Committee to reduce the expenditure and I make these observations, Sir, with a view to the ultimate suggestion which I wish to make to the honourable mover of this resolution for withdrawing this resolution instead of pressing it to a division. And in order to enable my friend to come to a conclusion regarding my suggestion, I am placing through the House before him some information. As I stated, it has already been resolved to effect a retrenchment of 71 lakhs of rupees spread over this year and the next year and the reason for spreading it over this year and the next year is that it is not possible to say which portion can be reduced this year and which portion can be reduced next year. I may also tell the House that various departments are being considered as regards the reduction of establishment. We are considering department by department. Through the courtesy of the Finance Member, the Finance Committee had several heads of departments as the Surgeon-General, the Director of Public Instruction, the Chief Engineer, and others before it, and we have been by dint of questioning—of course they are willing to be questioned and cross-questioned—able to gather a good deal of information and we hope to gather further information. If this House comes to the conclusion that this twenty per cent reduction should be made in the expenditure, the Finance Committee and the Government may find difficulty in carrying it out. If the Council passes this resolution I think it will be the duty of the Government to carry it out. In any case, I may assure my friend the honourable the mover of this resolution that we, members of the Committee who have been sent there, in the words of Mr. Kuapp who was here in place of the Hon'ble Sir Charles Todhunter, as watch-dogs of the House to watch the Finance department are very anxious to reduce as much expenditure as possible as he is. It is our wish to effect a retrenchment of more than 20 per cent. I do not know if it will be possible or not. Probably it will not be possible to reduce expenditure even by 20 per cent. I do not know whether it is possible. Balaji Rao Nayudu who objected to the excessive number of munsifs and sub-judges. One member said that the number of munsifs and sub-judges was too many. This question was also considered. Some of us were even against any reference to the High Court on that point. We thought that the moment a reduction in the number of munsifs and sub-judges was made, the result of the reduction would be an increase in arrears of suits, which would be detrimental to the interests of the litigant public. We are examining department after department, and when necessary, calling the heads of the departments and eliciting information from them. My friend the Hon'ble Mr. Habib-ul-lah Sahib reminds me that even the Honourable Members of the Government are not excluded from this examination. My friend the Revenue Member obliged the Committee the other day by giving us a volume of information with reference to the irrigation department. Seeing that the whole question is thus being carefully examined and seeing that we are anxious to reduce the expenditure as much as possible it seems to me, Sir, that the best course now is not to press the resolution to a division. Of course by raising a debate in the House on the question at the present moment, the honourable mover has done a service and we have a knowledge of the general sense of the House. In having raised this debate, my friend, Mr. C. V. Venkataramana Ayyangar has done a public service as he has drawn the attention of the Council and the public through

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this Council to this important question. Having served the public in that very useful way, I suggest to him whether it is not advisable to withdraw the present resolution."

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU:—"I am extremely sorry, Mr. President, that I was absent just when my friend the honourable the mover was moving this resolution. I have always prided that I sit in this House longer than any one else. But unfortunately it so happened that my friend noticed my absence in this House to-day and took advantage of it—he is entitled to do so—but in his anxiety to make out a case has made certain statements which cannot be left unchallenged by me. The member stated, in the report handed to me is correct, that Government have sanctioned 25 expert officers, but nobody has yet been appointed."

Mr. C. V. VENKATARAMANA AYYANGAR (interrupting):—"That is wrong."

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU (continuing):—"Anyhow he said that 25 officers had been sanctioned. Then he said that British master-farmer had been appointed as an expert of cholam, maize and other crops. Well, Sir, this is news to me. So far as I know, there were only fifteen expert offices sanctioned, of which three appointments have not been filled up in consequence of this policy of retrenchment. Then, out of the twelve appointments made, four appointments are given to Indians. On this question of Indianization of services, I will have something to say later. But, for the present, speaking of experts, let me tell my honourable friend that out of twelve, four experts are Indians. As for appointing a British master-farmer for cholam and maize, I may at once tell you, Sir, that the appointment recently made, for that I believe is the appointment that my honourable friend is referring to, I mean the expert for millet under which come cholam, maize and other things, was of a gentleman known as Mr. Rangaswami Ayyangar who has been appointed. I did not know that he was an Englishman. At any rate his name suggested to me that he belonged to a respectable Hindu community to which my honourable friend belongs."

Mr. C. V. VENKATARAMANA AYYANGAR (interrupting):—"Was there any predecessor?"

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU (continuing):—"I am speaking of the existing incumbent. I am speaking of the millet expert. It will thus be seen that these two statements made, namely, that 25 appointments have been sanctioned—of course the inaccuracy is only 66 per cent—and as regards the English master-farmer being appointed, they are unfounded. After all, our knowledge of science and our experience of agriculture are so very limited that in the beginning of our services assistance will have to be obtained from those men who can be called experts and these are not available amongst our countrymen to the extent of our demand and we are necessarily obliged to get them from England."

"There is, therefore, no point in observing that we are bringing men from England. While on that point, Sir, I may tell my honourable friend that after I have assumed charge as Minister, six Indian gentlemen have been taken into the Indian Civil Service from the Provincial Service. I do not know whether the charge can still be levelled against us that we are importing British master-farmers only with any justification. Out of the experts

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sanctioned in this year's budget, three experts have not been appointed and that accounts for a saving of Rs. 30,000 a year. That is so far as the Agricultural Department is concerned.

"Now that this proposition before the House is one of retrenchment, I may be permitted to take this opportunity of telling the House what the other departments under my charge have been able to save. Under co-operation, Sir, in accordance with the views of this House, Deputy Collectors drawing Rs. 500 or Rs. 600 have not been appointed; on the other hand, five new appointments have been made on a salary of Rs. 250 a month, without the Rs. 100 which is being paid to the Deputy Collectors as allowances. (Hear, hear). That, Sir, would give us a saving of Rs. 15,000 a year, and it is the policy of the Government to carry on this until we reduce the expenditure in this department to a very large extent. In the Fisheries department, the appointment of the Marine Biologist has been abolished and that accounts for a saving of Rs. 7,000 a year. Then in the Industries department, the Assistant Directors who were drawing Rs. 900, 850 and 650 a month have been abolished and in their places Industrial Assistant Engineers drawing only Rs. 300 a month will be appointed and that would account for a saving of Rs. 18,000 a year. Again, Sir, the Industrial Engineer drawing Rs. 1,500 a month will have his term expired by the beginning of May next, and from that date that appointment will not be continued and that must account for another Rs. 18,000 a year. Taking all these figures, Sir, it will be noticed that we have been able to effect an annual reduction of a lakh of rupees, not to speak of the collateral reductions which will have come under staff, house-rents, etc. I have mentioned these to show that Government are in entire sympathy with the wishes of this House that retrenchment should be effected to a great extent, and if to-day we are opposing this resolution, it is not because we are not in sympathy with the House and with the mover of the resolution, but because practical difficulties confront us at every step. I can assure this House, Mr. President, that every Member of this Government is as much anxious and as much sincere as the honourable the mover of this resolution in trying his best to bring down expenditure and I know the anxiety of the Hon'ble the Finance Member with what great care he reviews and criticizes and even turns down almost every new proposal for expenditure. When these were the facts, may I join my friend Mr. Krishnan Nayar and request my friend (the mover) not to criticize without ascertaining facts, as he did in the case of the Agricultural department, and also to realize the responsibilities and the difficulties of Government? We are at one with him in the matter of reduction, but there are, as I said, practical difficulties in the way."

Mr. O. TANIKACHALA CHETTIYAR:—"Mr. President, Sir, if I rise now it is to join my friend Mr. Krishnan Nayar and the Hon'ble the Minister for Development to request my friend Mr. C. V. Venkataramana Ayyangar to withdraw his resolution. Nobody in this House would accuse me of not being at one with him in his desire for retrenchment. Last month I was the first to press for the acceptance of the resolution regarding retrenchment of the pay of officers on Rs. 500 and above. Having said so far, I am now asking my friend to withdraw his resolution."

"My friend by the courtesy of the Hon'ble the Finance Member has had certain figures furnished to him which I also have as a member of the Finance Committee. These figures have opened the eyes of several people, certainly mine at any rate. Twenty years ago the charges of administration were 255 lakhs; now the substantive pay we are paying is 614 lakhs, besides 82 lakhs for travelling allowances. The figures are nearly two and a half times what they were 20 years

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[Mr. O. Tanikachala Chettiyar]

ago. Let us take the figures for salaries to be affected by this resolution, namely, the gazetted services. It is not very clear whether the gazetted services consist of officers starting from a salary of Rs. 500 or those which start from a salary of Rs. 250. I am, however, prepared to deal with the case on both the assumptions. If it is over Rs. 500, the amount disbursed by way of salary is Rs. 126 lakhs, and one-fifth of that would come to about 25 lakhs saving. Whereas if we take the gazetted services as commencing from Rs. 250, I take it that a saving of 20 per cent will give us another 7 lakhs or 32 lakhs in all. Whereas if the proposals for retrenchment now being placed before the Finance Standing Committee are accepted, there would be reduction to the extent of 71 lakhs, which is 10 per cent of the total charges on the services. If we are not satisfied with this reduction, the Finance Committee would put up proposals for raising the figure of retrenchment at least from 10 to 15 per cent, though we cannot bring it up to 20 per cent. Whereas by carrying this proposition, as it stands, with all the inconvenience that it would cause and the dislocation of work in the various departments, the utmost gain is only 32 lakhs. Moreover, the resolution which we passed on the last occasion stands, namely, the proposal that a reduction shall be effected by not giving further increases to those who draw more than Rs. 500 when the time comes for increase, so as to make their salary only two-thirds. It is not generally realized (and it was realized a few days ago by me) that it was not merely in the higher services a good portion of the revenue of this Presidency is absorbed, but it is more in the subordinate service; whereas it consisted of about 6,000 men costing 32 lakhs 20 years ago, it is now really 23,000 in number costing 140 lakhs. This sum of 140 lakhs is consumed by officers on Rs. 30 to Rs. 100. The number of officers in the subordinate ranks rose by $4\frac{1}{2}$ times what it was 20 years ago. So the retrenchment proposal that is being placed before the Finance Committee consists not merely in the reduction of the number of officers but in various other ways. It may be that the further information which we have asked for and has been promised to be placed before us will give us something more in the way of retrenchment after the committee has gone into it. But whatever it may be, there will be presented soon a budget containing the detailed heads under which moneys have to be spent. Then the number of deputy collectors, registrars, clerks and others will come in for our scrutiny. Specific resolutions may be brought in for retrenchment under this head or that. So having regard to these considerations, I would ask my honourable friend to withdraw his resolution. For more is to be had (for we hope to effect a reduction of 100 to 110 lakhs) by going about this way, rather than by merely laying a hard and fast rule to cut down the services by 20 per cent."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I just want to say a few words before closing my speech. I will appeal to the Hon'ble Mr. Reddi Nayudu not to blame me with ignorance unless he hears our speeches. He forgets that experts include additional experts also and he must remember that the Entomologist has two gazetted assistants. If there are 15 gazetted experts, there are some gazetted assistant experts. Therefore taking all these, it certainly comes to about 25 in number. As for the indianization of the services referred to by him, I want only to say that in this debate, I never raised the question of Indian or European. When the Hon'ble Mr. Reddi Nayudu said that the present expert was one Mr. Ranga-swami Ayyangar and that he was an Indian, I asked him who was his predecessor. He said he was dealing only with the present appointments. That shows he wrongly relies upon the notes given to him. In the course of the debate I clearly stated that the appointments complained of were made before the present Minister took charge, and I am sorry he should have presumed to advise me without knowing

[Mr. C. V. Venkataramana Ayyangar] [13th December 1921]

them for himself. But I take his advice in the best of light. What I say is not only with reference to the Agricultural department but other departments as well. Just before the new Government came into force, the Government created a large number of appointments which they are yet unable to fill and many of them have been found unnecessary to fill. My point was that when vacancies occur, they should be left unfilled.

"As far as the Ministers are concerned, they have made the greatest retrenchment possible. But there are other departments where there is much scope for retrenchment. I take especially the Revenue Department, the Forest Department, and the Police Department. I do not think good reasons are given as to why in these departments under the Council Members no retrenchment has been shown. Ministers who are in charge of Development departments have made substantial reductions in the expenditure on account of establishments and I only appeal from the Ministers' departments to the Councillors' departments and set one against the other.

"Well, the Hon'ble Sir Lionel Davidson who leads the House said that the increment in the Police department was necessary, because only in 1910 all those increments were made. I put up Mr. Arumainatham Pillai against that and some others who said about the new troubles. All the new troubles were on account of the excessive expenditure and not *vice versa*, because the Hon'ble Sir Lionel Davidson gave us figures to show that the expenditure was practically the same as in 1910 excepting the addition of one Deputy Superintendent. Therefore in 1910, long before the reforms were thought of, long before the Parliament declaration of 1917, this went on. Why? Because he says of the Police Commission's report. We have had enough of these commissions and reports. I do not blame this Government or that Government. We blame the whole institution. For instance, the Secretary of State is himself to blame for throwing open a large number of appointments to higher officers and granting large increments in the salaries simply for the reason that he thought that would pacify them against the reforms. All that I say is that unnecessary increases in the number of appointments have been made between 1900 and 1920. I do not know why there should have been so much increase. I must join in the praise that has been given to the Hon'ble Sir Charles Todhunter for his earnestness in the matter of curtailment of expenditure. I had two hours' talk with him yesterday and plenty of information was given to me. I must thank him once more for it. But I must declare that my resolution was brought to help the Finance Member against the Revenue department, against the Police department, against the Forest department and against other departments, and against the Secretary of State himself. Probably many of these increments in the number and pay—it may be a secret, and I am not publishing it—were thrown on the face of the Madras Government. So we in this House should strengthen the hands of the Madras Government and throw back the blow on the Secretary of State saying: 'Well, you have no idea of our financial difficulties; you have no business to recommend such a large number of appointments on increased pay, etc.'

"I must apologise for one possible mistake. I do not know how I quoted the figures. But the figures, Sir Charles Todhunter said, were wrong in one respect. I repeat the figures; that is all. The total number of civilian officers in 1900 was 166. It has risen to 178 in 1921."

"I did not probably make it quite clear in my speech, but what I said was that in the Revenue department there were in 1900 101 civilians, whereas there are now 121 civilians in that department. Although the number of increase is only 20, the increase of cost is very great and while that will be clear—"

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The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"The resolution is as regards the number, which it is proposed to reduce by 20 per cent. The honourable member said that we have increased the gazetted services since 1899, when I think he said the number was 106. I would point out that we have not increased the number, but have much the same as we had twenty years ago."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"It is not the same. The number was 166 in 1900, and it is 178 in 1921."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"May I quote the figure from the last Madras Quarterly Civil List, Sir, up to the 1st October last? The number of officers employed is 165."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I say, quoting my figures, from the Quarterly List of 1st July 1921, that it is 178."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"May I say Sir, that there are no such figures in the Civil List?"

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I am quoting the Civil List of July 1921, whereas the Hon'ble the Finance Member is quoting the Civil List of 1st October 1921. It may also be that the confusion is due to the fact that there are some of the Provincial Civil Service people who are acting as Collectors, also there is a confusion because there are people who have gone out to other provinces and those who have come in from other provinces. All that I say is this, that whereas there were 101 officers in the Revenue Department in 1900, there are 121 now. What I wanted to say, when Sir Charles Todhunter interrupted me, was that the number of Assistant Collectors on a pay of about Rs. 500 was 51 in 1900 and it is 17 now. All others, whose number has been increased by 20 are receiving salaries of over Rs. 1,000, 2,000, etc. The pay of the civilian officers has now gone up by annual increments, so that they now get in two or three years what their predecessors could not get in twelve years. I do not blame these officers or these persons, but I blame the system. What I say as regards my figures is, that I am confident of their accuracy, and I am prepared to accept a challenge even in private and to explain them to the best of my ability."

"Only one other statement I want to make. The Hon'ble Sir Lionel Davidson said, that when vacancies occurred in the Forest department, the Government did not fill them up. That proves my case that there are more officers than absolutely necessary. Well, I do not think I need say anything more."

"Mr. Arumainatha Pillai who is always friendly to me and who was probably sleeping while I was speaking said that I could not give particular instances in even a single department. I mentioned instances of some departments, but though he was present here at that time in person, he was not probably present in spirit and he was probably not listening to my speech (laughter)."

"With reference to the Hon'ble the Finance Member, I already said that I had a talk with him on this question. All the members on the Government benches have said that they would all carefully go into this question. My object, as I told many of the members of the Finance Committee, was to place the whole matter before the House and I am very thankful that this resolution has after all been productive of some good. I would say not only to the Finance Member, but to the public also that the appointments have increased by leaps and bounds, if there can be no better or stronger phrase, and it is high time that we say, halt and go back. If the Finance Committee sets about the task earnestly, there may not be much difficulty in the matter."

[Mr. B. Muniwami Nayudu] [18th December 1921]

"I have stated deliberately in this resolution that this court should be located at Tirupati. If the court is directed to be stationary, the special officer will have to sit at Chendragiri, which is six miles from Tirupati, where there is a District Munsif's Court and a large number of vakils. I am drawing attention to this fact because the parties will have ample convenience if the court is located at a place where there are resident vakils who can be easily procured. Almost all these cases are tried like small causes and the parties have now to engage vakils even in small cases for heavy fees, as they have to move from camp to camp. They will have also to provide travelling allowances, etc., to the vakils and witnesses. For these reasons, I submit that the court may be located at Tirupati which is six miles from headquarters, and it would be of great advantage to locate this special officer's court at a place where legal assistance can be obtained as cheaply as possible. It may be desirable that parties should not resort to vakils for small cases like those under the Estates Land Act, but unfortunately all the procedure required under the Civil Procedure Code is made applicable to these suits, such as, the right of appeal, *res-judicata* and many other things, and it is in many cases impossible for parties to get on without vakils. All the difficulties which parties experience will be minimised if they can engage vakils. For all these reasons, I commend this resolution for the acceptance of this Council."

Mr. A. T. MUTTUKUMARASWAMI CHETTIYAR :—"I second the resolution."

Mr. M. NARAYANASWAMI REDDI :—"Sir, the amendment that stands in my name is this: to omit the words 'with its office at Tirupati'."

"Sir, I rise to propose this amendment as I am compelled to do so, for more reasons than one. It is admitted on all hands, that Chendragiri is an ancient historic town, whose importance has been sufficiently recognised even in official records. It was once the seat of Hindu Rajas of Vijayanagar dynasty, and this site on which we now are and the Fort Saint George is built, to the British in the year 1639. Without any fear of contradiction I say, Sir, that the Government as well as this honourable House is bound by high sense of duty and honour to try to perpetuate the name of the Raja of Chendragiri by some means or other."

"Sir, I feel happy to inform this honourable House that the Government had already realised their duty and had even expressed the same in the form of action on many an occasion. During the bifurcation of the Chittoor district the question of locating the Revenue Divisional Office at Chendragiri was much contested. In spite of the agitation and representation made by the local pleaders and residents of Tirupati to have it at their own place, the Government were pleased to locate the said office at Chendragiri only, for the main reason of perpetuating the name of the Raja of Chendragiri from whom they got the Madras title. Consequently, Chendragiri became the headquarters of the division and began to regain its lost prominence. Besides this, the Special Deputy Collector's court, Taluk Board office, Taluk office, Forest Ranger's office, and post and telegraph office are located there only and they also have gone a long way to strengthen the town."

"If the main resolution is carried, I apprehend, Sir, the pruning knife will be applied to the tender tissues which the town of Chendragiri is putting forth. The location of the Special Deputy Collector's office at Chendragiri has contributed

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and is contributing a good deal towards the town and it will not be too much when I say that the removal of the same to Tirupati will certainly stop the growth of Chendragiri and its death will naturally take place. I believe that it would be sheer injustice on the part of this honourable House to give its consent for the removal of the court from Chendragiri. I say that it is sheer injustice, because I am of firm opinion that this is not the treatment that that famous and historic town, that has contributed so much towards the progress and prosperity of the Presidency, should receive from the hands of this House. Justice demands that the town should be given full scope to regain its lost prominence and it should be done as we stand by justice."

"Sir, let us consider for a moment, apart from this aspect of the question, how far it is desirable and expedient to change this court from Chendragiri to Tirupati. The Special Deputy Collector's office was started at Chendragiri as early as 1913 and ever since that time, it is being continued there only, having its own Government buildings for the office and the court. The transfer of the court and the office to Tirupati means acquiring a large piece of land for office buildings. You know, Sir, the present valuation of sites in towns and the cost of constructing buildings. That is to say, it will involve an expenditure of not less than Rs. 25,000. In these days of retrenchment, days when the Government is not able to meet the bare necessities which, when fulfilled, will promote the prosperity and happiness of the bulk of the population of this Presidency, days when the emptiness of the purse is keenly felt by this House as well as by the Government, is this honourable House prepared to spend a sum of Rs. 25,000 on a scheme which serves no purpose?"

"Again, leaving out of consideration the financial aspect of the question, let us consider whether this transfer is not detrimental to the interest of the litigant public. You know, Sir, that parties have often to deposit and withdraw sale amounts, rents, etc., into the treasury as per decrees given by the Special Deputy Collector. There is no treasury office at Tirupati and the parties have to go to Chendragiri alone for this purpose as there is no sub-treasury in the whole of the Chendragiri division except one at Chendragiri. If the main resolution is carried and the court is transferred to Tirupati, then the parties have to go over to Tirupati and then again to Chendragiri either to deposit or withdraw the sale amounts in question. The retention of the Special Deputy Collector's office at Chendragiri as at present will save the litigant public from the unnecessary trouble of going up and down."

"Lastly, as a result of this transfer, the poor petty clerks will be subjected to still more difficulties. Chendragiri is not a big town and consequently the cost of living is low when compared to that of Tirupati. In these days when the non-gazetted officers are clamouring for increase of pay, it is improper on our part to force on them to go to a place where they have to spend more than at present."

"Mr. President, I do not propose to speak further; for I think I have given free and full expression sufficiently to what I feel in connexion with my amendment. I wish to say, in short, the question of transferring the court from Chendragiri to Tirupati overlooks many advantages and does not stand to examination and reason."

"With these remarks, I commend this amendment for the acceptance of this House."

Mr. A. RANGANATHA MUDALIYAR :—"Sir, I have only a very few words to say by way of seconding the amendment. The difference between the main proposition and the amendment is one of the location of the court. My friend,

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COURT OF SPECIAL DEPUTY COLLECTOR, CHENDRAGIRI

[Mr. A. Ranganatha Mudaliyar] [18th December 1921]

Mr. Muniswami Nayudu seems to think that the absence of vakils at Chendragiri may be a disadvantage to the litigants who have recourse to this court. I may assure him that vakils are a class of people who will take care of themselves and they will surely flock to the places where they may have work to do. In case the court is stationed at Chendragiri, one or two vakils who have no work to do at Tirupati will go to this place and find it to their advantage to do so."

Mr. B. MUNISWAMI NAYUDU:—"Sir, I am only rising to state that it is immaterial to me whether the court is stationed at Chendragiri or at Tirupati. I wanted that it should be at Tirupati only to meet the convenience of the parties and I am prepared to leave the question of locality to Government. I have no objection to it and with these few remarks I am willing to accept the amendment."

The amendment was put and adopted.

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Mr. President, this Special Deputy Collector, under the present sanction, will cease to have jurisdiction in April 1922. Whether we are going to continue the same court or whether we are going to abolish it, leaving it to the ordinary revenue officers to try these suits, is yet unknown. The resolution is to locate this particular court as a stationary court. If this resolution is accepted, it can only apply for the few months before us.

"Then, Sir, there is another objection to make this court stationary. We asked the Collectors with regard to this matter, and I understand four successive Collectors have investigated this question and after investigation they have come to the conclusion that it is not right to have a stationary court. This again involves a question of principle. When the original Estates Land Act was passed, one reason why jurisdiction was vested in revenue officers was that they as touring officers would be able to go to these villages and deal out justice in those places on matters of which they will have special knowledge without any difficulty and practically without any inconvenience to any one. I do not deny that there may be cases in which important principles might be involved in which professional assistance may be required. In such cases, it is not rare to find a number of tenants joining together and engage professional lawyers, and it has been easy to attract the members of the bar from Madras. Now, Sir, I shall read one passage from the latest report which we have got: 'In 1920 in as many as 82 per cent of suits and other proceedings, the parties were not represented by vakils.' That I think is as it ought to be. 'The suits and other proceedings relating to Estates Land Act, the Deputy Collector is able to dispose of in the locality of the parties concerned.' That is really the principle or rather one of the main points on which the jurisdiction was vested in the revenue courts instead of in munsifs or civil courts. 'He is a touring officer. He saves the ryots the expenses of long road and railway journeys to Tirupati and back.' He says 'Tirupati' is on the edge of the zamindari area. 'The Special Deputy Collector's principal camps are Kalahasti for the Kalahasti taluk, Puttur and Tiruttani for the Puttur and Tiruttani taluks and Tirupati for the Chendragiri taluk. A perusal of the district map will show that these centres are fairly convenient to the litigant public and also all being on railway line are accessible to vakils.' Now, in that state of affairs, I think it will be unreasonable to expect the Government to go and have a stationary court either at Chendragiri or at Tirupati. Because the main idea of vesting jurisdiction in revenue officers is that they will be able to go about and dispose of cases in their tours, and from what we hear from the Collector, this Special Deputy Collector is posting his camp in such a way as to give facilities for

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(d) how many members of that class were entertained in the department from fisher-folk till now;

(e) how many of them continue in the service;

(f) how many resigned; how many were dismissed; and how many reverted and for what reasons; and

(g) whether the Government are aware of the complaints put in by the curers in the several yards under the department?

A.—(a) The Fisheries department has been in existence for the last fourteen years.

(b) The Honourable Member is referred to the annual administration reports of the department which are regularly placed on the Editors' Table.

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

(g) The answer is in the affirmative.

Proportionate scale of pension to retiring officers.

1112 Q.—MR. BHASKARA RAJA RAJESWARA SETUPATI (RAJA OF RAMNAD): Will the Hon'ble the Member for Finance be pleased to state—

(a) whether the Government have ordered that gazetted officers are at liberty to retire from service at their option on completion of 25 years' service on a proportionate scale of pension;

(b) whether the Government cannot kindly extend the same order to non-gazetted officers; and

(c) if they are disinclined to extend this privilege, to give reasons for the distinction?

A.—(a) The concession of optional retirement after 25 years' service has been sanctioned by the Secretary of State to certain gazetted officers—vide articles 465-A and 474-A, Civil Service Regulations.

(b) & (c) The extension to non-gazetted officers of the concession of optional retirement before 30 years' service formed the subject of an interpellation in the Council of State on 4th March 1921. Having regard to the fact that almost all the officials concerned are serving in their own country, that their duties are less exacting than those of the more responsible gazetted officers, that they are generally recruited at an earlier age than gazetted officers, and that the expenditure involved would be very considerable, the Government of India did not consider that the period now prescribed for optional retirement in the case of non-gazetted officers should be reduced.

In the circumstances, the Government are unable to accept the suggestion.

Residential quarters for district officers in Cuddapah.

1113 Q.—MR. B. P. DEVARAJULU NAYUDU: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(1) whether it is not a fact that Major Ross, who was sent on special duty to investigate the cause of malaria in Cuddapah town, condemned the present site chosen for residential quarters for district officials, as the foreshore of the Dongala oheruvu tank and the two tanks under it were found to be breeding places of malarial mosquitoes;

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- (2) whether the Piscicultural Expert and the present District Medical and Sanitary Officer also did not condemn the site for similar reasons;
- (3) whether it is not a fact that Mr. Fotheringham, the District Judge, protested against the construction of quarters on this site;
- (4) whether the preliminary experimental antimalarial measures recommended by the Piscicultural Expert have not proved a complete failure;
- (5) the result of Major Russell's recent inspection of the site chosen for residential quarters for district officials in Cuddapah town recently;
- (6) the amount of the estimate sanctioned by the Government for the construction of buildings on this site, and what amount has been already spent for the construction of the same; and
- (7) what amount is necessary to complete the experimental antimalarial operations?

- A.—(1) Major Ross recommended that the Dongala cheruvu should be breached and abandoned, but did not condemn the site in question.
- (2) The Piscicultural Expert did not condemn the site but suggested some antimalarial measures. The Government have no information as to the opinion of the District Medical and Sanitary Officer.
- (3) Mr. Fotheringham suggested that building operations should be suspended till the site was proved not to be malarious.
- (4) Only some of the antimalarial measures proposed have been so far carried out; and it is too early to judge of their results.
- (5) Major Russell is of opinion that the Dongala cheruvu tank should be breached and abandoned.
- (6) Estimates amounting to Rs. 77,180 have so far been sanctioned; and an expenditure of Rs. 36,396 has been incurred up to July last.
- (7) The Government are unable to give any estimate at present.

Exemption from personal appearance in civil courts for the Swami of Pushpagiri.

1114 Q.—Mr. B. P. DEVARAJULU NAYUDU: Will the Hon'ble the Law Member be pleased to state—

- (1) whether the predecessors of the present Swami of Pushpagiri, the head of one of the biggest and the most important mutts in the Ceded districts, which owns extensive landed properties in the various districts, were exempted from personal appearance in civil courts under section 153 of the Code of Civil Procedure;
- (2) whether the present Swami of Pushpagiri applied for such an exemption; and
- (3) whether such an exemption has been granted?

A.—The Government do not know who the present Swami is. A Swami of the mutt asked for exemption in 1908 and again in 1914 and the Government declined to comply with his request. His predecessor was granted exemption in 1880.

Assignment of lands to Panchamas in Chingleput and Madura.

1115 Q.—Mr. L. C. GURUSWAMI: Will the Hon'ble the Law Member be pleased, with reference to the answer to question No. 427 given on the 1st September last, to state—

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- (a) the extent of land reserved for and actually assigned to landless Panchamas in the districts of Chingleput and Madura; and
- (b) the extent of land for house-sites reserved for and actually assigned to Panchamas during the last two years in each district?

A.—(a) The extent of lands reserved for, and assigned up to 30th September 1921 to the members of the depressed classes in the Madura district was 20,671 acres and 344.21 acres respectively. For the Chingleput district the figures were 18,000 and nil respectively.

- (b) Land is not specially reserved for house-sites. No information is available as to land so assigned.

Special Commissioner for Malabar.

1116 Q.—Mr. K. KUNHAMMAD KOYA: Will the Hon'ble the Home Member be pleased—

- (1) to call for and furnish information showing the numbers of (1) Mappilas, (2) Brahmans, (3) Nayars, (4) Liyyas and (5) other castes hitherto charged and convicted or discharged by the summary courts and special tribunals for offences connected with the present rebellion in portions of Malabar;

- (2) to make a statement giving, briefly, the powers vested in the Special Commissioner for Malabar and the duties and responsibilities devolving on this officer; and

- (3) to state whether any and, if so, how many non-Mappillas have so far been charged for offences punishable under the general provisions of the Mappilla Outrages Act in connexion with the present rebellion?

A.—(1) & (3) The Government have not details by race or religion. If the Member will define the period for which he wants the information, I shall be glad to consider the question of specially collecting the particulars he requires.

- (2) The Member is referred to G.O. No. 726, Public, dated 24th October 1921.

Passes under Martial Law Ordinance.

1117 Q.—Mr. K. KUNHAMMAD KOYA: Will the Hon'ble the Home Member be pleased to state whether it is a fact that the Sub-divisional Magistrate of British Cochin requires applications for passes under Order No. 1 under section 5 of the Martial Law Ordinance of 1921 to be submitted on eight annas stamp paper?

A.—The Government have no information on the matter. A report has been called for.

Retrenchment.

1118 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Member for Finance be pleased to state what proposals have been received from the heads of departments for effecting retrenchment in expenditure and what orders, if any, have been passed thereon?

A.—A summary of the action proposed will be issued after the examination of the question by the Finance Committee has been completed.

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Deficit in excise revenue.

1119 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Member for Finance and the Hon'ble the Minister for Education (Excise) be pleased to state what deficit is expected to occur in the current year in the estimated revenue under Excise and how it is proposed to meet that deficit?

A.—According to the latest estimates received from the Accountant-General, it is anticipated that there will be a fall of 80 lakhs in the revenue from Excise in the current year as compared with the budget estimate. The question how the deficit resulting from this and other causes should be met is engaging the attention of the Government, and an announcement will be made when a decision is arrived at.

Lease of toddy shops.

1120 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Minister for Education (Excise) be pleased to state in what districts of the Presidency toddy shops have been leased out during the current year by inviting and accepting tenders and how much revenue has been realized thereby in each of those districts?

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

Proceedings under section 108 of the Criminal Procedure Code.

1121 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Home Member be pleased to state in how many cases proceedings were instituted under section 108 of the Code of Criminal Procedure in each district of the Presidency during the last three months and with what result?

A.—The Government have not the information but have called for it.

Special Commissioner for Malabar.

1122 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Home Member and the Hon'ble the Member for Finance be pleased to state—

(a) the reasons which led to the appointment of Mr. A. R. Knapp, I.C.S., as Commissioner for the district of Malabar;

(b) the date when the appointment was made; and

(c) the pay fixed for the appointment?

A.—The information desired by the Honourable Member will be found in G.O. No. 726, Public, dated 24th October 1921, which has been placed on the Editors' Table.

The Madras Land Revenue Bill.

1123 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Member for Revenue be pleased to state the progress made in the preparation of the Madras Land Revenue Bill?

A.—The report of the Committee appointed to consider the draft Bill has been received and is under the consideration of Government.

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Reduction in the number of Executive Council Members.

1124 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the Hon'ble the Member for Finance be pleased to state what action has been taken by the Government on the recommendation of the Legislative Council to reduce the number of Members of the Executive Council to three?

A.—The resolution of the Legislative Council together with a printed copy of the report of the debate was submitted to the Government of India on 15th September 1921 for transmission to the Secretary of State.

Collapse of bridges in South Kanara.

1125 Q.—Rai Sahib E. C. M. MASCARENHAS: Will the Hon'ble the Minister for Local Self-Government be pleased to supply the information called for in question No. 629, dated 12th October 1921, regarding the collapse of two bridges in South Kanara?

A.—The information is furnished.*

The Vizagapatam Medical School.

1126 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Superintendent of the Vizagapatam Medical School has recently suspended about 150 students for wearing Swadeshi caps;

(b) how the wearing of Swadeshi caps prejudicially affects discipline any more than the use of felt or other woollen caps; and

(c) whether there is any rule requiring medical students to attend school in a particular uniform, and, if so, whether the Government will kindly quote the rule and the dress prescribed?

A.—(a) & (b) One hundred and forty-two students were suspended for wearing white (Ghandi) caps in contravention of the prescribed dress regulations and in defiance of the orders of the Superintendent directing them to discontinue wearing such caps.

(c) A copy of the dress regulations is laid on the table.†

Repairs to the trunk roads within the municipal limits of Anantapur.

1127 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state whether any repairs were done during the last and the current year to the trunk roads within the municipal limits of Anantapur and whether the works were subsequently inspected by the Superintending Engineer and the cost thereof paid to the municipality?

A.—Some repairs are reported to have been done to the trunk roads within municipal limits but no grant has yet been made pending the receipt of the inspection notes of the Superintending Engineer.

Relief to the orphans and widows of public servants in Malabar.

1128 Q.—Mr. T. RICHMOND: Will the Hon'ble the Home Member be pleased to state what steps the Government propose to take to grant relief to the widows and orphans of public servants killed in the Malabar Mappilla rebellion?

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

* Vide Appendix I on page 1647 infra.

† Vide Appendix II on page 1648 infra.

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The late Mr. J. E. Readman.

1129 Q.—Mr. T. RICHMOND: Will the Hon'ble the Home Member be pleased to state whether the Government have had before them the case of the late Mr. J. E. Readman, Inspector of Police, Malappuram, killed in the rebellion, and whether any orders have been passed in favour of Mr. Readman's widow and orphans?

A.—It is understood that the Inspector-General of Police has recommended the grant of a pension to Mrs. Readman. Pending decision on the question the Government have sanctioned the payment to her of an advance of Rs. 225.

Probationary revenue inspectors.

1130 Q.—Mr. A. P. I. SAIYID IBRAHIM RAYUTTAR: Will the Hon'ble the Member for Revenue be pleased—

(1) to place on the table a statement showing the number of the probationary revenue inspectors in the Presidency, the date of their starting, and their qualifications; and

(2) to state—

(a) whether it is the object of the Government to give them preferential treatment over those joining the department in the usual course;

(b) whether the probationary revenue inspectors are now appointed in due course as permanent tahsildars;

(c) in what districts of this Presidency Mr. Carr's scheme has been strictly observed; and

(d) whether there is a time limit for the probationary revenue inspectors to undergo clerical training?

A.—(1) The scheme for appointing probationary revenue inspectors was started in 1911. 205 probationary revenue inspectors have been appointed till 31st December 1920. The total number confirmed up to 31st December 1920 was 123. There is no information as to the number of men appointed after that date. Government have no information as to the individual qualifications of the men, but the appointments which were originally confined to graduates have since 1919 been thrown open to all persons possessing the minimum educational qualification under the Public Service notification.

(2) (a) No.

(b) Yes, provided they are found fit.

(c) There is no such scheme as referred to by the member.

(d) Attention of the member is drawn to Board's Standing Order No. 127 which gives the details of the training prescribed for probationary revenue inspectors.

Dress regulations for Medical students.

1131 Q.—Mr. M. SURYANARAYANA PANTULU: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(1) whether there is any order of the Government or of the Surgeon-General, regarding the dress to be worn by students—

(a) when they attend a medical college or school,

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(b) when they attend hospital duty;

(2) if there is any such order, to place the same on the table;

(3) whether this rule with regard to dress has been followed and given effect to, especially in regard to head dress;

(4) whether any order has been made by the Government, prohibiting the wearing of caps when students attend the hospital;

(5) whether what is called the "Gandhi cap" has been declared to have any political significance;

(6) why the students of the Medical school, Vizagapatam, were expelled for wearing the caps;

(7) to place on the table the Government Order referred to by the District Medical and Sanitary Officer, Vizagapatam, in his order dismissing certain students from school; and

(8) to state what specific offence was committed by the students of the Medical school, for which the District Medical and Sanitary Officer asked the students to apologize?

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

(2) A copy of the dress regulation is laid on the table.

(3) The rule is intended to be observed. The Government have no reason to think that this has not been the case.

(4) No separate orders other than those contained in the regulations referred to above have been issued by the Government.

(5) The Government have not issued any directions on the subject.

(6) The Honourable Member is referred to the answer given to question No. 1126.

(7) Copies of two telegrams sent to the District Medical and Sanitary Officer, Vizagapatam, are laid on the table.

(8) The Honourable Member is referred to the answer given to question No. 1126.

Official receiver for North Arcot and Chittoor districts.

1132 Q.—Mr. A. TANGAVELU NAYAGAR: Will the Hon'ble the Law Member be pleased to state—

(a) whether the attention of the Government has been called to the fact that there is only one official receiver for the two districts of North Arcot and Chittoor, even though there are two district courts; and

(b) whether it is a fact that the parties to suits relating to the North Arcot district, especially those in the distant interior, find it a great hardship to go to Chittoor in connexion with any business they may have with official receiver?

A.—(a) Yes.

(b) The Government have no reason to think that parties suffer hardship.

• Vide Appendix III on page 1648 infra.

[18th December 1921]

American Mission Hospital, Ranipet.

1133 Q.—Mr. A. TANGAVELU NAYAGAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the American Mission Hospital at Ranipet is receiving an annual grant of Rs. 2,600 from the Ranipet Taluk Board, and if so, why;

(b) whether it is a fact that the management of the hospital is charging fees from the patients without any definite scale; and that they do so irrespective of the status of the patients; and

(c) whether it is a fact that the parties are made to wait for a long time in the mornings and that non-Christians are compelled to attend the Christian prayers and preachings before any medical attention is bestowed?

A.—(a) Before 1900, the Ranipet hospital was maintained partly from a contribution of Rs. 2,066 from the Langarkhana funds and partly from Taluk Board funds, the Arcot American Mission paying the difference between the pay of the apothecary and that of a first-class hospital assistant. In that year, the Arcot Mission having expressed their willingness to maintain the hospital from Mission funds with the help of a contribution from Langarkhana funds, the management of the institution was transferred to the Mission. The contribution of Rs. 2,066 from Langarkhana funds is being continued. No other grant is made to the hospital.

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

Repairs to the Kalavai group.

1134 Q.—Mr. A. TANGAVELU NAYAGAR: Will the Hon'ble the Member for Revenue be pleased to state if the report referred to in the answer to my query No. 556, dated 1st September 1921, regarding repairs to the Kalavai group in the North Arcot district has been received and, if so, to lay it on the table?

A.—Generally Tank Restoration Scheme works are taken up for execution as soon as estimates are sanctioned by competent authority. The estimates for the works in the Kalavai group have not yet been sanctioned as the works are more complicated than those in the Mamandur group and have to be investigated further, the information collected up to the present being incomplete.

Gentlemen cadets.

1135 Q.—Mr. T. C. TANGAVELU PILLAI: Will the Hon'ble the Home Member be pleased to state—

(a) how many applications were received by the Government since 1918 or nominations to attend the examinations held at Simla for selection of gentlemen cadets to attend the Sandhurst College; and

(b) why no one was selected from this Presidency?

A.—(a) The total number of applications received since 1918 for nomination to attend the examinations held at Simla for admission of gentlemen cadets to the Royal Military College, Sandhurst, was 141, of which only 29 satisfied the educational and age rules.

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(b) Those nominated by His Excellency the Governor were found unsuitable by the Army Department of the Government of India on account of either poor physique or failure to pass the oral test.

Assistant engineers of the South Indian Railway Company.

1136 Q.—Mr. T. C. TANGAVELU PILLAI: Will the Hon'ble the Home Member be pleased to state—

(a) what action is being taken by the South Indian Railway Company with regard to the filling up of vacancies of assistant engineers in the said company;

(b) whether it is a fact that the South Indian Railway Home Board desired that at least three of these vacancies must be filled up by Indians; and

(c) why Indians were not entertained by the said South Indian Railway Company as assistant engineers?

A.—The questions refer to the internal administration of the Railway which is not primarily the concern of the Local Government.

Non-official presidents of district boards.

1137 Q.—Mr. O. TANIKACHALA CHETTIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) the total number of persons holding the posts of non-official presidents of district boards on the 1st April 1921; and

(b) the number of Brahmans amongst them?

A.—(a) Twenty-three.

(b) Ten.

Assistant Director of Fisheries.

1138 Q.—Mr. O. TANIKACHALA CHETTIYAR: Will the Hon'ble the Minister for Development be pleased to state—

(a) whether it is true that Mr. Chakrapani Ayyangar has been appointed to act as Assistant Director of Fisheries (Inland) for a period of about two years;

(b) whether this appointment is a gazetted appointment;

(c) whether it is true that he is not a graduate in Science;

(d) whether Mr. Chakrapani Ayyangar has had any training or practical experience in pisciculture, except such knowledge as he acquired while employed in the clerical establishment;

(e) whether it is true that Mr. Chakrapani Ayyangar was one of the persons who according to his own admissions received travelling allowance in respect of travelling not done for which Mr. V. V. Ramanan made out false travelling allowance bills and drew money in consequence of which the latter was prosecuted and convicted at the Criminal Sessions of the Madras High Court;

(f) whether it is true that during the time of the late Mr. Wilson Mr. Chakrapani Ayyangar was refused the appointment of an assistant under Mr. Wilson; and

(g) whether the office of assistant under Mr. Wilson was a non-gazetted appointment?

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A.—(a) Mr. Chakrapani Ayyangar has not been gazetted to act as Assistant Director of Fisheries (Inland) but has been appointed to hold charge of the current duties of the office during the absence of Mr. Sundara Raj on leave.

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

(d) Mr. Chakrapani Ayyangar has had several years' practical experience in pisciculture.

(e) The answer is in the affirmative. But the Government did not take any action against Mr. Chakrapani Ayyangar as they were satisfied that he acted under the orders of Mr. V. V. Ramanan who was then (1906) temporarily the head of the office and as he wrote to Sir Frederick Nicholson immediately upon the first travelling allowance bill was prepared informing him of what had happened.

(f) It is presumed that the Member is referring to the appointment of Piscicultural Assistant. The Government have no information whether Mr. Chakrapani Ayyangar applied for the post and was refused the appointment.

(g) The answer is in the affirmative.

Terms of imprisonment in jails.

1139 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the Hon'ble the Home Member and the Hon'ble the Law Member be pleased to state—

(a) the number of people sentenced to imprisonment for not more than a month in 1920 and in the first nine months of 1921;

(b) how many of these were released without undergoing the full term;

(c) whether any of these were released conditionally before undergoing the full term of imprisonment;

(d) whether the Government have ever considered the desirability of passing an order that all such people may be released conditionally or otherwise without undergoing any term of imprisonment in the jail; and

(e) whether the Government have any such proposal on hand at present with a view to have more space available in jails and to prevent offenders for the first time from having to undergo jail life for a short period?

A.—(a) For the figures relating to 1920 the Honourable Member is referred to paragraph 14 of the Jail Administration Report. Statistics for the first nine months are not available and would have to be specially compiled.

(b) Only one such release—relating to the year 1920—appears to have taken place.

(c) No conditional release appears to have been directed.

(d) & (e) The Honourable Member is referred to paragraphs 441 to 444 of the Report of the Indian Jails Committee, 1919-20, which discusses the general issue of the propriety and efficacy of short-term sentences and makes certain recommendations on the subject from the penological standpoint. Those recommendations have been referred to Local Governments by the Government of India and are now under consideration.

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Provincial revenues and expenditure.

1140 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the Hon'ble the Member for Finance be pleased to state—

(a) whether a monthly statement of the Provincial revenue and expenditure of the Government of Madras is published for public information; and

(b) whether there is any time-limit within which such statements are published?

A.—(a) A monthly statement has been published in the *Fort St. George Gazette* since 1898 except for certain months in the current year when changes in the form of accounts delayed publication.

(b) The statement is published as soon as it is received from the Accountant-General, generally by the middle of the second month after that to which the figures relate.

Leasing out of toddy shops.

1141 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the Hon'ble the Minister for Education (Excise) be pleased, with reference to my question No. 744 answered on 12th October 1921—

(a) to state if all the toddy shops that were not taken on rent up to the date of preparation of that answer, have now been leased out; and to give a tabular statement giving the total sums realized by the subsequent sale in each district of the Presidency and in each taluk of the districts of Salem and Coimbatore;

(b) in regard to shops not leased out yet, to state what action the Government propose to take as regards them; and

(c) to state whether memorials or applications have been received for remission of the rent for toddy shops, and, if so, how many, and for remission of what sums, with the result, if any, of all or any of them?

A.—(a) The information is not yet available.

(b) Government are awaiting the final report of the Board and will pass orders on receipt.

(c) The Member is referred to the answer given to question No. 510. Remissions to the extent of Rs. 1,08,371 have been granted in Bellary, Kurnool and Anantapur districts. Further applications for remission from Guntur and Chittoor districts are now under the consideration of Government.

Companies registered under the Indian Companies Act.

1142 Q.—Mr. P. VENKATASUBBA RAO: Will the Hon'ble the Law Member be pleased to state—

(a) the total number of companies registered under the Indian Companies Act in this Presidency;

(b) the number of permanent and temporary audit certificate holders in this Presidency, and how many of them are full-time auditors;

(c) how many of the above auditors are diplomates of commerce (Madras) or candidates who have passed the advanced Government Technical examinations (Madras);

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(d) the total number of companies in Nellore, Guntur, Kistna and Gōdāvari districts that are registered under the Indian Companies Act;

(e) the total number of auditors residing and practising in the above districts;

(f) whether the Government have received any representations from the secretaries and managers of registered companies in these districts complaining of the inconvenience and expense they are put to by being obliged to bring auditors from Madras and outside these districts;

(g) whether the Government have taken any steps to redress this long-felt grievance; and

(h) whether any applications have been received from qualified persons by the Government from the Circars praying for the grant to them of the auditors' certificates?

A.—(a), (d) & (e) The Member is referred to appendices A and F to the report for 1920-21 on the working of the Indian Companies Act, 1913, the Provident Insurance Societies Act, 1912, and the Indian Life Assurance Companies Act, 1912, recorded in G.O. No. 648, Law (General), dated 22nd June 1921, which was placed on the Editors' Table.

(b) There are thirty-two permanent and two temporary auditors' certificate holders of whom twenty-two are full-timers so far as Government are aware.

(c) Five are diplomates of Commerce (Madras) and four have passed one or more of the Government Technical Examinations, Madras, in the advanced grade.

(f) & (g) No representations have been received from any of the companies.

(h) Received from none qualified under the rules.

Memorials from district munsifs regarding their sub. pro tem. service.

1143 Q.—Mr. P. VENKATASUBBA RAO: Will the Hon'ble the Law Member be pleased to state—

(a) whether the memorials of district munsifs regarding their sub. pro tem. service are still under consideration or whether any orders have been passed;

(b) whether any orders have been passed on the memorials of the subordinate judges regarding their sub. pro tem. service; and

(c) whether any differentiation has been made between the district munsifs and the subordinate judges on this point, and whether it is a fact that on account of financial stringency the Government are unable to take into account the sub. pro tem. service of district munsifs for the purpose of increments?

A.—(a) Orders have been passed. The Government Order is laid on the table.*

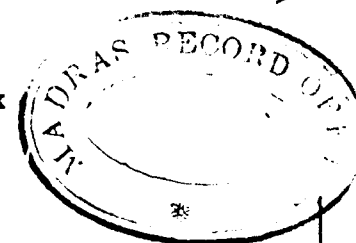
(b) & (c) The memorials of Subordinate Judges are still under consideration.

* Vide Appendix IV on page 1649 infra.

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APPENDIX

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APPENDIX I.
[Vide answer to question No. 1125 asked by Rai Sahib E. C. M. Masarehhas at the meeting of the Legislative Council held on the 13th December 1921, page 1639 supra]

(1) Name of bridge.	(2) Date on which the bridge collapsed.	(3) Whether it has yet been rebuilt.	(4) Date on which estimates for rebuilding were prepared.	(5) Date on which the estimates were sanctioned.	(6) If the estimates have not been sanctioned why they have not been sanctioned.	(7) Whether new bridges have been or are being built since the dates the bridges in column (1) collapsed and if so their names.	(8) Remarks.
ddya bridge on the Madabidri-Karkal road.	10th August 1917.	No	Estimate for rebuilding the bridge was first submitted by the District Board Engineer on 18th November 1918.	29th August 1921.	....	The Gurpur bridge was sanctioned in 1919 and undertaken in 1920. Some minor bridges between 15' and 20' span were either built or reconstructed in Kasaragod, Udipi and Uppinangadi talukas.	The District Board has sanctioned Rs. 8,000 for the construction of this bridge in the current year.
meysa bridge on the Marunpinnangadi road.	6th Nov. 1919.	No	First estimate was sent to the Superintending Engineer on 21st April 1920.	Not yet been sanctioned.	The estimates were returned by the Superintending Engineer twice for revision in design, etc. They were finally submitted to the Superintending Engineer on 18th September 1921.		

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APPENDIX II.

[Vide answer to question No. 1126 asked by Rao Sahib U. Rama Rao at the meeting of the Legislative Council held on the 13th December 1921, page 1639 supra.]

Dress Regulations.

First—The typical dress.—Turban, a long or short coat buttoned up to the neck, trousers, socks and English shoes. Under-clothing according to choice; but, where the material of the coat is not washable, e.g., tweed, a linen collar should be worn, and if the coat does not button up to the neck, collar and tie must always be worn, whatever the material. The Parsee hat and Burman head cloth are, for the purposes of these regulations, to be regarded as turbans.

Second—Modifications permissible.—(a) Students who wear a 'tuft' or who shave the scalp must wear a turban which must conceal the tuft when it is present.

(b) Students who dress their hair after the European fashion may wear caps; but in-doors, if their dress is otherwise European, the cap must be removed.

(c) A cap when worn must be black and may have a lace border, but must not be otherwise decorated. And no caps are allowed to be worn on ceremonial occasions, such as prize distributions, etc. Muhammadans may be allowed to wear the fez on ordinary occasions, but not at ceremonial observances.

(d) Any student may wear a dhoti or mundu; he must then go bare-footed in-doors, or wear socks and European shoes.

Third—All articles of dress must be clean.

APPENDIX III.

[Vide answer to question No. 1131 asked by Mr. M. Suryanarayana at the meeting of the Legislative Council held on the 13th December 1921, page 1641 supra.]

(1)

Dress Regulations.

First—The typical dress.—Turban, a long or short coat buttoned up to the neck, trousers, socks and English shoes. Under-clothing according to choice; but where the material of the coat is not washable, e.g., tweed, a linen collar should be worn, and if the coat does not button up to the neck, collar and tie must always be worn, whatever the material. The Parsee hat and Burman head-cloth are, for the purposes of these regulations, to be regarded as turbans.

Second—Modifications permissible.—(a) Students who wear a 'tuft' or who shave the scalp must wear a turban which must conceal the tuft when it is present.

(b) Students who dress their hair after the European fashion may wear caps; but in-doors, if their dress is otherwise European, the cap must be removed.

(c) A cap when worn must be black and may have a lace border, but must not be otherwise decorated. And no caps are allowed to be worn on ceremonial occasions, such as prize distributions, etc. Muhammadans may be allowed to wear the fez on ordinary occasions, but not at ceremonial observances.

(d) Any student may wear a dhoti or mundu; he must then go bare-footed in-doors, or wear socks and European shoes.

Third—All articles of dress must be clean.

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(2)

Telegram—from the Secretary to Government, Local Self-Government Department.

To—Lieut.-Col. E. M. ILLINGTON, I.M.S., Superintendent, Medical School, Vizagapatam.

Dated—the 26th September 1921.

Please place a notice in a prominent position of the Vizagapatam Hospital and school stating that all students who have been suspended by you for breaking rules of institution as regards dress to be worn when attending the hospital or school are hereby informed if they do not express regret for such conduct to you personally or in writing by October 3rd will be dismissed the school. Please placard a copy of dress regulations paragraph 61 alongside the above warning notice.

(3)

Telegram—from the Secretary to Government, Local Self-Government Department.

To—Lieut.-Col. E. M. ILLINGTON, I.M.S., Superintendent, Medical School, Vizagapatam

Dated—the 15th October 1921.

Reference Government telegram September 26th and petition October 3rd from 36 students Medical school stop. Inform these 36 students that unless they apologise to Superintendent for breach of dress regulations within 24 hours on receipt of orders from Superintendent they will be summarily dismissed.

APPENDIX IV.

[Vide answer to question No. 1143 asked by Mr. P. Venkatasubba Rao at the meeting of the Legislative Council held on the 13th December 1921, page 1646 supra.]

G.O. No. 1896, Law (General), dated 12th November 1921.

READ—the following papers:—

(1)

G.O. No. 2125, Home (Judicial), dated 25th August 1920.

ABSTRACT.—Sub-Judges and District Munsifs—Revised scale of pay—Sanctioned.

(2)

Letter—from the Registrar, High Court.

To—the Secretary to Government, Law (General) Department.

Dated—the 22nd February 1921.

No.—R.O.C. 456.

ABSTRACT.—Forwarding memorials from District Munsifs regarding the improvement of their pay and prospects.

Order—No. 1896, Law (General), dated 12th November 1921.

The Government have carefully considered the several prayers contained in the memorials of District Munsifs regarding the improvement of their pay and prospects and have come to the following conclusions:—

(i) *Sub. pro tem. service to count for increments.*—In fixing the minimum pay of District Munsifs at Rs. 300 account has been taken of the fact that they may

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have to wait for over three years prior to confirmation. The Governor in Council does not see sufficient reason to reconsider the direction in G.O. No. 2125, Home (Judicial), dated the 25th August 1920, that an officiating District Munsif should continue to draw Rs. 300 until confirmation.

(ii) *To place both District Munsifs and Subordinate Judges in one continuous cadre.*—The Hon'ble the Judges do not favour this proposal and the Governor in Council agrees with them.

(iii) *To count for increments acting and sub. pro tem. service of District Munsifs before appointment as permanent Sub-Judges.*—Orders will issue separately on this point.

(iv) *To cancel the rule requiring previous permission to leave the station on casual leave.*—His Excellency in Council is not satisfied that a change in the existing practice is necessary. In emergent cases the permission can be obtained by wire.

(v) *To revise the rules under the Madras Civil Courts Act regarding the appointment and punishment of subordinate civil court establishments.*—The rules were framed only in August last year and the High Court has been asked to make a report on their working in the annual civil justice reports. The Government do not consider it necessary to take any further action at present.

(vi) *To provide every civil court with separate nazarat and copyist establishment.*—In G.O. No. 2115, Home (Judicial), dated the 21st August 1920, the Government have already directed the introduction as an experimental measure of the system of separate nazarat and copyist establishments for the districts of South Malabar, Tinnevely and Gōdāvari.

(vii) *To reserve certain high posts for officers in the Judicial branch, e.g., High Court judgeships, District and Sessions judgeships, etc.*—The Government are not prepared to lay down any definite rules in this respect. Their policy is to select the best men available.

(viii) *To appoint experienced officers of the Provincial Civil Service (Judicial Branch) in the Secretariat and the High Court.*—The Government have already appointed two officers of this service in the Secretariat.

(ix) *To extend the period of vacation of District Munsifs' Courts from 1½ months to 2 months.*—The Hon'ble the Judges have hitherto rejected the request and the Governor in Council agrees with them.

(x) *To make temporary civil courts permanent.*—In accordance with the recommendations of the Public Services Commission and with the approval of the Secretary of State the High Court has already been requested in G.O. No. 384, Law (General), dated the 16th May 1921, to review all temporary appointments every five years, so that posts which have been found to be permanently necessary may be brought on to the cadre.

(xi) *Leave and pension.*—The recommendation of the Public Services Commission that members of the Provincial Civil Services should be under the Indian Service leave rules is under the consideration of the Government of India. The orders will be communicated in due course. The revised pension rules have already been announced in the Finance Department Resolutions Nos. 1085-E.A. and 1063-C.S.R., dated 15th November 1919 and 18th June 1920, respectively. No further action is needed in this respect.

(By order of the Governor in Council)

P. C. DUTT,
Acting Secretary to Government.

To the Hon'ble the Chief Justice (with C.L.).

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II

THE LATE DIWAN BAHADUR AGARAM SUBBARAYULU REDDIYAR.

The Hon'ble Sir LIONEL DAVIDSON :—“ Mr. President, before the Council proceeds to the ordinary business of the day, I ask leave to invite attention to the great loss which we have sustained since our last meeting by the death of one of our members, the late Diwan Bahadur Agaram Subbarayalu Reddiyar Garu. Born in the year 1853 in the village of Malayaperumal Agaram, from which he takes his first name, our late colleague received his collegiate education at the Presidency College, was enrolled as a High Court vakil in the year 1880 and then proceeded to take up practice in the headquarter town of his district, namely Cuddalore. It was no long time before he became acknowledged as one of the leaders of the local bar; but not content with pre-eminence in his profession he sought and achieved greater pre-eminence in the public life of his district. In 1904, he became a member of the Municipal Council of Cuddalore and his connexion with that municipality was, I believe, continuous until 1920, including a term of some sixteen years as chairman. In 1911 he was appointed President of the Cuddalore Taluk Board, in days when un-official presidents of taluk boards were rare phenomena, and in 1917 he became President of the District Board of South Arcot and held that office also until the year 1920.

“ During the course of his public life the great services of the Diwan Bahadur were specially recognized on three occasions. In 1911 he received the title of ‘ Rao Bahadur ’ with reference to his municipal work in Cuddalore. In 1916 he was promoted to the honour of ‘ Diwan Bahadur ’ on account of his triple services on the municipal council, on the taluk board and on the Legislative Council and in recognition of his unquestioned loyalty and the great respect in which he was held throughout the district. Finally in the beginning of this year he was awarded the ‘ Kaiser-i-Hind ’ gold medal. This last distinction almost immediately followed his acceptance of the exalted office of First Minister. He was then at an age when he might fairly have claimed a life of leisure, but with his accustomed public spirit he assumed the heavy burdens of office only to lay them down a few months later under the stress of failing health. Sir, in that short period he endeared himself to his colleagues, of whom I am proud to have been one, by that spirit of gentle courtesy and consideration for others which I am told has been the characteristic of his whole life. Happy, Sir, is the public man of whom it can be said that he has made few enemies. That this is true of our late colleague I make no doubt whatsoever. During a friendship extending over many years I have seen much of Diwan Bahadur Agaram Subbarayalu Reddiyar Garu and I find it difficult to believe that any action of his, either public or private, could have given rise to enmity in any quarter.

“ I now beg leave, Sir, with your permission to move the resolution of which I have given you formal notice. It runs thus :—

“ That an expression of the sincere regret of this Council at the death of M.R. By. Diwan Bahadur Agaram Subbarayalu Reddiyar Garu, B.A., B.L., recently Minister of Education and of deep sympathy with his bereaved family be placed on record and conveyed to them.”

Mr. R. SRINIVASA AYYANGAR :—“ Mr. President, coming as I do from the district of South Arcot wherein he and I were born and on which he has shed much lustre by work, good and useful, done by him quite unostentatiously within the past 30 years and more, and possessing as I do an intimate knowledge of his

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life, work and career by reason of close and intimate association with him in various spheres of activity, professional, social and otherwise, I wish, over-weighted as I am by a sense of deep sorrow and regret, to associate myself with the leader, of the House, the Hon'ble Sir Lionel Davidson, in the glowing, eloquent and, I may be permitted to state, well-merited tribute that he paid to the memory of that great man, and my esteemed friend, the late lamented Diwan Bahadur Agaram Subbarayalu Reddiyar Garu. Endowed with remarkable memory and keen intellect and dowered with sturdy and robust common sense, he made his mark in the legal profession to which he and I have the honour to belong much sooner than had fallen to the lot of many of his compeers. His was a noble example, and he owed his great success in life to the steadfastness of his purpose and to the high ideals that he set before himself and which he sincerely and loyally carried out amidst all opposition caring not for the blighting blasts of fierce and even hostile criticism. His conception of duty was really high, really noble and really great. His was a towering personality, and so far as our district of South Arcot was concerned, he was the guiding spirit and he was the inspiring genius. There was not one association, not one institution, not one movement with which he was not connected and the affairs of which he had not directed or even controlled within the past 30 years, and if I may be permitted to say so, during the past 30 years and more, he played the role of a really peaceful Dictator. His first love the moment he entered life was the legal profession which he wooed with all the unremitting care and diligence the exacting duties of which demanded of him. He was liked by the Judges, loved by the people and, may I say, befriended by the powers that be. He was a man of great force of character and his independence was really of a useful and assertive nature.

"If I remember right, later on in his life, in the year 1904, at the advice of some of his friends, he resolved to devote part of his time, talents and energy to the betterment of the condition of the people of the district and for the promotion of the public weal. I may state that he had enjoyed in a very large degree, the honour and distinction of having been returned to the municipal council as its elected chairman for five periods covering a period of 15 years during which time, the municipal administration reached a high water mark of efficiency. Later, I believe somewhere about the year 1911, when the Government conceived the idea of liberalising local self-government and were casting about as to the centres where these experiments could be tried, the Government necessarily turned their eyes to the district of South Arcot; for there was a man in South Arcot ready and competent to discharge the onerous duties and the success of that experiment enabled the Madras Government, five or six years later to extend its scope in a larger sphere and in a larger body, to wit, the district board with the result that in September 1917, the Government nominated non-official presidents to four district boards including South Arcot and the late Diwan Bahadur who had richly merited the honour and distinction by the strenuous and active work he had been doing being one of them.

"The House may perhaps remember that he was an elected member of this Council in the pre-reform Government twice for a period of 6½ years prior to 1919. In 1920 when the District Municipalities Bill and the Local Boards Bill were on the legislative anvil, the Government did not want to lose itself of the invaluable experience, knowledge and ripe judgment of our esteemed friend and for that reason the Government nominated him as a Member of this Council. Needless to say that he was of great help to this Government in piloting the Bill through this Council.

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"He was a man of high and lofty ideals and though of an exacting nature he was also liberal. He recently made large contributions to the founding of a hostel known as the 'Reddi Hostel' which was mainly and primarily founded for the benefit of the men of his community. Though somewhat conservative by nature, he was very communicative to his friends, to one and all of whom he gave his advice, freely and whole-heartedly, so much so that whenever any doubt or difficulty arose people looked up to him, and drew inspiration from him. That is the high and unique position which he actually held and enjoyed. The House may also remember that after the introduction of the 'Montford' Reforms Scheme he stood as one of the candidates for South Arcot and came out at the head of the polls. The history of the district of South Arcot in general, and the town of Cuddalore in particular, for the past thirty years is the life of the late lamented Agaram Subbarayulu Reddiyar. If you go to Cuddalore to-day you can witness in the monuments with which the city is studded proof of his public spirit and public activity. In his demise we, of South Arcot, have lost our guide, philosopher and friend, his community a real ornament, and the Government a most prominent, respected and loyal citizen. Of him it may be truly said that he died full of years and honours."

Sir P. TYAGARAYA CHETTIYAR:—"I join the Hon'ble Sir Lionel Davidson in expressing sorrow at the death of the late lamented Diwan Bahadur Agaram Subbarayulu Reddiyar. From the time of his college days I knew him, and the friendship I had for him was so great that in afterlife we were close friends so that on every matter of public interest we discussed. When, at the time of the formation of the Cabinet, His Excellency consulted me, the first name that came to my mind was the name of Diwan Bahadur A. Subbarayulu Reddiyar. That shows the great esteem I had for him and the great respect in which he was held by the public in general. The Hon'ble Sir Lionel Davidson has mentioned to you the service he has done in the Council during the short period of three months.

"I must say that when he was asked to take the ministership he was quite unwilling. It was I that forced him to accept it. When His Excellency asked him if he would accept it, he would not answer, and I told His Excellency to take it from me that he accepted. That shows the absolute necessity we then felt of the help of the great man, and his unwillingness to accept and his life of five months in the Council is a proof of what he was capable of doing. Unfortunately he was not keeping good health even before he was appointed. I thought that he could work for a year or two, but considerations of health forced him to resign in a short time.

"It is very unfortunate that at this time his services to the country are lost. However it is the will of Providence. Well, I must say that I was responsible for his death, as it was I that forced him to accept the post of first Minister, and but for this he might not have succumbed so soon. However, it was his duty that called him; he obeyed it and we feel the whole Council regrets his death."

Khan Bahadur MUHAMMAD USMAN SAHIB:—"I beg to associate myself with all that has been said on the unfortunate death of this great man. Diwan Bahadur Subbarayulu Reddiyar was a gentleman who was respected and loved alike by all communities. In his death the Muhammadan community has lost a well-wisher and a great friend. On behalf of the Muhammadan members of this Council, I beg to express our great regret at his unfortunate death."

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Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, I beg leave to associate myself with the previous speakers in giving expression to the sentiments of profound regret at the loss sustained by the Council owing to the untimely death of Diwan Bahadur A. Subbarayulu Reddiyar. I had the rare privilege of being acquainted with the deceased for a period of twenty years, and I should be failing in my duty did I not pay to the memory of the deceased this simple tribute of bearing witness to his worth and his rare excellences. A man simple in his habits and unassuming in his ways, he was a striking personality in South Arcot even before he became the Chairman of the Cuddalore municipality, non-official President of the District Board or member of the pre-Reform Legislative Council. As a lawyer, he built up a reputation which went on increasing, day by day, in spite of his multifarious activities. He could count his clients by hundreds not only among the leading merchants and *mirasidars* of South Arcot and Pondicherry but also among people of average means who knew that in Mr. Reddiyar they had a man of unbounded sympathy, one impelled irresistibly by the desire to do good, to relieve suffering and to afford help without calculating, in terms of money, the cost of the effort needed for helping the people. His relations with the bar were most cordial and, as my friend Mr. R. Srinivasa Ayyangar remarked, the junior members of the bar readily conceded to him a position of pre-eminence, which was certainly his due, by reason of his merit, standing and influence, while the recipient of that homage hardly thought of himself, or of his position in any other light than as an instrument for doing good.

"To many it might have come as a surprise that one who had been for many years connected with the municipal and district board administration happened to be given the portfolio of Education. But, Sir, education was his hobby. He was connected with the Town High school, Cuddalore, for over a quarter of a century. He was president of the board or council of that institution and but for his urbanity, his tact and the zeal he was able to kindle in his colleague that institution would not have attained to its present prosperous condition. Again, Sir, he did whatever he could to promote the education of certain backward classes. For the purpose of promoting the education of the members of his own community he founded a home which was liberally endowed. I know that provision has been made for scholarships to deserving and promising Reddi students to prosecute higher studies. Successive generations of students will certainly bless his memory, and his memory will also be blessed by large sections of the people of Cuddalore, many of whom told me what was just now expressed by Sir P. Tyagaraya Chettiyar that they had killed him, because it was they who did not permit him to enjoy his *otium cum dignitate*, for they knew that if he stood as a candidate for the Council he would be elected and would be appointed Minister, and their interests, the interests of the less articulate sections of the people, would be certainly safe in his hands. Therefore, Sir, as one who had known him for a period of twenty years, and on behalf of the Indian Christian community for which he had done very much, I beg leave to associate myself with the sentiments expressed at the loss of Diwan Bahadur A. Subbarayulu Reddiyar."

Mr. A. T. MUTTUKUMARASWAMI CHETTIYAR :—" Mr. President, Sir, I come from the same district as the late Diwan Bahadur A. Subbarayulu Reddiyar, and I feel it my duty to say a few words. We have lost one who assumed this month last year the high office of the first Minister for Education. The Government of Madras have lost a most loyal, straightforward, honest and able Minister and statesman. His Excellency the Governor and the Hon'ble the President have

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lost a personal friend, and the country a great man. South Arcot district cannot forget him for centuries to come. He was the first elected chairman of the Cuddalore municipality, and he was the first nominated president first of the taluk board and then the district board. During his time he built three or four wards and made large improvements to the municipal hospital, which has now been taken over by the Government. He built a beautiful municipal office from the savings of the funds. He built dispensaries and water-taps out of contributions from public persons. He made many improvements to the municipality. He also built a district board office after he assumed the office of the President, District Board, Cuddalore. The Hon'ble the President laid the foundation stone of the building when he visited Cuddalore, and the building was finished within a year. The late Diwan Bahadur Subbarayulu Reddiyar improved many institutions in his time. He took a genuine, wholehearted, warm interest in everything he did. In fact, we have lost a great man."

Mr. J. F. SIMPSON :—" On behalf of the British community I desire to associate ourselves in this expression of sorrow in the death of a leader of the people. It is a matter of great regret that he was not spared longer to this Reformed Council, but his labours for the country are well known and we have the consolation that his works will follow him."

Mr. MADURAI PILLAI :—" இந்த அலுவலில் உள்ள கவுன்சில் மெம்பர்கள் யாவருக்கும் தெரிவிப்பது யாதெனில் நம்முடைய மினிஸ்டர் சுப்பராயலு ரெட்டியார் அவர்கள் மத்தியாகயிருந்து காலஞ்சென்றதை முன்னிட்டு அவரைக்குறித்து நான் இந்த சபையில் புகழ்ந்து சொல்லுவதாவது அவர் உலகத்தில் மானிட ஜென்ம மெடுத்து அவர் தன்னுடைய நற்குணங்களால் உலகத்தில் நல்ல கீர்த்தியை எடுத்தார். சகல வம்சத்தினர்களுக்கும் நான் இருந்த ஓர் நன்னடக்கையினால் அவரை நற்குணமுடையவர் என நம் கியாதியையடைந்தார். அதாவது சகலருக்கும் உபகாரம் செய்தது ஒருபக்கமாக இருந்தபோதிலும் பஞ்சம ஆதிதிராவிடர்களுக்கு சகல நன்மைகளையும் செய்து வேண்டிய உபகாரங்களையும் செய்து இருக்கின்றார். இத்தியாதி குணங்கள் யுடைய புண்ணிய புருஷன் செய்திருக்கிற உபகாரங்களுக்கு பிரதி உபகாரமாக அவருக்கு பரமபதத்தில் மேன்மேலும் நற்பதவி கிடைக்க வேண்டுமென்று நாம் எல்லோரும் நம்முடைய ஜெபதபங்களில் துதிக்க வேண்டும்."

The resolution was put and carried, all the members standing.

III

MOTION FOR ADJOURNMENT OF BUSINESS TO DISCUSS THE MAPPILLA PRISONERS' TRAIN TRAGEDY.

Mr. R. K. SHANMUKHAM CHETTIYAR :—" Mr. President, under Standing Order No. 20, I ask for leave to make a motion for the adjournment of the business of this Council for the purpose of discussing a definite matter of urgent public importance, namely, the death of a number of Mappilla prisoners in a railway van on or about the 20th November 1921."

The Hon'ble the PRESIDENT :—" Under Standing Order No. 22, I have now to ask the House whether the Honourable Member has leave to make the motion which has just now been read to you."

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The Hon'ble Sir LIONEL DAVIDSON :—"I rise to object to this motion on the ground that the subject under issue is now under the examination of a committee whose report has not yet reached the Government."

The Hon'ble the President then put the motion to the House. More than 20 honourable members having risen in their places in support of the motion the Hon'ble the President intimated to the House that the motion would be taken up at 4 o'clock to-day.

IV

VISIT OF HIS ROYAL HIGHNESS THE PRINCE OF WALES.

The Hon'ble the PRESIDENT :—"I have to inform the House that I have received through the Local Government a communication from the Government of India in the Foreign and Political Department No. 965-R., dated the 16th November 1921, stating that the resolution passed by this House with acclamation on the 6th August last, offering a most cordial and hearty welcome to His Royal Highness the Prince of Wales, has been duly placed before His Royal Highness. I have been asked to convey thanks to the members of the House for their loyal message and I have much pleasure in doing so."

V

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

The Hon'ble the PRESIDENT :—"I have to inform the House that the Madras District Municipalities Amendment Act, 1921, and the Madras City Municipal Amendment Act, 1921, received the assent of His Excellency the Governor-General on the 21st November 1921."

VI

COMMUNICATIONS TO THE COUNCIL.

With reference to the answer given to question No. 21, at the meeting of the Legislative Council held on the 14th February 1921, the Secretary laid on the table a statement showing the expenditure incurred by the Government in connexion with the elections to the Legislative Council.

VII

COMMITTEE ON PUBLIC ACCOUNTS.

The Hon'ble Sir CHARLES TODHUNTER :—"I beg to move the resolution which stands in my name—

'That with a view to the filling up of two vacancies on the Public Accounts Committee caused by the resignation of the Hon'ble Rao Bahadur A. P. Patro and the acceptance by Mr. M. D. Devadoss of an office in the service of the Crown, this Council do proceed to elect two members of the said Committee.'

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I beg to second the motion."

The motion was put and carried.

The Hon'ble the PRESIDENT :—"I have now to fix a time within which nominations should come in. I fix 3 o'clock this afternoon for the purpose. Should the number of members nominated exceed two, the regulation of the single transferable vote will be applied sometime to-morrow."

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VIII

AMENDMENT TO STANDING ORDERS.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Mr. President, I beg to present the report of the Select Committee appointed at the meeting of the Council, dated the 16th November last, to consider certain amendments to Standing Order No. 53. I understand that the report has been circulated to the honourable members. Under the rules the amendments will have to be put at a later stage. Nothing further need be done at this stage. I consulted the Secretary and he tells me that notice will be necessary before considering these amendments to the Standing Orders at a future meeting of the Council."

IX

1. THE MADRAS CITY TENANTS' PROTECTION BILL, 1921.

The Hon'ble the PRESIDENT :—"I have to inform the House that I have received a message from His Excellency the Governor in regard to the City Tenants' Protection Bill which was passed at the meeting held on the 16th November last. I shall now read the message :—

'After the Madras City Tenants' Protection Bill of 1921 was passed in Council, it was brought to the notice of the Government that in some registered documents taken from the tenants in the locality known as Azimpet, there are stipulations as regards buildings to be erected after the date of the instrument, though almost all the tenants have been living in buildings built by themselves or their predecessors long before the registered instrument. A literal reading of clause 12 of the Bill as it stands may possibly affect these tenants and prevent them from getting the benefit of the Act. As is well-known, it was always intended to give protection to such class of tenants. His Excellency the Governor therefore remits clause 12 of the Bill for reconsideration and recommends that the following clause be substituted for clause 12 :

'Nothing in any contract made by a tenant shall take away or limit his rights under this Act, provided that nothing herein contained shall affect any stipulations made by the tenant in writing registered as to the erection of buildings, in so far as they relate to buildings erected after the date of the contract.'

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—"Under Standing Order No. 51 the President has to put the substituted clause before the Council. The Standing Order says : 'When a Bill which has been passed is returned by the Governor to the Council for reconsideration, the point or points referred for reconsideration shall be put before the Council by the President, and shall be discussed and voted upon in the same manner as amendments to a Bill.'

Mr. O. TANIKACHALA CHETTIYAR :—"Before we proceed further with this subject I must bring to the notice of the House the fact that this amendment which is proposed to be introduced . . ."

The Hon'ble the PRESIDENT :—"Order, order. I believe the proper procedure is that I should formally put the matter to the House and then the honourable member could speak upon it."

Mr. O. TANIKACHALA CHETTIYAR :—"I object to the taking into consideration of the amendment to-day by this House. I claim that notice must be given to us to consider the effect of this amendment."

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The Hon'ble the PRESIDENT :—" Will the honourable member be so good as to quote the Standing Order on which he relies ? "

Mr. O. TANIKACHALA CHETTIYAR :—" Standing Order No. 51 says : ' When a Bill which has been passed is returned by the Governor to the Council for reconsideration, the point or points referred for reconsideration shall be put before the Council by the President, and shall be discussed and acted upon in the same manner as amendments to a Bill.' We have no notice of this so that we can raise the necessary objection for our not giving our assent to this amendment. The amendment was, for the first time circulated to us yesterday or the day before and we have not had sufficient time."

The Hon'ble the PRESIDENT :—" I have no discretion in the matter. I have to put the point to the House. If any honourable member considers that for lack of adequate notice or for any other reason it would be undesirable to discuss to-day, he should formally move for the adjournment of the consideration of the subject to a later date."

Mr. O. TANIKACHALA CHETTIYAR :—" I accept the suggestion and I formally move that this matter be adjourned to the January meeting."

Mr. T. A. RAMALINGA CHETTIYAR :—" I second it."

The Hon'ble the PRESIDENT :—" The motion now before the House is to postpone the further consideration of this subject to the first day of the January meeting."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—" I am sorry I have to oppose this. This is really a formal draft for the purpose of giving effect to what has been accepted by this House already. I am not going to make a long speech. I am only pointing to the House the urgency of this matter. As has been pointed out on the last occasion, there are suits now pending and we want to give relief to those tenants also. When section 12 was passed, nobody had any idea—and I had none—that in those documents there was a stipulation as regards future buildings also. After the Bill was passed in this House I had occasion to look into one of those documents and that was why I thought an amendment was necessary, so that the particular class of tenants might not be affected. So I thought it proper not to allow the Bill to be passed into law and afterwards come in with an amending Bill but to take advantage of the interregnum before the Bill was assented to. It is with a view to that the present amendment has been introduced."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" Sir, I entirely agree with my hon'ble friend Mr. Srinivasa Ayyangar, that this matter need not be put off till the January meeting. If there is any difficulty about the wording of this amendment, or if any further amendment has to be made, I would suggest to my hon'ble friend Mr. O. Tanikachala Chettiyar to have this matter put off, if necessary, to the 15th or the 16th instant and to see that this matter is disposed of before we adjourn this meeting. It seems to me a great deal has been said at the last meeting even by my friend Mr. O. Tanikachala Chettiyar among others, and the Judges of the Small Cause Court are getting impatient about the numerous adjournments in the disposal of applications for the execution of decrees. If my friend wishes to do a service to this class of tenants, I should advise the putting off of this matter to Friday next so that any amendment of which he intends to give notice may be submitted to this Council and this legislation passed before Friday."

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Mr. T. ARUMAINATHA PILLAI :—" I rise to oppose this motion for adjournment. As it is already known to the members of this Council, suits have been filed not only in the City Civil Court but also in the Small Cause Courts. The City Civil Court is flooded with a number of cases, and also the Small Cause Courts. On account of the delay in the passing of this Bill the Courts have been staying the decrees for some time ; and any one who goes into the Courts is simply flooded with inquiries from vakils on both sides asking when this Bill would receive the assent of the Governor and the Governor-General. If the House is to adjourn this motion to January, most probably this Bill would not receive the assent of the Governor and the Governor-General in Council before March 1922. And it will be truly impossible to expect any court of law to stay its hands till then. Moreover, so far as this new section, which has been sent for reconsideration by His Excellency the Governor, is concerned, it simply amplified what was intended by the original section which was passed by this Council. The original section was somewhat ambiguous, and this section removes that ambiguity and puts the law beyond all doubt. As such, I do not see any reason why there should be objection to this clause being passed. I therefore oppose this motion for adjournment."

Mr. C. NATKSA MUDALIYAR :—" Sir, Mr. President, I thank His Excellency for the magnanimity with which he came to the rescue of the oppressed tenants of the City. I thank the Hon'ble the Law Member for the keen interest he has been evincing in this affair. If the Hon'ble the Law Member and the honourable the mover of this motion are aware that there are any number of suits, appeals and executive petitions pending in the law courts, it is better this affair is finished as early as possible. So I request the mover to have it adjourned to 15th or 16th instant instead of having it for the next meeting."

Mr. O. TANIKACHALA CHETTIYAR :—" Mr. President, I have no objection to the adjournment only to the 16th. But however much it may be said that there is urgency about a legislation of this kind being passed and that people should be free to invoke the aid of the Act it is at the same time the duty of the Council to bear in mind the nature of the change which is sought to be introduced by this amendment, which is of a far-reaching character, more far-reaching than what has already been introduced. Clause 12 says : ' Nothing in this Act shall apply to tenancies created by writing registered containing specific stipulations as to the erection of buildings.' Therefore people who have registered instruments would not be affected by this legislation. But now to say that even if there is a registered instrument it shall be ignored and treated as a scrap of paper is a very serious thing. For instance, in the very statement of facts justifying the amendment which is proposed, it is stated it is intended to deal with the tenants of Azimpet. It may not be sufficiently known what a serious thing it is to interfere in this matter, it is found that this property was bought last year by the owners for a sum of Rs. 1,80,000 and it has been let to people who are only paying about Rs. 70 for Rs. 77 grounds and they are themselves owners of land and superstructure for which they get about Rs. 100. But before they purchased the property they made certain that the tenants would remove the superstructure if wanted, and after taking registered instruments from all those tenants they made the purchase. And this Council, by a stroke of the pen in its sympathy for the tenants, is asked to pass this amended legislation. The consequences which will flow from the passing of this amendment will be serious, and it becomes necessary that those who will be affected, namely, the owners and others of the same status,

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should have notice and be given an opportunity to make representation as to what extent they will be affected if it is considered necessary to pass this legislation. As I said, so far as the huts in cheri land and other places are concerned the Bill may immediately be assented to, and anything which will affect Azimpet may be the subject of amending legislation if it is considered necessary or desirable. But while it was intended primarily for the cheris of Madras, by a stroke of the pen, at the last moment, to nullify the assurance given by section 12 of the Bill to the owners of Azimpet is not fair. It is open to the owners of Azimpet to say 'we kept back because of the reservation contained in clause 12.' To pass this amendment will work a great hardship on the owners of land. I have no objection to leave the consideration to the 16th instant, but on the 16th it may become necessary that the Council will have to decide whether notice should not be issued to the people who may be affected by it and invite their objections to be submitted before a select committee."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—" Mr. President, I am afraid that my honourable friend Mr. O. Tanikachalam Chettiyar has not remembered the previous discussions with regard to this matter. When I introduced this Bill I almost in specific terms said that I was introducing the Bill because of the Azimpet people who were going to be affected, and if I remember right—I have not got chapter and verse—I said to the House that buildings worth about 7 lakhs are likely to be demolished in that quarter. Apart from that, on the last occasion, when there was a discussion with regard to clause 12, Mr. Natesa Mudaliyar asked a point blank question whether this Bill would protect the Azimpet tenants and he introduced, it might be remembered, an amendment to the section as it now stands to the effect that any agreement which had been taken subsequent to the particular date shall be invalid. It was really for these Azimpet people, when I realised the position in which they stood, that this Bill was primarily intended. There was no question whatsoever with regard to the registered instrument, as such, with the knowledge which I then possessed, viz., that there were registered instruments in writing taken from the Azimpet people; but under the impression that they related to buildings already erected I allowed section 12 on land as it is. I did not know at that time, it was subsequently that it came to my knowledge, that those very documents contained also stipulations as regards buildings to be erected subsequently. With that knowledge it would have been really impossible for me to allow section 12 to stand, consistently with the opinion the House has expressed at the last meeting, consistently with the view as regards protection to be given to those tenants. It is nothing new which I am introducing for the purpose of relieving the tenants of Azimpet, and this new amendment makes it quite clear that persons who build after the contract shall not be protected. In Mylapore and other places, persons have taken leases of temple lands with a view to build thereon. These persons have not to be protected. I believe the amendment now proposed exactly carries out the intentions of the House repeatedly expressed before."

The Hon'ble the PRESIDENT :—" Does the honourable member withdraw his motion to adjourn this subject to the January meeting ? "

Mr. O. TANIKACHALA CHETTIYAR :—" I withdraw my motion. Instead of at the January meeting it may be taken up on the 16th instant."

The motion was by leave withdrawn.

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Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" I formally move that this be adjourned to 16th."

Mr. A. RANGANATHA MUDALIYAR :—" I second it."

The motion that the subject be adjourned to 16th instant was put to the House and carried.

2. A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920

Mr. T. A. RAMALINGA CHETTIYAR :—" Sir, I beg to present the report of the Select Committee appointed to consider the Bill to amend the

12 noon.

Madras District Municipalities Act, 1920, and move that the Bill as reported by the Committee be taken into consideration. The report was circulated about a month back, and the only changes that have been made by the Select Committee were made to meet two circumstances, and the reasons necessitating the proposed changes are mentioned in paragraph 8 of the report of the Select Committee. I need not reiterate what has been stated there and I move that the Bill be taken into consideration."

Diwan Bahadur M. KRISHNAN NAYAR :—" I second the motion."

The motion was put and adopted.

The Hon'ble the PRESIDENT :—" It would, I think, be convenient if I put the Bill as amended by the Select Committee, clause by clause, under Standing Order 48."

Clauses 1, 2 and 3 and the preamble were put to the Council one by one and passed unanimously and allowed to stand part of the Bill.

Mr. T. A. RAMALINGA CHETTIYAR :—" Sir, no amendment having been made to the Bill, I move under Standing Order No. 49 that the Bill be passed."

Diwan Bahadur M. KRISHNAN NAYAR :—" I second it."

The Bill to amend the Madras District Municipalities Act was then passed unanimously.

X

RESOLUTION MOVED BY THE HON'BLE THE MINISTER FOR LOCAL SELF-GOVERNMENT.

Appointment of Registrar of Panchayats.

The Hon'ble Mr. P. RAMARAYANINGAR :—" Mr. President, Sir, I beg to move—

'That this Council recommends to the Government that a registrar of panchayats to be paid from Provincial funds be appointed under section 37 (1) of the Madras Village Panchayat Act, 1920, for a period of one year for the whole of the area to which that Act applies.'

"Sir, section 37 of the Village Panchayat Act gives power to the Government to appoint a registrar for the organization of village panchayats to be paid from the Provincial funds. Paragraph 4 of the Statement of Objects and Reasons to that Bill explains the necessity for the appointment. From that paragraph we see that it was the intention of the then Government to appoint a registrar as soon as the Bill was passed, so that the registrar might organize the panchayats. In March last, however, an informal conference of presidents of district boards and chairmen of municipal councils was held and in the conference it was decided that

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the discretion as to which agency, official or non-official, should be employed for organizing panchayats should be left to the presidents of the district boards. Some of the district boards decided that the presidents of the taluk boards should be employed as the agency for organizing the panchayats. As a matter of fact, orders have been passed appointing a few of the presidents of the taluk boards to organize the panchayats in the areas within the jurisdiction of their boards. Notwithstanding this it is found that the appointment of a trained administrative officer is necessary to carry on the work. The Government are strongly of opinion that until the work of organization is completed, an officer of the grade of Collector should be appointed to supervise the work of bringing panchayats into existence. There is provision in this year's budget for funds to meet the cost of the appointment till the end of the year. The appointment of the special officer that was made last year comes to an end by the 15th of December, while provision for his appointment is made till the end of the current year. Thus there will be no difficulty about funds for the current year. In these circumstances, Sir, I have no doubt that the Council will accept the resolution."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—" I second it."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Mr. President, Sir, I have got considerable difficulty in giving my assent to the resolution that has been placed before the Council. The Hon'ble the Minister for Local Self-Government has been good enough to inform us that as the result of an informal conference held with some presidents of district boards and some chairmen of municipal councils and others it was thought that the discretion for determining the agency should be left to the district boards and that some taluk board presidents have also been appointed registrars. The scheme of the Act, so far as I am able to remember, does not contemplate the appointment of registrars where it is possible that there might be a conflict of jurisdiction. It is clear that some presidents of taluk boards have already been appointed registrars under section 37 of the Act, and they have jurisdiction over their respective areas. If to-day we should give our assent to the appointment of a registrar for the whole of the Presidency, is it to be supposed that there will be two sets of officers having concurrent jurisdiction for the limited area of the taluk board concerned? I believe that at the time when this question was considered at the informal conference it was expressly understood that because the Government would not be able to find adequate financial provision for the appointment of a registrar, they should try the experiment of appointing non-official agency without any payment whatever. I believe we agreed to them only under those conditions and as a sort of temporary arrangement to avoid the appointment of a highly-paid officer. The Hon'ble the Minister has been good enough to tell us that the appointment made would expire from the 15th December and that funds are available for the remaining portion of the year. Probably he is referring to the appointment of inspector of municipal councils and local boards, though he did not expressly refer to that when he said that the appointment would expire on the 15th December. Sir, I am really uneasy at the way in which this question is tried to be brought forward. At the informal conference it was stated that because the finances did not permit, the taluk board presidents can do honorary work, and some of them have been actually appointed as registrars. And now, I find that because the appointment of inspector of municipal councils and local boards would expire by the 15th December, the Government intend appointing or rather creating an appointment of a registrar probably on the same salary or on the same terms. I would further

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suggest to the Hon'ble the Minister to postpone consideration of this matter until after a fair trial is given to the system which has already been put into operation. It was at his instance and in consultation with him that the taluk boards were advised to take upon themselves the duty of registering panchayats, which is a purely honorary work without any payment whatsoever. Some suggestions were made as to whether they would be given the assistance of some paid agency, which too was not considered feasible; and some taluk boards have gladly taken up the task. After receipt of an order suggesting such a course, the district board presidents consulted the various taluk board presidents as to whether the latter would take up the task, and several signified their willingness to take up this honorary work. Having gone so far, is it not fair that we should give that system a much further trial than has been given and then think of the necessity or otherwise of having paid agency for that purpose? Otherwise, Sir, it will only appear that the Government, having issued about a month ago an order suggesting the appointment of taluk board presidents as honorary registrars, now propose either superseding it or modifying it to appoint a highly-paid officer as registrar. There is something which is really incongruous in such state of things. Apart from the incongruity, I believe that the Act itself does not provide for anything like assistant registrars, but it merely refers to registrars. Are we to have a number of taluk board presidents as registrars and also a highly-paid officer as registrar for the same work? There is something in the Act which requires amendment, before the proposed course is taken.

"For all these reasons, I think that the present proposal is somewhat premature. I would ask the Hon'ble the Minister for Local Self-Government to consider whether he cannot give the system already inaugurated a further trial and for a sufficiently long time and then think of appointing a highly-paid officer."

Mr. T. A. RAMALINGA CHETTIYAR :—" Mr. President, Sir, I rise to support the motion of the Hon'ble the Minister for Local Self-Government. I was a member of the informal conference and also of the Finance Committee before which the matter came up for consideration and discussion. The Finance Committee after discussing all the merits of the case, has finally sanctioned this appointment. The object of this appointment is not, as Mr. Krishna Rao has put it, to provide an officer for the organization of panchayats and the supersession of the honorary officers that have already been appointed. The Village Panchayat Act was passed last year, but still the rules have yet to be framed and a committee has been appointed only recently for the purpose. Probably it may take some time to frame those rules. Even though the Act was passed last year, no panchayats have yet been formed. In the beginning it would be necessary to give some sort of encouragement to the formation of the panchayats and to secure some uniformity in their work. All these considerations were put forward before us in the conference and the committee and we thought it necessary that an officer should be appointed who can go round and help and advise the taluk board presidents who are honorary registrars and who would continue as such, and that the officer would co-ordinate their work and help in the formation and working of the panchayats.

"It was also thought at the time of the discussion in the committee that unless an officer of this stamp is to be appointed there was no chance of things getting through the Secretariat itself. The work in the Secretariat is said to have very much increased and unless a special officer is appointed, it may not be

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possible to get through the large amount of work that will come in in connexion with the working of this Act. So this officer would be a sort of Secretariat officer in charge of this work, apart from the Secretary of the Local Self-Government Department. He is also a touring officer and he would be in a position to help the presidents of taluk boards who are now honorary workers. This would be also a measure of relief to the Secretariat. It has been specifically mentioned that the post will continue only for one year and that no further sanction of the Council would be asked for, to continue it next year. It was in consideration of all these facts, Sir, that the Finance Committee thought fit to approve of this appointment.

"It was also said that as the inspector of municipal councils and local boards has been doing very useful and good work, that his work in several directions has not been completed and that this officer can complete what he has hitherto begun. It was understood that the office (Inspector of Local Boards and Municipalities) as such was not necessary but as registrar of panchayats this officer might be able to devote some of his time for helping the taluk boards and municipalities wherever they may need his help. It was thought that his services could be utilized in this way also. I also think, Sir, that this office will not be perpetuated. So, Sir, I have great pleasure in supporting the motion that has been made by the Hon'ble the Minister for Local Self-Government."

Diwan Bahadur T. DESIKA ACHARIYAR:—"Sir, I support this motion. I have been taking a considerable amount of interest in the organization of informal panchayats; a large number of panchayats was organized three years ago. Now they are no longer active; most of them have become moribund; many of them are dead. That was on account of the want of co-ordination, want of central guidance and want of some person who could go and advise taluk board presidents and others who set about organizing these panchayats. It is necessary that there is employed an officer of some standing who is perfectly conversant with official routine and who is also conversant with matters relating to local self-government. To go from district to district, as the Inspector of Local Boards and Municipalities has been doing, and advise taluk board presidents and honorary registrars in the matter of the proper organization of these panchayats. It is not correct to say that after the appointment of a registrar of this kind, there would be any overlapping of activities. On the other hand, the registrar would in most cases merely advise the taluk board presidents as to how things should be done and as far as I can see there is nothing in the Act which prevents the appointment of such an officer. Unless a registrar is appointed, the activities, in many of the districts, of honorary assistant registrars—who have so many other things to do,—are not likely to come to fruition in the direction contemplated in the Act. This appointment is necessary not for one year only, but for some years until these panchayats are properly organized, and when they are brought to the status of the co-operative credit societies which are being organized and fostered under the control and guidance of Government, then it would be time to think of dropping the appointment. For the present, I think the motion before the House that a registrar should be appointed is a very good one, and I support it."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I also rise to support the motion before the House. When the Hon'ble Sir Charles Todhunter placed this subject before the Finance Committee, some doubt was expressed at first in the Committee as to the need for this appointment, but after a free and unfettered

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discussion in that committee—the discussions in that committee are always free and unfettered—the committee unanimously came to the conclusion that this appointment was necessary. It was pointed out in the Finance Committee—and it has also been pointed out now before this House—that though this Village Panchayats Act has been on the statute book for some time past, not a single village panchayat has been formed till now. The immediate result of this appointment will be the inauguration of these village panchayats.

"Then there is the question of funds. The present Inspector of Local Boards and Municipalities continues to hold his office till the 15th December and from that date his appointment ceases, and, as has been pointed out, provision has been made in the current year's budget for that appointment till the 31st March 1922, so that the funds for this new appointment, if this resolution be carried, will be met from the existing provision in the budget till the 31st March 1922 and this resolution as it stands, asks for funds only for a further period of about six months or so. So, in order that the Act may not be a dead letter, it is highly necessary that this resolution should be accepted. For these reasons, I support the resolution."

Rai Bahadur T. M. NARASIMHACHARLU:—"Mr. President, I also rise to support the motion on two grounds. In the first place, under the Local Boards Act, it is only unions that have got a population of 5,000 and more that will be called union boards. Temporarily all the old unions have been declared unions under the new Act. Now, there is a good deal of work to be done to bring up all the minor unions under the category of village panchayats. For that, there is necessity for a central officer who will do the thing in a systematic manner. That is one reason. The other reason is this. As has been already pointed out, a certain degree of uniformity is required in the formation of village panchayats. The village panchayats will be minor unions with some more powers with regard to the village forests, village irrigation and other matters. In this connexion, I think, it will be highly desirable that an officer who has got experience in the Revenue Department and who will certainly understand the underlying principles of what forests could be safely entrusted to the village panchayats and what irrigation works could be safely entrusted to them, should be available. Instead of leaving the matter to the presidents of taluk boards, it will confer great advantage to the people if a central officer for the whole Presidency is appointed, so that he might move not only with the people but also with the Government officers and make out a list as to what particular works should be entrusted to the care of these village panchayats. It is in this way that a central officer for the whole Presidency is absolutely essential. Even when the informal conference was going on, I believe it was urged that a central officer at the outset might be appointed and that after the officer had organized the whole thing and had set the whole machinery at work, then it might be thought desirable to entrust the actual management of the progress of these institutions to the care and guidance of the taluk board presidents. But then the question was one of funds. But now that happily, so far as this officer is concerned, that problem is solved, I think there should be no longer any difficulty in the way of this appointment."

Rao Bahadur T. BALAJI RAO NAYUDU:—"Mr. President, I am also one of those who are in favour of creating this appointment. At the time when the Village Panchayats Act was passed, it was thought that the appointment of an officer like this was necessary. I do not believe that the steps which had been taken by the Hon'ble the Minister for Local Self-Government of appointing taluk board presidents and district board presidents to organize these village panchayats will be of

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great value. Before the passing of the Act, myself and my friend Mr. Narasimha-ju tried to form a number of panchayats, and we had a lot of trouble and little success. However, I am sure that without the official interference these honorary officers or taluk board presidents and district board presidents can do anything in the matter. The appointment of even a single Registrar will not do. The co-operation of the district and divisional and taluk officers of the Revenue Department must be sought for until the organization is completed. So, to start with I think Registrar should be appointed."

Mr. K. GOPALAKRISHNAYYA :—"Sir, I also rise to support the motion. I fail to see how this resolution causes considerable inconvenience in the mind of Hon'ble Mr. Krishna Rao so as to interfere with the existing agencies. I dare say that in his district where the agencies that are made to work this Act in the way of organizing village panchayats has been at a disadvantage. We feel that it is high time even now to think of other agencies in putting in force the provisions of this Act."

Rao Bahadur A. S. KRISHNA RAO PANTULU (*interrupting*) :—"With reference to the suggestion made as to the agency appointed in my district, I wish to remind the honourable speaker that such agencies have not yet been appointed in most of the districts. It is only in one district that this was done by a gazette notification duly issued. It is only after a Registrar has been appointed, that the organization of village panchayats can go on."

Mr. K. GOPALAKRISHNAYYA (*continuing*) :—"That is why, Sir, I say that in order to try the experiment even in one district, it is enough to say that in the district in which this experiment has been put in force there is no success. It is no use extending the principle to other districts and probably keeping the Act for two or three years more as a dead letter. It will be very good, Sir, to talk of non-official agencies and to think of non-official gentlemen to organize these societies. We know from experience of local bodies how such agencies have been faring, in the matter of acting in a responsible manner. Certainly, we feel that some goading stick is necessary from above and unless there is some pressure from above, even the local boards will not be in a position to exert themselves in a fitting manner to organize these panchayats. People were expecting that some good will come out of this Village Panchayat Act, and so far as we are able to see, it is only in very few villages that this Act has been put in force, and as such I suggest that this motion should be accepted by the House."

Mr. A. RANGANATHA MUDALIYAR :—"Sir, I am one of those who think that this appointment has been long overdue. My surprise is that these district board presidents and taluk board presidents should ever have been thought of in this connexion, and I am very glad that many of the speakers who have preceded me are either presidents of taluk boards or of district boards and a plain confession of their inability to form panchayats than what they have given expression to could not be made."

Mr. T. A. RAMALINGA CHETTIYAR (*interrupting*) :—"I did not say that taluk board and district board presidents are incompetent or unable to work this Act."

Mr. A. RANGANATHA MUDALIYAR (*continuing*) :—"Very well, Sir. The very fact that they strongly press for the appointment of the Registrar shows that, without him these presidents of taluk and district boards do not hope to do as well as they should, if the Act is to be worked successfully. I think this appointment is absolutely necessary and should be proceeded with."

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Mr. T. SIVASANKARAM PILLAI :—"Sir, I also rise to support this resolution. One of the previous speakers took exception to the appointment of taluk board presidents as assistant registrars. So far as I know, no formal appointments have been made. It is only some consultations that have been going on and probably the Secretariat wanted information as to who were all willing to serve in this direction. I am not however aware of any appointments having been made. If there are any appointments more they will be of course subject to the rules that are going to be framed under the Act. There is nothing wrong if some of the president registrars feel unequal to the task without official help. So it is but fair that we have some one to guide us in the work, though not to goad. In this sense of the matter, I say that a registrar is absolutely necessary. This Act is a very useful means towards creating what is called 'responsible Government' in villages. Having an eye to the importance of the task, I think it is necessary to have a full-time officer so that he may devote all his attention for the development of public life in villages."

Mr. R. SRINIVASA AYYANGAR :—"Mr. President, it cannot be cast into my teeth that anything that I propose to say, or wish to say, is tainted by bias, for I am not at present connected with any of these boards. 12-30 p.m. It may perhaps be said of a large number of speakers who preceded me that their connection with the district boards entitled them to speak with a certain amount of knowledge; but till recently I was connected with the boards and speaking from my past experience, I am led to think that the appointment of such an officer is indispensable in the best interests of the local boards and in the best interests of the village panchayats. Therefore, as one unconnected with these local bodies for the time being, I heartily support the motion before the House."

The Hon'ble Mr. P. RAMA RAYANINGAR :—"Mr. President, I have only a few words of explanation in reply to what my Hon'ble friend Mr. Krishna Rao observed. The Hon'ble Mr. Krishna Rao said that the jurisdiction of the official registrar of panchayats would overlap the jurisdiction of the non-official registrars. It is not proposed that the powers of the official registrar for the whole Presidency should come in conflict with the powers of the non-official registrars, i.e., the taluk board presidents. The former is expected to advise the latter and generally supervise their work."

"The other objection which Mr. Krishna Rao raised was about the funds. Funds have already been provided for the appointment of the special officer to inspect the local boards and municipalities, and the officer who is to be appointed as registrar of the panchayats will also be the special officer to inspect the municipalities and district boards. It is also proposed that his services will be utilized for the introduction of compulsory education in the districts. His pay will be met from the budget provision for the pay of the special officer."

The motion was put to the House and carried with two dissentients.

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

Reduction of the strength of the gazetted services.

Mr. C. V. VANKATARAMANA AYYANGAR :—"Sir, the resolution that I want to move before the House runs in these words :—

'167. That this Council recommends to the Government that it is desirable to take necessary steps as early as possible to reduce the strength of the gazetted services in the province by 20 per cent with a view to carry out retrenchment in public expenditure and subject to such conditions as may be found necessary.'

"This, Sir, is the third point in the scheme of retrenchment which some of us want to have. The first is of course reduction in the salaries, the second is the

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reduction in the travelling expenses and the third is the reduction in the number of gazetted appointments. So far as the first two are concerned, this House has with no mistaken voice expressed its opinion that some retrenchment must at once be effected, though the Government has not so far given effect to those resolutions and probably expect the Finance Committee to help them. Whatever that may be, so far as the present question is concerned, there can be no doubt that we will all agree, especially when the figures are presented to the House, that a good deal of retrenchment is absolutely necessary. I had prepared some figures for the year 1900 and 1921. The Hon'ble the Finance Member was kind enough to have a talk with me and he was pleased to give the figures for the Government for the years 1901-02 and 1921-22. As there is a likelihood of some mistake in my figures, I will adopt the figures prepared by the Government so far as the comparative figures for these two years are concerned. I shall first give the figures for 500 and above and then generally between 500 and 1,000; and then for 1,000 and above. Now, the number of appointments on Rs. 500 and above in the year 1901-02 was 412, whereas in 1921-22 the number is 920; that is, the appointments on Rs. 500 and above which were only 412 in 1901-02 have more than doubled, and the figure stands at 920 to-day. The total cost for those establishments in 1901-02 was 53 lakhs, whereas now it is nearly three times as much, viz., 127 lakhs. If we divide these figures, we will see that there were 244 appointments between Rs. 500 and Rs. 1,000 in 1901-02, costing 19 lakhs, while we have 497 such appointments this day costing 38½ lakhs. But the state of affairs is worse when we take the appointments on Rs. 1,000 and above. The number of such appointments in 1901-02 was 168 costing 34 lakhs; it has now come up to 423, i.e., more than double, but the cost is 88 lakhs, nearly three times. To repeat it, Sir, the number of appointments on Rs. 1,000 and above has more than doubled in these twenty years with the result that the cost also has increased nearly three times, being 88 and odd lakhs. Therefore, it is not necessary to give any further reasons for the reduction excepting these. Taking the appointments on Rs. 500 and above as a whole we consume so much as 127 lakhs annually for the salaries. It was stated the other day in the discussion of the other resolutions that two-thirds of our income is spent on the establishments. Probably the figure may not be quite correct if we take the pay alone into consideration, as the actual pay of all the establishments from bottom to the top comes to 620 lakhs; but we have a very large figure to add to this by way of House-rent allowances, by way of contingencies and by way of that big white elephant item, travelling allowances. There is no doubt, therefore, that if all these are combined, the expenses might come a little near to two-thirds of the whole expenditure."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"I venture to say Sir, that it is a great pity that figures like that should be given to the public. The total revenue is 17 crores, and as the honourable member put it, the total cost of all the appointments of all sorts is six crores. That does not come to two-thirds of the revenue."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I said that, Sir, so far as the cost alone is concerned; because, to my mind, cost includes travelling allowance, house-rent, contingencies, etc., besides the pay."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"Does the honourable member suggest that we spend 6 crores on house-rent and travelling allowance?"

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Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I did not say that. I simply said that if those allowances are added, the cost might come to about two-thirds. My point to-day is this. If this resolution is carried, and if there is a substantial reduction in the number of higher gazetted officers, it would necessarily involve the reduction of expenses under various other items also; because we know that a gazetted officer means a number of non-gazetted officers; we know that a gazetted officer means plenty of contingencies and, above all, we know that it means a large sum of travelling allowance. Therefore this proposition maintains that if this number is reduced there will be reduction not only so far as the actual pay is concerned, but also so far as the total cost of the establishment is concerned. Taking these figures into consideration, the fact that there could have been such a large increase within these twenty years is certainly a very good excuse for us to say that it could be reduced."

"I might give a few figures taken from the records to show how the heads of various departments have increased in numbers from year to year, or from decade to decade. And there can be no doubt whatever that if in 1900 we could have managed with only 420 gazetted officers drawing Rs. 500 and above, there is no reason why we should necessarily have 920 to-day and why we could not have a reduction of about 200 out of that. It will be said of course that the work has enormously increased. So far as I can see, the number of non-official agencies has increased and therefore the work of the paid agencies is also considerably reduced. Also, the various Acts that have been passed give power to Government to appoint honorary agencies in various departments and therefore if there is any necessity, more honorary agencies might be created and the paid agencies reduced."

"So far as my proposition is concerned, it is a very simple one. It may be asked as to how I arrived at the 20 per cent figure. I have only taken what is embodied in the Government Order. The Government in that Government Order, of which much has been said and so very little done, said that every department was expected to show something by which 20 per cent reduction could be made. This reduction can be effected not by the reduction of so many appointments of peons or clerks, but only by the reduction in the higher appointments. Therefore, if the Government want really to give effect to that Government Order, I think the best thing will be to accept this resolution, and to send it on to the Finance Committee or any other committee to find out as to how effect could be given to it. I know that it may be said that a few appointments will be taken away and probably in the course of the debate we might understand that about 80 appointments or so are to be taken away. Probably, these 80 appointments might cost about 60 or 70 lakhs, but so far as the number 80 is concerned, it is nothing out of 920 appointments. It will not be even 10 per cent; it will only be about 8 per cent. I believe if these 80 appointments are taken into consideration, there may not be about 10 or so drawing more than Rs. 1,000; a large majority of them will be those that draw below Rs. 1,000. That will not be of any use at all to us. Reduction must be more in the top."

"I have got figures here for the subordinate non-gazetted officers also. The increase in the lower subordinates is not so much. For instance, let us take the hands below Rs. 100. Those who got below Rs. 100 in 1901-02 were 47,000, whereas they are only 60,000 now, i.e., an increase of about 25 per cent."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"May I ask the honourable gentleman if he has considered the fact that many of the people who drew less than Rs. 100 formerly are now given more than Rs. 100?"

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Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I do not think it is a point of order, but I have certainly considered that point. If below Rs. 100 is considered, below Rs. 500 also should be considered, because people below Rs. 500 also would have gone above.

"I wanted to take the whole of the gazetted service into consideration. The Hon'ble the Finance Member has prepared figures as regards the pay received by various grades. I say, Sir, that what applies to the gander applies equally to the goose. What applies to people on below Rs. 100 applies to people on above Rs. 100. There is no need to trouble ourselves with possible explanations. All that I want to say, Sir, is this. There is only an increase of about 25 or 30 per cent in the case of people who are on Rs. 100 and below, whereas in the case of people on above Rs. 1,000 the increase has been cent per cent and if the increase in the establishment charges is taken into consideration, it is more than double than what it was formerly. I do not think my arguments can be wrong, the figures being those taken from the Finance Department itself.

"Well, it may be said 'how can we make retrenchment?' With due respect to the Hon'ble the Member for Revenue, who thinks that whatever may be the case with other departments, the establishments under him are an irreducible minimum and who is ready to safeguard the interests of his Collectors, Deputy Collectors, etc., I think some retrenchment can be effected in the departments under his charge—retrenchment not in the abolition of a few posts of clerks, not in the abolition of a few posts of dalayats, but in the substantial decrease of a few Collectors and Deputy Collectors. To-day a question was asked in this connexion and the answer is 'refer to some other answer which was given some months ago,' that answer to my question being 'we cannot make any reduction so far as the heads of offices are concerned.' The number of Collectors in 1880 was 19 and became 22 in 1900. But now, Sir, I believe it has gone up to 31. I give these figures subject to correction. I take into consideration the District Collectors actually working as such and persons who are in the same cadre."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"I presume the honourable member has taken into consideration also the members of the Indian Civil Service in the senior grade, which includes senior Sub-Collectors also."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"Yes. Unfortunately on account of the magical transformation recently made by the Secretary of State, the word 'Collector' perhaps goes away and the terms 'senior grade' and 'senior Sub-Collectors' are to be used. I am talking of people who are in the same cadre as were the Collectors hitherto. Once for all I may say, Sir, that we are not here to blame either the Madras Government or the Government of India or the Secretary of State. Perhaps all are wrong. If under the rules there are to be 93 appointments or so for which I.C.S. people are to be posted, under some magical rule that number has come to be double. Thus we have now 180 of such appointments because of the rule that for every one in the substantial cadre there should be one under training. I say, Sir, that serious reduction can be effected at least in the case of people under so-called training.

"Now, let us come to the case of Sub-Collectors, Head Assistant Collectors and Assistant Collectors. As the Hon'ble the Finance Member desires, I will take the total figure. The total number of these was 161 in 1900—I am speaking subject to correction—and I understand that there are 121 of them in actual employment to-day. There is a rapid increase in the number of deputy collectors. If

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increase in the number of deputy collectors is given as an excuse for reducing the number of civilian revenue divisional officers, we can understand it. But it is not so. There is an all round increase. The deputy collectors were 80 in 1890, 72 permanent and 30 acting in 1900, whereas now there are 154 permanent and 88 acting, besides a number of settlement officers and others. Many of us feel that there is an unnecessary increase in the number of revenue divisional officers. I may give one instance in the Coimbatore district. It now comprises of nine old taluks. One big taluk, Karur, is taken away from the district, but there is no reduction in the number of divisional officers but on the other hand there is an increase. Their number has gone up from 4 to 5. Sometimes a deputy Collector is in charge of three taluks and when he comes to another division he will have to be in charge of two taluks, and sometimes of one taluk even. There can be no doubt, Sir, that some retrenchment can be effected in this direction by adding one more taluk to each of most divisions and thus reducing the number of revenue divisions.

"I may say, Sir, something about the Collectors. Of course it will be said that they will have to do travelling, etc. I am sorry to say that this very travelling probably adds to the number of these Collectors. I have heard of old day civilians travelling in double bullock carts during nights and attending to work during daytime. But now the Collectors travel long distances during day and get tired when they reach the destination and do practically no work that day. Of course it is no wonder that they do no work at all. I have requested the Hon'ble Sir Charles Todhunter to scrutinize the travelling bills of these people. I know of a Collector who travelled from one corner to another from 7 to 10 and from that to other corner from 12 to 2 and went to some other corner from 4 to 6. Unfortunately the travelling is now done in motor-cars. I will welcome a rule that no district officer or divisional officer should own a motor-car. In good old days they used to travel a few miles in a day and stop at some chatram or travellers' bungalow. Now the Collector generally starts in Coimbatore and goes to Erode in a day, a distance of nearly 63 miles. The chatrams are going to ruins because they are not used. It is the travelling that is giving a good deal of trouble now. If a rule is made that no officer should travel more than 20 miles in a day, there will be no more papers pending. In spite of increase in the number of officers more papers are now pending than before. Well here, Sir, I do not want to trouble the House with more figures. It is the same sad tale in other departments also. Coming to the Forest department, whereas in 1880 the number of Conservators was 1, in 1900 it was 3 and in 1920 it has actually doubled and is 6. I have great respect to some of the officers of this service. I have come in contact with some of them. But I think the number of higher officers in this department can be reduced by at least 50 per cent without causing more danger by the animals in the forests or less convenience to the ryots. The post of the Chief Conservator is newly created. I do not see any reason why having already an efficient and experienced Chief Conservator, Mr. Cox, the number of Conservators should be increased from 3 to 6. If we take the whole number of Conservators, Assistant Conservators, Deputy Conservators, Extra Assistant Conservators, etc., the number has gone three or four times. More number among these officers means more trouble and unnecessary vexation. Therefore taking the Forest department also, there can be no doubt that some retrenchment may be made as in the case of the Revenue Department. What is wanted is strong will.

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"The same thing applies to the Police Department also. The number of District Superintendents of Police—I am speaking subject to correction—in 1880 was 20, 25 in 1890, 26 in 1900 and 34 now. The number of Assistant Superintendents in 1880 was 20, 30 in 1890 and 36 in 1900 whereas it is 35 now and to assist them there are now 41 Deputy Superintendents. We thought that when the Deputy Superintendents were appointed, the Assistant Superintendents might go at least to some extent. But, no. Whereas 41 Deputy Superintendents are newly created and are in existence now, the number of Assistant Superintendents has gone up from 20 to 34. I appeal to the Council to consider whether so many are necessary.

"So far as the Collectors and Deputy Collectors are concerned, I think it is possible to have a considerable reduction; because we have got a number of other departments newly created.

"The Collector was formerly at the head of local boards, forest, police, and everything else and many of these departments are now taken away from his charge.

"I do not want to trouble the House so far as the transferred subjects are concerned. I have reasons to think I am glad to say that so far as the Public Works Department is concerned, a good deal of reduction is to be made. In the case of Registration department, I submit for the consideration of the Hon'ble Minister whether it is necessary to have an increased number of District Registrars.

"The number in 1880 was 21, in 1900 it was 23 and now it is 32. I see the Hon'ble the Minister nods his head and that is probably because if we look into the Quarterly Civil List we can see that three posts are now vacant. In many of these departments as a rule, Sir, a very large number of higher appointments have been created and many such appointments are now vacant showing that the increase was at least partially unnecessary.

"Let us now take the Agricultural department—I am sorry the Minister in charge is not now present in the House. This is a growing department; but what does it grow? It grows a large number of experts from England and English master-farmers have been appointed to our cholam, our maizo, etc., about which they know nothing at all. The Government have sanctioned about 25 expert officers but nobody has yet been appointed to some of these posts and probably they are still searching for experts. I appeal to the Hon'ble the Minister to see if he cannot reduce this number. I request him at least to see that vacancies are not filled up and I think that considerable retrenchment can be effected if this is done. I must add that the Hon'ble the Minister is not responsible for these appointments and as they were created just before the change in the Government.

"I think I have given sufficient reasons to show that we have no alternative other than that of reducing the number of officers. The other alternative is that to meet the expenditure we are going to have additional taxation and additional taxation is considered to be a remedy for all kinds of evil. But we should reserve it for another thing. There is a great chance of a large reduction in the abkari income. Thanks to the decided opinion of the public on the matter. The Government or rather the Publicity Bureau have told us that the reduction had already come to 60 or 80 lakhs. We have got to be prepared for more reduction which is likely to come up to two crores soon out of the total income of 5½ crores for the whole Abkari department. Therefore, Sir, I think the House will take these matters into consideration and pass this resolution."

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MR. R. SRINIVASA AYYANGAR:—"Mr. President, I have great pleasure in seconding the resolution before the House. The figures quoted by the honourable mover speak for themselves. The gazetted services above Rs. 500 have rightly come in under the heavy artillery fire very briskly opened by the honourable mover, and it seems to me that the only possible way of escape therefrom would be to accept this resolution in the sympathetic spirit which permeates and underlies it. I, therefore, hope and trust that it will be possible for the Government to devise ways and means by which they will be enabled to reduce the strength of the gazetted services in the Province either by 20 per cent as the resolution demands or by such other percentage as the circumstances may warrant without either impairing the efficiency of the services or without detriment . . ."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"May I ask, Sir, whether the honourable member is seconding the resolution on 20 per cent reduction or is proposing an amendment suggesting some other percentage of reduction?"

MR. R. SRINIVASA AYYANGAR (*continuing*):—"While seconding the resolution before the House and requesting the Government to give effect to it, I only wanted to throw out a suggestion which they may in the plenitude of their wisdom, accept or reject. My submission is that the proposed reduction of 20 per cent is in no way likely either to paralyse or embarrass the Government, and that it will be possible to give effect to it (in view of the fact that in the past twenty years the service has doubled itself) if only the Government are disposed to do so. With these few words, I second the resolution."

Rao Bahadur T. BALAJI RAO NAYUDU:—"Mr. President, the amendment that stands in my name runs as follows:—

'Omit the words "as early as possible" between "to take necessary steps" and "to reduce the strength"; and substitute the words "so as to give full effect to the reduction in the course of four years" for the words "subject to such conditions as may be found necessary".'

"My amendment simply amounts to this: that the Government may give effect to this resolution proposed by my friend Mr. Venkataramana Ayyangar in the course of four years so that there might be no inconvenience felt by them or by those who are likely to be affected by the passing of the resolution. My friend, Mr. Venkataramana Ayyangar has given us sufficient details to justify the curtailment of the appointments about which we have often and on spoken in this Council. There is no doubt that everybody feels—and I suppose that even the Government themselves must be feeling—that we have too many appointments. The resolution which has already been passed in this Council also shows that the country and we in this Council feel that considerable reduction in the cost of administration should be made. So, instead of leaving the matter at this stage we must think of some means of effecting a retrenchment and this is one of the ways in which we suggest to the Council that the reduction may be made gradually though not all at once. Mr. Venkataramana Ayyangar gave a number of figures which might have already convinced the members of the Council of the fact that the establishment costs too much and one and all of us are against having the establishment at such a heavy cost. This amendment of mine is intended, as I told you, to give effect to the resolution in an easy manner and in the course of four years. There is no doubt that there is every scope of making the reduction proposed by the honourable the mover practicable.

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"I understood that in some districts Collectors and Deputy Collectors suggested it to the Government that some divisions may be clubbed together and some Deputy Collectors might be done away with."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB (*interrupting*):—"I beg to point out, Sir, that the Government have no such information."

Rao Bahadur T. BALAJI RAO NAYUDU (*continuing*):—"My information was that the Government had suggestions of retrenchment in that way . . ."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB (*interrupting*):—"If I understood the honourable member correctly, I heard him state distinctly that some Collectors and Divisional Officers had definitely sent reports that some divisions may be amalgamated. I hope, I heard him wrong."

Rao Bahadur T. BALAJI RAO NAYUDU (*continuing*):—"So far with regard to that subject and I don't know if my information is not correct. Some time back, I understand, that the Board of Revenue sent up a proposal to the Government that two of the departments in the Board might be clubbed together. They were not given effect to by the Government. They were proposals from their own officers, and I don't know why the Government should not consider them."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB (*interrupting*):—"The proposal referred to is, I believe, the recommendation of the Board of Revenue for the amalgamation of the Secretariat and the consequential abolition of certain appointments. The proposals have been accepted by the Government, and the papers have been sent to the Government of India for orders."

Rao Bahadur T. BALAJI RAO NAYUDU (*continuing*):—"Leaving that question also aside, the departments in which reductions can conveniently be made are the Public Works Department subdivisions, the Revenue divisions, and the number of Munsifs' and Subordinate Judges' courts. If the Government would call for figures of papers disposed of, or suits and cases, which have been disposed of by all the former courts put together, and the present number of courts put together, it will be found that the so-called increase of work is not in proportion to the increase of establishment made in recent years. In the district of Kistna, for instance, the increase in the Revenue work is not at all in proportion to the increase in establishment. If the Government will refer to the Collectors for the actual disposals it will be evident that the increase has been disproportionate. It may be that the number of office notes has increased and the number of formalities have increased. But surely the number of actual work turned out at the present day, I do not think, justifies such a large increase as has been made in recent years."

"In these circumstances, I would request the House to accept my amendment. Though I am entirely at one with the resolution, yet I think my amendment may be adopted to make it more convenient to the Government to give effect to the resolution, so that in the course of four years, a number of posts might be absorbed. I therefore commend the amendment to the acceptance of the House."

Rao Sahib U. RAMA RAO:—"I second the amendment."

The Hon'ble the PRESIDENT:—"Probably it will be convenient if the Hon'ble Member Mr. C. V. Venkataramana Ayyangar will now say what his views are in regard to the amendment proposed."

Mr. C. V. VENKATARAMANA AYYANGAR:—"My views on the amendment are very simple. After all, this is not a legislation. It is only a recommendation, and it does not very much matter in what words we make the recommendation. My only fear in accepting the amendment is that some may think that my resolution

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itself is more correctly worded because it gives Government more opportunities and probably extends the time for the giving effect to it as it states 'as early as possible'. I have no objection to either my resolution or the amendment being passed by the House. I only wish to know the views of the Government and I prefer to wait until some other members have spoken."

The Hon'ble the PRESIDENT:—"I think it will be convenient to allow the discussion to proceed on both resolution and amendment. Later on it will be possible to take the sense of the House as to whether the original proposition or the one as amended has their support."

The Hon'ble Sir CHARLES TODHUNTER:—"Sir, I think it would save multiplication of speeches if we could see whether it is the general proposition or the amendment that has the support of the House."

The Hon'ble the PRESIDENT:—"We have had more than one instance in this House when we dealt with the proposition and the amendment together for a while."

The Hon'ble Sir CHARLES TODHUNTER:—"Sir, my desire was to ascertain how the honourable mover stands in the matter of reply, whether he will be allowed to speak on the amendment and again on the general proposition."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, I think, so far as the Hon'ble Sir Charles Todhunter is concerned he would be entitled to speak both on the original proposition and on the amendment. So far as I understand, the essential point which has been brought to my notice is that there should be a reduction of twenty per cent in the services which the proposer of the amendment also accepts. But he wishes this process to continue for a period of four years. So whether the reduction should be in the course of the next year or in the course of the next four years is really a small matter of detail. With reference to this if the Honourable Member wishes to speak on both the amendment and on the general proposition, he can now speak on the original proposition and on the amendment if he so wishes on a later day."

The Hon'ble Sir CHARLES TODHUNTER:—"Sir, if it is the sense of the House that, as the Hon'ble Member Mr. Ramachandra Rao has said, the essential thing is the figure of 20 per cent, then it is quite immaterial to me whether I speak on the amendment or on the main proposition. What I do wish to be satisfied is that we are speaking on that fraction of 20 per cent. It is for that reason that I rose to a point of order when the seconder proposed that we might reduce by 20 per cent or by such lower figure as might be convenient. On the last occasion when I was called upon to reply to one of those omnibus resolutions on economy I attempted to fix the proposers of that resolution down to the definite figure which they had put on the paper and I was told not to speak to that figure but to speak to 'the spirit of that resolution' or 'the spirit of the House' or some other impalpable abstraction which honourable members had in their minds. To-day I do not wish to fight with spirits or ghosts or other impalpable abstractions. I want to wish to fight with something definite and to know where I stand. I hope I may cross swords with something definite and undertaken the burden of proving that, take it that the honourable mover has undertaken the burden of proving that, where five gazetted officers are now employed, four can do the work. If that is the proposition, I am quite ready to meet it. And I propose to put it to the House that he has not yet shifted the burden on to my shoulders and indeed that the burden is a far heavier one than he has realised it to be."

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"He has discussed this question from the point of view of the desirability of general economy and on the basis of general statistics. As regards the general desirability of economy I hope it will not be thought, because I feel myself bound to oppose this proposition, that I do not accept that, that I am not absolutely in sympathy with it. It would be impossible for anybody holding the portfolio of finance under present conditions not to feel the need for all possible economies that can be made every waking hour of the day. The Finance Member's life is spent from day to day in meeting the reproaches of the departments for giving them too little except when on the rare occasions he comes to this House to be arraigned for giving them too much.

"It is only as regards the number given in the proposition, namely that wherever we have five men, four will do, that I join issue with the honourable mover. And here I should like to say in the first place that it is almost an impossible matter to discuss the statistics bearing on a question like this in set speeches in Council. I will just take one figure. The honourable mover has told us that the number of men in the Indian Civil Service has increased from 99 to 174. My honourable colleague Sir Lionel Davidson, has sent for the Civil lists and procured me the figures for three years that he has quoted for. The number in 1900 was 166, in 1910—174, and at present is 165, i.e., one less than it was in 1900. And that is the figure which I am asked to reduce by 20 per cent. Again, we are told that various proposals have been made but nothing has been done on them. My honourable colleague (referring to the Honourable Revenue Member) has corrected one or two statements of that sort. But still the honourable mover repeats the statement that all that we are doing in the matter of the 20 per cent reduction is to get rid of a few clerks and a few peons. I have been unable to place the proposals of the several departments before the Council because this economy question is an immense question to be dealt with in a large number of offices and involving immense issues and has not been dealt with completely yet. But I should like to give the Council a rough abstract of the proposals which are now before the Finance Committee. These proposals may be summed up as a reduction of about 80 gazetted appointments, costing 6½ lakhs, 600 non-gazetted appointments, costing 4 lakhs, 4,800 constables and menials and about 9,200 village officers and village menials. I do ask Hon'ble Members to say that these figures represent an effort, an earnest effort to meet the demand for economy. They show that the Government are fully in sympathy with the desire of this House to cut down unnecessary expenditure wherever possible and are not trifling with the question in the way that has now been suggested.

"Another reason why it is very difficult to discuss the figures which the honourable mover has put forward is that, as I attempted to point out while he was speaking, there has been a constant transfer from the lower to the upper, even from non-gazetted to gazetted. In the Salt department, in the Press, in the Medical department and in the Public Works department there are officers who were formerly in the non-gazetted ranks and who have been raised to the gazetted. I think the number of Assistant Surgeons and Sub-Engineers alone who have been added to the ranks of the gazetted officers amounted to something like 170. This change, it will be seen, involves no addition whatever to the charges of the Government, but is simply a change in status. I fully realise the difficulty of honourable members in getting accurate figures in a matter like this. I have felt it myself. I have found it extraordinarily difficult to get figures showing the growth in the number of appointments and in the pay because of alterations of this sort, and I ask the House to say that it is not a matter that we

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can settle in set speeches but one that requires patient examination of the facts and of the statistics. Meanwhile we have done what we think it is possible for us to do, and I put it to the House that it is up to anybody who thinks we should go further, not to indulge in generalities but to point out to specific appointments which are unnecessary. The position of the Government is that if efficiency is at all to be regarded, they have gone as far as they can go at present.

"I pass on then to the increase of departments and the increase of work. I would ask the honourable members, who have as many years' experience of work in the departments as I have, to consider the evolution which has taken place in the work of the services. The honourable mover took the Collector as his example and I will follow him. In the old days the Collector was the father of the district and controlled all departments with the aid of his Divisional Officers, through whom almost everything had to pass. The first stage in the evolution was the appointment of isolated specialists at headquarters, gentlemen whose duties were once humorously described as being 'to induce the Collector to distribute his neglect'. These specialists, as their activities grew, gradually found the necessity for more specialists in the districts, and so new departments grew up. Meanwhile, the old work grew more complex and a number of special officers had to be created directly under the Collector to deal with it. I remember being much struck when coming back to a district after an absence on special duty to find that the bulk of my time was taken up with a land records officer, an officer for union surveys, a deputy collector of inams, a special engineer for making roads in the area under a new irrigation work and a host of other special officers who were all directly under the Collector. The old practice under which other work came through the Divisional Officer was still there, but it had become only a branch of the Collector's work which was doubled by the fact that each of these special officers was working under special orders and had to be controlled by him personally in every detail.

"Now, over and above all these comes the new era of government by persuasion of questions by the thousand in this Council and of communal communism in the offices which makes the filling up of every fresh vacancy that occurs add a new terror to the Collector's life. It has been suggested that appointments can be reduced because a great deal of the Collector's work is routine. Now, I should like to ask the Council to say whether the fact that work is routine is a good reason why it should not be done. Routine is defined in the dictionary as a 'course of business or official duties regularly or frequently returning.' That is the feature of routine regularity. The work may be hard or it may be easy. It would be as much routine to try men for their lives as to rule red lines across a sheet of paper, if the one duty returned with the same regularity as the other. There seems to be an idea abroad that because there is routine work done by clerks and routine work done by Collectors we can displace the Collectors and replace them by clerks. That idea, if it exists, is wholly erroneous since we have decentralized whatever work we can out of that which the Collectors have to do, and therefore the only difference between a Collector's routine work and his other work is that the former has got to be regularly done. And here I should like to quote the authority of a member of this Council for the proposition not that the Collectors can be reduced because a large part of their work is routine, that but there are other duties which are not sufficiently frequently before them which should be added to the routine category. In a debate on a cognate subject in 1913, the Hon'ble Mr. B. V. Narasimha Ayyar made the following remarkable statement:

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'It is necessary for the Government to make it part of the routine duty of the heads of the districts to get opportunities of coming into contact with leading ryots and explaining to them what is the situation in respect of the various branches.'

"I should like to add to this quotation two further quotations from members not now present whose words I am sure will carry weight with every member in this House. In the debate to which I have just alluded, the late Diwan Bahadur Subbarayulu Reddiyar made use of the following expression: 'It is a matter of common knowledge that in almost every Collector there is an ardent and growing desire to know and to study the wants of the ryots, and as far as he may find it practicable to meet them. But at the same time it has to be remembered that the Collector of a district nowadays is so fully occupied over his daily official routine of work, consisting mostly of the disposal of bags of official files and correspondence that in spite of his best intentions he finds it hard to spare time to go about and mix with his ryots, to learn firsthand direct from the ryot what his needs and wants are.' Mr. Kesava Pillai made a still more emphatic statement to the same effect. 'I know it well that most of the Collectors have got the strongest desire to know the people, to serve the people and to do something for them. But unfortunately they are more or less bound to their desk and they are almost always engaged in returns and reports. They have no opportunity of mixing with the people at all.' And again 'The Collectors have got no opportunity now of mixing with the people. They know them only as litigants, plaintiffs and petitioners and seldom meet them as ryots. I challenge Sir John Atkinson to prove that the Collector has at present got any chance of meeting the people as people and not as petitioners and litigants.'

"Sir, I hope I have said enough to show that the mere quotation of general figures is quite inadequate to prove the honourable mover's case, and while I claim therefore that he has quite failed to shift the burden of proof on to me, I propose to give on the other side certain figures which I think will tend to show that he has a far more difficult burden of proof to shift than he has yet realized. It is not uncommon to say that our scales of salaries and number of high-salaried appointments are very large as compared with those in the United Kingdom. I was reading recently a criticism of the reorganization of the salaries of the officers of the British Post Office after the war. One fact which stood out was that there are now in that department no less than 687 posts on a salary of £800 a year, which we may take to correspond to Rs. 1,000 a month. Now the total number of posts on a salary of that size in the whole of the Madras Presidency in all departments is only 408, in other words, not much more than half of the number in one department in England. I put it to the Honourable Member therefore that he will find it hard to prove his case by the test of comparison with European countries.

"If we take the test by comparison with other provinces in India, we shall find the case to be much the same. If our districts were to be manned on the same basis with reference to area and population as some of those in the north, we should have, instead of 25 Collectors, 42 Collectors and eight Commissioners of Division. If we had the same proportion of superior officers to subordinates as they have in Bengal, we should have twice as many as we have at present.

"Lastly, I would ask the Honourable Members before they vote on this resolution to consider what is going to happen if it is passed. I think I have already said enough with reference to the case of the Collectors. The Hon'ble Member Mr. Balaji Rao Nayudu suggested the abolition of some of the District

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Munsifs and Sub-Judges. Well, if we do so, who is going to try the cases? We have already got very great arrears in nearly every court in the country and if we add 25 per cent to these arrears, what is going to happen? I believe we have now cases which have not come on for trial for four or even five years. Is it the suggestion of the honourable member that a few more years' delay will make no difference?

"What again if we reduce the number of doctors by 25 per cent? I have asked the Surgeon-General how he would carry on under such circumstances. His answer was 'By all means let the Council reduce the number if they wish, provided they are prepared to make a similar reduction in the accommodation of the hospitals.'

"In conclusion, I should like to repeat what I stated at the beginning, namely, that we are only too conscious of the necessity for retrenchment and that we have proposals in hand by which we hope to effect a reduction of no less than 80 gazetted posts, which will in our view reduce efficiency to danger point. We are quite ready to consider further proposals if a case can be made out for the abolition of particular posts. We have asked the Finance Committee for proposals in this regard and they are at present engaged in this question, and we hope to come to a decision before their sittings are completed. All that we cannot accept in this reduction by a definite fraction of one-fifth. If we undertook to reduce all our establishments by one-fifth whether at once or in a period of four years, then I am afraid we might find we had pledged ourselves to a course of action which would reduce the administration to chaos."

Mr. T. ARUMAINATHAM PILLAI:—"Sir, when the honourable the mover of this resolution placed this resolution before the Council, I expected 1-30 p.m. some programme or plan, if not a well cut and dried one by which the intention contained in this resolution could be given effect to. But unfortunately, I find that my honourable friend had not only not placed any definite plan but he seems to have confused the whole issue by quoting certain figures of gazetted officers above Rs. 500 and above Rs. 1,000 and all those things. I expected my honourable friend to take department after department and to say that these officers are quite unnecessary, in this department, there is a redundancy of officers in another department that in a third department a less number of officers would be able to do all the work which is now done by the present staff. No argument of that sort was forthcoming. The only argument which we have heard to-day *ad nauseum* is that retrenchment must be effected at any cost. True, Sir, when the question of retrenchment was raised in this House, I always voted for it; but I must object to retrenchment at the cost of efficiency. My honourable friend has been saying that there has been an increase of Collectors in this Presidency. Most probably he has forgotten that since the year 1900, there has been an increase of districts as well. Surely my honourable friend does not object to the division of the districts. I am sure my honourable friend would at once concede that if the principle for which the non-officials in this country have been fighting, namely, that the head of the district administration should come more and more in contact with the people and by such coming should be given effect to, it can only be accomplished by putting a small range under the administration of separate officers. My honourable friend was one of those who voted in this Council when the proposal for the separation of the judicial and executive functions was brought forward in this Council."

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Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*):—"I may state for the information of my honourable friend that I myself brought forward that resolution."

Mr. T. ARUMAINATHAM PILLAI (*continuing*):—"I am glad to learn that my honourable friend himself was the mover of that resolution, but he did not propose then how he meant to carry out these proposals without additional expenditure."

Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*):—"I can do it without the addition of a single pie."

Mr. T. ARUMAINATHAM PILLAI (*continuing*):—"I am sorry to say, Sir, that my honourable friend has not really understood the real gist of that proposition that he moved, namely, for the separation of the executive and the judicial functions. I may state for his information that so far as the separation of the two functions is concerned, it means that the powers which are now vested in the deputy magistrates are to be divided. There ought to be separate stationary sub-magistrates, separate stationary deputy magistrates and separate stationary first-class magistrates. There are also another set of officers, the deputy collectors who are now doing revenue work. I do not understand how my honourable friend could do all these things without incurring an additional expenditure of even a pie."

"Then again he quoted the instance of forest officers. I believe the House knows that my honourable friend is on the Forest Committee and I believe that he it was that proposed in this Council that the forests ought to be developed for the benefit of this Presidency so that more income could be derived from those forests which are now left unexplored. I think that my honourable friend never expects that without paying the men for all these things, this Presidency could get any benefit out of the Forest department. If by a magic wand all these things could be done without further trouble, then the resolution of my honourable friend would be quite welcome. Surely these things have got to be worked out by efficient officers and if efficient officers are to work out these details, then they have got to be paid. Then what is the use of grumbling by saying that so many officers have been increased. So far as the increase of officers is concerned, I do not want to bring the question of race such as so many I.C.S. officers or so many European officers have been increased. Whoever is the best man, by all means, employ him and pay him well. There is no use of saying that we want very thorough machinery but we do not want to pay for such a machinery. I believe that that is not a policy to which this House can commit itself."

"Then my honourable friend complained about the Police. Surely my friend is one of those who think that law and order ought to be maintained. Especially nowadays when so many of the political troubles are now stalking in this country and also when so many of these disorders are now prevailing, I believe that the efficiency of the police administration is essential. Does my honourable friend wish to give up all those things and then go back to whatever state he would like to live in."

"Then my honourable friend was talking about the Public Works Department the Registration, Agriculture and such other things. It is alright, Sir, to stand up and say that these officers are not necessary, but it is difficult to work it up in practice. Taking the Agricultural department, for instance, my honourable friend was saying that so many master farmers in England have been brought over to India and dubbed as experts. I wish my honourable friend were right. But the Minister in charge of the department should, I believe, be credited with some knowledge of his own business and he could not have really appointed such men."

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Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*):—"Most of these appointments were made not by the Minister but before he was appointed."

Mr. T. ARUMAINATHAM PILLAI (*continuing*):—"Well, if most of these appointments were made before, this department is now in charge of a popular Minister and, surely, when he took charge of this department, he would have considered whether these persons were necessary or not. When the Hon'ble the Minister himself thinks that these officers are essential for the improvement of the agricultural and other allied departments, then, surely, we ought to take the words of our popular Minister. My honourable friend would never say that agriculture ought not to be improved. Agriculture is the backbone of this country and, under all these circumstances, my honourable friend now comes forward and says: 'Yes, there shall be a general reduction of 20 per cent of the officers.' As I originally stated, there is no definite plan laid out on which the Government could act. If my honourable friend's plan is to be accepted, then I would only say that instead of this costly administration, we are bound to revert back to the old panchayat system and be satisfied with the matter of ready and rough distribution of justice and then the whole work could be done without spending even a single pie. If that is the idea with which my honourable friend has brought forward this resolution, then I am afraid he is not living in the year 1921, but he would have to go back to some centuries and revert to the old glorious systems."

Rao Bahadur T. BALAJI RAO NAYUDU:—"Mr. President, I should like to withdraw my amendment as it would make discussion easier, and the question can be finally settled."

1.45 p.m.

The amendment was withdrawn by leave of the Council. The discussion then turned on the main resolution.

The Hon'ble Sir LIONEL DAVIDSON:—"Sir, I do not propose to weary the House for more than a few moments, and I will only do that because reference has been made to the Police and Forest departments and comparisons have been drawn with the figures of bygone years. I sent for the Civil Lists of 1900, 1910, and 1920 for the purpose of scrutinizing comparative figures. It is perfectly true that between the years 1900 and 1910 there was a substantial increase in the number of the police officers. But I would remind this House that it was during that decade that the Police Commission made its inquiries and formulated its considered proposals as to what the minimum strength of the police must be to ensure the maintenance of law and order. I find that the strength of the superior officers in 1910 was one Inspector-General, five Deputy Inspectors-General, thirty-four District Superintendents of Police, thirty-six Assistant Superintendents of Police and forty Deputy Superintendents of Police. Comparing each of these items with the corresponding figures in the Quarterly Civil List for October 1921, I find that there is an addition of one to the number of Deputy Inspectors-General; the number of District Superintendents of Police is the same; and there is an addition of one to the number of Deputy Superintendents of Police. I claim, Sir, that so far as the Police Department is concerned, since it underwent the exhaustive examination of the Police Commission, there has been practically no increase. I would also invite critics to look up and see what the total strength of the rank and file of the force was in 1900, 1910 and 1920."

"I turn next to the case of the Forest department, in regard to which there is really very little for me to say, as Mr. Arumainatha Pillai has already pointed out that if you want to develop our forest resources and revenues, you cannot do so

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without additional hands. Since 1910 there has been, as the Civil List shows, a substantial increase in the nominal cadre of the Forest department. I do not seek to justify that increase in any detail, because the justification for each step in advance can be found in the Government Orders relating to each addition which have been on many occasions printed and published; I may refer particularly to the case of the increase in the number of conservators of forests. But, Sir, there is one point to which I wish to draw attention. As shown in the Quarterly Civil List for October 1921, the total number of the Deputy and Assistant Conservators is 54, but no less than 22 of these posts are vacant and yet unfilled. That does not mean that it is in the interests of public service that the superior staff of the Forest department should be thus reduced. It merely means that the Forest department is as yet unable to get anything like the total number of trained officers who ought to be recruited and have been pronounced by competent authority to be essential for the proper administration of the department. The superior staff is at the present moment no less than 22 under the minimum sanctioned strength requisite; and any reduction of twenty per cent in the Forest department would be nothing short of disastrous."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB:—"Sir, as some of the departments under my control have also come under the fire, as was pointed out by the honourable member for South Arcot, I feel that I owe a duty to justify the existing position and to convince the honourable mover that if the number of deputy collectors to-day is a little more than it was about a decade or two ago, it is not due to a desire to swell the department with men who have no work to do, but that every addition was justified by the actual circumstances of the case. I believe one of the reasons which led to the increase in the number of deputy collectors has been already explained by my honourable friend, Mr. Arumainatha Pillai. Since and after 1900 repeated attempts had to be made to reduce the limits of a district so that it might be within the possibilities of administrative efficiency. Every one of us remembers what is well-known as the 'Meyer's Scheme.' A number of new districts had to be created, readjustments had to be made between district and district, and between division and division so as to make each division and each district a compact block which could be administered with efficiency. And then again in the good old days the Settlement department was supposed to have a separate life and a separate existence; but it was recognized that that department should be manned by men who held the position of deputy collectors, and that deputy collectors should be lent for work in that department. The work of the Settlement department has always been hard, unpleasant and least liked by the officials. When once an officer was sent to the Settlement department, it was not easy for him to come back to his regular line, and his chances of promotion were blocked. Therefore it was decided that the Settlement department was to be manned by the deputy collectors and a rule made that no deputy collector should be asked to work in that department for more than five years, after which period he must revert to the Revenue department. Now, again, Sir, the Co-operative department came into existence; there also it was found that its work could not be done efficiently until and unless the deputy collectors were brought in for the purpose. There is everywhere a demand for deputy collectors for every kind of work. We have lent a few deputy collectors as Diwans of States in the Presidency; some of them are serving in the Secretariat as Assistant Secretaries and Under Secretaries; and some are lent as Presidency Magistrates. In the olden days the Presidency Magistrates belonged to a separate cadre; now it is the deputy collector that mans all the posts except that of the Chief Presidency Magistrate. For all these

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reasons, about ten years ago, it was discovered that the cadre must be self-contained to provide for all its requirements, that the old system under which there was a small number of permanent men, with a large number in the acting list, was absolutely undesirable; for a deputy collector had to be in the acting list for a long number of years before he could be confirmed. The whole aspect of the question was examined. The departments for which the deputy collector was wanted had to be taken into account and the cadre was fixed some time ago by the Secretary of State. To-day, therefore, Sir, we have only the absolute minimum that we think we have to provide for. The number is not above our actual requirements. These various requirements have grown from time to time. We found a demand for the deputy collectors in various departments, and we had to provide for them. It is wrong to think that the deputy collectors have simply grown without any necessity."

The Council then adjourned for lunch at 1-55 p.m.

The Council reassembled after lunch at 2-30 p.m. and the consideration of the resolution in regard to the reduction of the strength of the gazetted services was resumed.

Mr. T. SIVASANKARAM PILLAI:—"Sir, I feel I cannot commit myself either way with regard to this resolution. The reason is this. So far as the principle of retrenchment is concerned, that has been conceded by the Government and some honest endeavours are being made. With regard to the details of the wording fixing the responsibility of the Government in this matter, I find it hard to support. If I rise to speak now, it is with a view to make certain indications to the Government as to the directions in which retrenchment could possibly be attempted. What I would say in this connexion is to take one or two districts and consider whether experiments may be made in the direction of reducing the officers. Now let me take the case of Anantapur district. It is divided into three revenue divisions. There was a time when as many as five taluks were in charge of one divisional officer. Subsequently this area was reduced to four taluks and again it was reduced to three. These divisional officers used to do the work of presidents under Local Boards Act until very recently. They have been relieved of this work of late, so much so, that I have heard from more than one divisional officer that he feels his work lighter now. Now there is going to be another direction in which his work will be lightened. Many of these taluk stations and divisional stations are being provided with honorary magistrates' courts. In that way also much of the work which the divisional officer has to do in the capacity of a magistrate will be taken away from him. So in one or two districts this experiment of reducing the number may be safely tried.

"Then taking again the question of munsifs in my district with another taluk added to it from the adjoining one, they were getting on with two munsifs. Now we have three. The general feeling is that this three is one too many. There is no strong feeling in favour of the change. Of course there may be some interested parties who want three courts for the reason that without a court at Anantapur the concomitants of a headquarter city will not be complete. Perhaps it is in an experimental stage; the Government may consider this view of the question also.

"Then coming to the police superintendents and the deputy superintendents I should like to give the Council an idea of the work that is being done by these officers. There were recently two cases of complaints of police corruption, in which the aggrieved parties petitioned to the district authorities direct. Evidently there was some foundation for the grievance, and when the district superintendent

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was approached, he said he had no knowledge of the case at all. When it was subsequently pointed out to him that there was a petition of the kind, he said that it was not his job to know it; but that it was his deputy that was responsible. We pay these officers very heavy, and they are supposed to look after such matters like these personally. What they do is to refer such things to their assistants and drop the matter. The superintendent says it is not his job. He must consult his deputy and he does not know. In this way there is 'distribution of neglect' in the words of the Finance Member. Supposing he had no deputy, the superintendent perhaps, would have himself to attend to such matters. So far as my knowledge of the interior parts is concerned, these deputy superintendents have not added considerably to the efficiency of the service in proportion to the expenditure incurred.

"In the light of these remarks I would take one or two districts and find out by the reduction of the officers whether the administration could not be carried on on the same efficient lines as before."

Mr. S. ARPUDASWAMI UDAIYAR :—"Mr. President, Sir, I will place before the House the issues arising from this resolution. First of all it is agreed that there is need for retrenchment and secondly there is the question as to what should be the nature and the extent of the retrenchment to be introduced. The Hon'ble the Finance Member has been very sympathetic in his reply. He has spoken of the great consciousness there is of the need for retrenchment and has said that this consciousness is far greater in him as a finance member than in any other person. So as regards the need for retrenchment, I think the Government are doing their very best and devising every possible means to give effect to this policy. Again, Sir, he has also corrected the figures quoted by the mover of this resolution, and told us very clearly that far from slight reductions having been effected in some subordinate services as the posts of a few peons or some minor clerks, substantial reductions have been certainly effected. So, as regards the first issue, namely, the need for retrenchment, it is unnecessary for me to say anything more and the House will practically agree with the Hon'ble the Finance Member in saying that the time has come for us to introduce retrenchment.

"Secondly, what is to be the nature and the extent of this retrenchment? From what has been said by the previous speakers, and from certain facts and figures quoted by the Hon'ble the Finance Member, we understand that 20 per cent reduction is certainly too much. So then, if we are only to confine ourselves to the question, namely, that the proportion must be slightly cut down, I believe the Hon'ble the Finance Member, even the mover of the resolution and the members of this House will have no objection whatever to adopt the resolution with that slight amendment which, of course, I cannot make without your permission, Sir, and the permission of the House.

"Incidentally, in the course of the debate, members have spoken of certain improvements which have to be introduced into the various departments. These improvements necessitate an increase in the staff. As regards this point, I think the Government will rightly concede that we are reaching a critical time, when certainly all schemes of improvements or at least many of the schemes for effecting improvements might very well be held in abeyance. Attention has been drawn to the fall in excise revenue and I would draw the attention of the House to another alarming feature, namely, the circumstance that the sky has not been pleased to shower abundant and copious rain in this season, especially when under normal periods abundant and heavy rainfall is the order of the day. I am

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sorry that the Hon'ble the Revenue Member has not begun his tour to Tanjore and Trichinopoly so that his presence at least might effect a change. (Laughter). I have been often going to the villages and have heard farmers complaining to me that if they had no rain within one or two weeks, the crops would certainly fail. The dry crops in very many places have actually failed and it might be that the Hon'ble the Revenue Member will be called upon, after one or two months, to authorize remissions on a large scale. So these schemes might very well be held in abeyance.

"Then, as to the question whether it is possible to effect substantial reductions, the Hon'ble the Finance Member has assured us that he has been giving his very earnest and best attention to this question and already substantial reductions have been effected. The honourable member, Mr. T. Sivasankaram Pillai, has told us that in certain places it is not very necessary to have more than two munsifs' courts. Therefore with regard to the appointment of munsifs and deputy superintendents of police, I think it is possible to effect a reduction in the interest of retrenchment. I have heard very many people telling me that the work of these courts has been increasing. I should like to know whether any practical inspection has been made, whether any attempt has been made to see whether these munsifs and deputy superintendents of police have been discharging their duties as earnestly and as satisfactorily as their predecessors or whether a real case has been made out for these additional appointments. Under these circumstances, instead of fixing a hard and fast rule, a definite and high fraction like this, we may slightly cut it down and say 15 per cent. In that case, I think, nobody would have any hesitation whatever in accepting this resolution. That depends, Sir, upon the permission which you would be pleased to give me and upon the permission of the House."

The Hon'ble the PRESIDENT :—"What is the amendment please?"

Mr. S. ARPUDASWAMI UDAIYAR :—"15 per cent, instead of 20 per cent."

The Hon'ble the PRESIDENT :—"Has the honourable member given the requisite notice?"

Mr. S. ARPUDASWAMI UDAIYAR :—"No, Sir."

The Hon'ble the PRESIDENT :—"Does any honourable member object on the score of want of notice?"

Rao Bahadur T. BALAJI RAO NAYUDU :—"I object."

The Hon'ble the PRESIDENT :—"Then I uphold the objection."

Diwan Bahadur M. KRISHNAN NAYAR :—"I want to say only one or two words on this resolution. There is no doubt whatever that everybody in this House inclusive of the Hon'ble the Finance Member is extremely desirous of effecting as much retrenchment as possible. The specific question, however, now before us is, whether we should pass this resolution recommending that a 20 per cent reduction of expenditure should be carried out. The Finance Member has told us, Sir, of the expenditure should be carried out. The Finance Member has told us, Sir, that the Finance Committee is considering in detail the whole question of the reduction of establishment as well as the reduction of expenditure in general. He has already quoted to the House certain figures showing how the strength of the establishment in different departments is sought to be reduced. I may also, Sir, supplement that information."

The Hon'ble the PRESIDENT :—"Order, order. The honourable member is presumably quoting from some public documents. Have they been placed on the table?"

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Diwan Bahadur M. KRISHNAN NAYAR :—"I shall not quote, Sir. I may state, Sir, that the Finance Committee is considering the whole question and we have already come to the conclusion of effecting a retrenchment of about 71 lakhs of rupees spread over this year and the next year. It is only due to the Finance Member to say that he is as anxious as any other member of the Finance Committee to reduce the expenditure and I make these observations, Sir, with a view to the ultimate suggestion which I wish to make to the honourable the mover of this resolution for withdrawing this resolution instead of pressing it to a division. And in order to enable my friend to come to a conclusion regarding my suggestion, I am placing through the House before him some information. As I stated, it has already been resolved to effect a retrenchment of 71 lakhs of rupees spread over this year and the next year and the reason for spreading it over this year and the next year is that it is not possible to say which portion can be reduced this year and which portion can be reduced next year. I may also tell the House that various departments are being considered as regards the reduction of establishment. We are considering department by department. Through the courtesy of the Finance Member, the Finance Committee had several heads of departments as the Surgeon-General, the Director of Public Instruction, the Chief Engineer, and others before it, and we have been by dint of questioning—of course they are willing to be questioned and cross-questioned—able to gather a good deal of information and we hope to gather further information. If this House comes to the conclusion that this twenty per cent reduction should be made in the expenditure, the Finance Committee and the resolution I think it will be the duty of the Government to carry it out. In any case, I may assure my friend the honourable the mover of this resolution that we, members of the Committee who have been sent there, in the words of Mr. Knapp who was here in place of the Hon'ble Sir Charles Toddhunter, as watch-dogs of the House to watch the Finance department are very anxious to reduce as much expenditure as possible as he is. It is our wish to effect a retrenchment of more than 20 per cent. I do not know if it will be possible or not. Probably it will not be possible to reduce expenditure even by 20 per cent. I do not know whether it is Mr. Balaji Rao Nayudu who objected to the excessive number of munsifs and sub-judges. One member said that the number of munsifs and sub-judges was too many. This question was also considered. Some of us were even against any reference to the High Court on that point. We thought that the moment a reduction in the number of munsifs and sub-judges was made, the result of the reduction would be an increase in arrears of suits, which would be detrimental to the interests of the litigant public. We are examining department after department, and when necessary, calling the heads of the departments and eliciting information from them. My friend the Hon'ble Mr. Habib-ul-lah Sahib reminds me that even the Honourable Members of the Government are not excluded from this examination. My friend the Revenue Member obliged the Committee the other day by giving us a volume of information with reference to the irrigation department. Seeing that the whole question is thus being carefully examined and seeing that we are anxious to reduce the expenditure as much as possible it seems to me, Sir, that the best course now is not to press the resolution to a division. Of course by raising a debate in the House on the question at the present moment, the honourable mover has done a service and we have a knowledge of the general sense of the House. In having raised this debate, my friend, Mr. C. V. Venkataramana Ayyangar has done a public service as he has drawn the attention of the Council and the public through

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this Council to this important question. Having served the public in that very useful way, I suggest to him whether it is not advisable to withdraw the present resolution."

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU :—"I am extremely sorry, Mr. President, that I was absent just when my friend the honourable the mover was moving this resolution. I have always prided that I sit in this House longer than any one else. But unfortunately it so happened that my friend noticed my absence in this House to-day and took advantage of it—he is entitled to do so—but in his anxiety to make out a case has made certain statements which cannot be left unchallenged by me. The member stated, if the report handed to me is correct, that Government have sanctioned 25 expert officers, but nobody has yet been appointed."

Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*) :—"That is wrong."

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU (*continuing*) :—"Anyhow he said that 25 officers had been sanctioned. Then he said that British master-farmer had been appointed as an expert of cholam, maize and other crops. Well, Sir, this is news to me. So far as I know, there were only fifteen expert offices sanctioned, of which three appointments have not been filled up in consequence of this policy of retrenchment. Then, out of the twelve appointments made, four appointments are given to Indians. On this question of Indianization of services, I will have something to say later. But, for the present, speaking of experts, let me tell my honourable friend that out of twelve, four experts are Indians. As for appointing a British master-farmer for cholam and maize, I may at once tell you, Sir, that the appointment recently made, for that I believe is the appointment that my honourable friend is referring to, I mean the expert for millet under which come cholam, maize and other things, was of a gentleman known as Mr. Rangaswami Ayyangar who has been appointed. I did not know that he was an Englishman. At any rate his name suggested to me that he belonged to a respectable Hindu community to which my honourable friend belongs."

Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*) :—"Was there any predecessor?"

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU (*continuing*) :—"I am speaking of the existing incumbent. I am speaking of the millet expert. It will thus be seen that these two statements made, namely, that 25 appointments will thus be sanctioned—of course the inaccuracy is only 66 per cent—and as have been sanctioned—of course the inaccuracy is only 66 per cent—and as regards the English master-farmer being appointed, they are unfounded. After all, our knowledge of science and our experience of agriculture are so very limited that in the beginning of our services assistance will have to be obtained from those men who can be called experts and these are not available amongst our countrymen to the extent of our demand and we are necessarily obliged to get them from England."

"There is, therefore, no point in observing that we are bringing men from England. While on that point, Sir, I may tell my honourable friend that after I have assumed charge as Minister, six Indian gentlemen have been taken into the Indian Civil Service from the Provincial Service. I do not know whether the charge can still be levelled against us that we are importing British master-farmers only with any justification. Out of the experts

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sanctioned in this year's budget, three experts have not been appointed and that accounts for a saving of Rs. 30,000 a year. That is so far as the Agricultural Department is concerned.

"Now that this proposition before the House is one of retrenchment, I may be permitted to take this opportunity of telling the House what the other departments under my charge have been able to save. Under co-operation, Sir, in accordance with the views of this House, Deputy Collectors drawing Rs. 500 or Rs. 600 have not been appointed; on the other hand, five new appointments have been made on a salary of Rs. 250 a month, without the Rs. 100 which is being paid to the Deputy Collectors as allowances. (Hear, hear). That, Sir, would give us a saving of Rs. 15,000 a year; and it is the policy of the Government to carry on this until we reduce the expenditure in this department to a very large extent. In the Fisheries department, the appointment of the Marine Biologist has been abolished and that accounts for a saving of Rs. 7,000 a year. Then in the Industries department, the Assistant Directors who were drawing Rs. 900, 850 and 650 a month have been abolished and in their places Industrial Assistant Engineers drawing only Rs. 300 a month will be appointed and that would account for a saving of Rs. 18,000 a year. Again, Sir, the Industrial Engineer drawing Rs. 1,500 a month will have his term expired by the beginning of May next, and from that date that appointment will not be continued and that must account for another Rs. 18,000 a year. Taking all these figures, Sir, it will be noticed that we have been able to effect an annual reduction of a lakh of rupees, not to speak of the collateral reductions which will have come under staff, house-rents, etc. I have mentioned these to show that Government are in entire sympathy with the wishes of this House that retrenchment should be effected to a great extent, and if to-day we are opposing this resolution, it is not because we are not in sympathy with the House and with the mover of the resolution, but because practical difficulties confront us at every step. I can assure this House, Mr. President, that every Member of this Government is as much anxious and as much sincere as the honourable the mover of this resolution in trying his best to bring down expenditure and I know the anxiety of the Hon'ble the Finance Member with what great care he reviews and criticizes and even turns down almost every new proposal for expenditure. When these were the facts, may I join my friend Mr. Krishnan Nayar and request my friend (the mover) not to criticize without ascertaining facts, as he did in the case of the Agricultural department, and also to realize the responsibilities and the difficulties of Government? We are at one with him in the matter of reduction, but there are, as I said, practical difficulties in the way."

MR. O. TANIKACHALA CHETTIYAR:—"Mr. President, Sir, if I rise now it is to join my friend Mr. Krishan Nayar and the Hon'ble the Minister for Development to request my friend Mr. C. V. Venkataramana Ayyangar to withdraw his resolution. Nobody in this House would accuse me of not being at one with him in his desire for retrenchment. Last month I was the first to press for the acceptance of the resolution regarding retrenchment of the pay of officers on Rs. 500 and above. Having said so far, I am now asking my friend to withdraw his resolution."

"My friend by the courtesy of the Hon'ble the Finance Member has had certain figures furnished to him which I also have as a member of the Finance Committee. These figures have opened the eyes of several people, certainly mine at any rate. Twenty years ago the charges of administration were 255 lakhs; now the substantive pay we are paying is 614 lakhs, besides 82 lakhs for travelling allowances. The figures are nearly two and a half times what they were 20 years

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[Mr. O. Tanikachala Chettiayar]

ago. Let us take the figures for salaries to be affected by this resolution, namely, the gazetted services. It is not very clear whether the gazetted services consist of officers starting from a salary of Rs. 500 or those which start from a salary of Rs. 250. I am, however, prepared to deal with the case on both the assumptions. If it is over Rs. 500, the amount disbursed by way of salary is Rs. 126 lakhs, and one-fifth of that would come to about 25 lakhs saving. Whereas if we take the gazetted services as commencing from Rs. 250, I take it that a saving of 20 per cent will give us another 7 lakhs or 32 lakhs in all. Whereas if the proposals for retrenchment now being placed before the Finance Standing Committee are accepted, there would be reduction to the extent of 71 lakhs, which is 10 per cent of the total charges on the services. If we are not satisfied with this reduction, the Finance Committee would put up proposals for raising the figure of retrenchment at least from 10 to 15 per cent, though we cannot bring it up to 20 per cent. Whereas by carrying this proposition, as it stands, with all the inconvenience that it would cause and the dislocation of work in the various departments, the utmost gain is only 32 lakhs. Moreover, the resolution which we passed on the last occasion stands, namely, the proposal that a reduction shall be effected by not giving further increases to those who draw more than Rs. 500 when the time comes for increase, so as to make their salary only two-thirds. It is not generally realized (and it was realized a few days ago by me) that it was not merely in the higher services a good portion of the revenue of this Presidency is absorbed, but it is more in the subordinate service; whereas it consisted of about 6,000 men costing 32 lakhs 20 years ago, it is now really 23,000 in number costing 140 lakhs. This sum of 140 lakhs is consumed by officers on Rs. 30 to Rs. 100. The number of officers in the subordinate ranks rose by $4\frac{1}{2}$ times what it was 20 years ago. So the retrenchment proposal that is being placed before the Finance Committee consists not merely in the reduction of the number of officers but in various other ways. It may be that the further information which we have asked for and has been promised to be placed before us will give us something more in the way of retrenchment after the committee has gone into it. But whatever it may be, there will be presented soon a budget containing the detailed heads under which moneys have to be spent. Then the number of deputy collectors, registrars, clerks and others will come in for our scrutiny. Specific resolutions may be brought in for retrenchment under this head or that. So having regard to these considerations, I would ask my honourable friend to withdraw his resolution. For more is to be had (for we hope to effect a reduction of 100 to 110 lakhs) by going about this way, rather than by merely laying a hard and fast rule to cut down the services by 20 per cent."

MR. C. V. VENKATARAMANA AYYANGAR:—"I just want to say a few words before closing my speech. I will appeal to the Hon'ble Mr. Reddi Nayudu not to blame me with ignorance unless he hears our speeches. He forgets that experts include additional experts also and he must remember that the Entomologist has two gazetted assistants. If there are 15 gazetted experts, there are some gazetted assistant experts. Therefore taking all these, it certainly comes to about 25 in number. As for the indianization of the services referred to by him, I want only to say that in this debate, I never raised the question of Indian or European. When the Hon'ble Mr. Reddi Nayudu said that the present expert was one Mr. Rangaswami Ayyangar and that he was an Indian, I asked him who was his predecessor. He said he was dealing only with the present appointments. That shows he wrongly relies upon the notes given to him. In the course of the debate I clearly stated that the appointments complained of were made before the present Minister took charge, and I am sorry he should have presumed to advise me without knowing

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them for himself. But I take his advice in the best of light. What I say is not only with reference to the Agricultural department but other departments as well. Just before the new Government came into force, the Government created a large number of appointments which they are yet unable to fill and many of them have been found unnecessary to fill. My point was that when vacancies occur, they should be left unfilled.

"As far as the Ministers are concerned, they have made the greatest retrenchment possible. But there are other departments where there is much scope for retrenchment. I take especially the Revenue Department, the Forest Department, and the Police Department. I do not think good reasons are given as to why in these departments under the Council Members no retrenchment has been shown. Ministers who are in charge of Development departments have made substantial reductions in the expenditure on account of establishments and I only appeal from the Ministers' departments to the Councillors' departments and set one against the other.

"Well, the Hon'ble Sir Lionel Davidson who leads the House said that the increment in the Police department was necessary, because only in 1910 all those increments were made. I put up Mr. Arumainatham Pillai against that and some others who said about the new troubles. All the new troubles were on account of the excessive expenditure and not *vice versa*, because the Hon'ble Sir Lionel Davidson gave us figures to show that the expenditure was practically the same as in 1910 excepting the addition of one Deputy Superintendent. Therefore in 1910, long before the reforms were thought of, long before the Parliament declaration of 1917, this went on. Why? Because he says of the Police Commission's report. We have had enough of these commissions and reports. I do not blame this Government or that Government. We blame the whole institution. For instance, the Secretary of State is himself to blame for throwing open a large number of appointments to higher officers and granting large increments in the salaries simply for the reason that he thought that would pacify them against the reforms. All that I say is that unnecessary increases in the number of appointments have been made between 1900 and 1920. I do not know why there should have been so much increase. I must join in the praise that has been given to the Hon'ble Sir Charles Todhunter for his earnestness in the matter of curtailment of expenditure. I had two hours' talk with him yesterday and plenty of information was given to me. I must thank him once more for it. But I must declare that my resolution was brought to help the Finance Member against the Revenue department, against the Police department, against the Forest department and against other departments, and against the Secretary of State himself. Probably many of these increments in the number and pay—it may be a secret, and I am not publishing it—were thrown on the face of the Madras Government. So we in this House should strengthen the hands of the Madras Government and throw back the blow on the Secretary of State saying: 'Well, you have no idea of our financial difficulties; you have no business to recommend such a large number of appointments on increased pay, etc.'

"I must apologise for one possible mistake. I do not know how I quoted the figures. But the figures, Sir Charles Todhunter said, were wrong in one respect. I repeat the figures; that is all. The total number of civilian officers in 1900 was 166. It has risen to 178 in 1921."

"I did not probably make it quite clear in my speech, but what I said was 3-15 a.m. that in the Revenue department there were in 1900 101 civilians, whereas there are now 121 civilians in that department. Although the number of increase is only 20, the increase of cost is very great and while that will be clear—"

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The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"The resolution is as regards the number, which it is proposed to reduce by 20 per cent. The honourable member said that we have increased the gazetted services since 1899, when I think he said the number was 106. I would point out that we have not increased the number, but have much the same as we had twenty years ago."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"It is not the same. The number was 166 in 1900, and it is 178 in 1921."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"May I quote the figure from the last Madras Quarterly Civil List, Sir, up to the 1st October last? The number of officers employed is 165."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I say, quoting my figures, from the Quarterly List of 1st July 1921, that it is 178."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—"May I say Sir, that there are no such figures in the Civil List?"

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I am quoting the Civil List of July 1921, whereas the Hon'ble the Finance Member is quoting the Civil List of 1st October 1921. It may also be that the confusion is due to the fact that there are some of the Provincial Civil Service people who are acting as Collectors, also there is a confusion because there are people who have gone out to other provinces and those who have come in from other provinces. All that I say is this, that whereas there were 101 officers in the Revenue Department in 1900, there are 121 now. What I wanted to say, when Sir Charles Todhunter interrupted me, was that the number of Assistant Collectors on a pay of about Rs. 500 was 51 in 1900 and it is 17 now. All others, whose number has been increased by 20 are receiving salaries of over Rs. 1,000, 2,000, etc. The pay of the civilian officers has now gone up by annual increments, so that they now get in two or three years what their predecessors could not get in twelve years. I do not blame these officers or these persons, but I blame the system. What I say as regards my figures is, that I am confident of their accuracy, and I am prepared to accept a challenge even in private and to explain them to the best of my ability.

"Only one other statement I want to make. The Hon'ble Sir Lionel Davidson said, that when vacancies occurred in the Forest department, the Government did not fill them up. That proves my case that there are more officers than absolutely necessary. Well, I do not think I need say anything more.

"Mr. Arumainatha Pillai who is always friendly to me and who was probably sleeping while I was speaking said that I could not give particular instances in even a single department. I mentioned instances of some departments, but though he was present here at that time in person, he was not probably present in spirit and he was probably not listening to my speech (laughter).

"With reference to the Hon'ble the Finance Member, I already said that I had a talk with him on this question. All the members on the Government benches have said that they would all carefully go into this question. My object, as I told many of the members of the Finance Committee, was to place the whole matter before the House and I am very thankful that this resolution has after all been productive of some good. I would say not only to the Finance Member, but to the public also that the appointments have increased by leaps and bounds, if there can be no better or stronger phrase, and it is high time that we say, halt and go back. If the Finance Committee sets about the task earnestly, there may not be much difficulty in the matter.

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"A reference has been made to Sub-Judges and District Munsifs, etc. It is a hard thing to say if litigation or indolence or both have gone up. But the figures are staring us in the face. The number of Sub-Judges in the old days was 7, and what do we see now? The number now is 45. The number of District Munsifs was 112 in 1880, 108 in 1890, 118 in 1900. And what do we find now? The number is 200, plus a number of special Munsifs. This is a matter which must be looked at not from the point of view of finance only, but from the point of view of morality also (laughter). This increase means we are encouraging litigation by bringing it to the doors of the people. No doubt, many of us are lawyers, but apart from the fact that we know and respect many district munsifs, sub-judges and deputy collectors, we must know that we are dealing with the public purse. I am sure that the acceptance of my principle will not hamper the Government. I was reminded by Mr. Tanikachala Chettiyar that I might revive this question at the time of the budget. I knew that and I intend doing so. But I hope by that time the Finance Committee would show 20 per cent saving. I believe, if only they take department by department, post by post, they will be able to produce good results. With these remarks I withdraw my resolution."

The Hon'ble Sir CHARLES TODHUNTER:—"May I say a word in reply, Sir? May I invite attention to the rule that a member withdrawing a resolution must confine himself to a statement of that fact and may not make a speech."

The Hon'ble the PRESIDENT:—"The Hon'ble the Finance Member may object to the withdrawal of the resolution (laughter) at this stage on the score that he should have an opportunity of replying (renewed laughter)."

The Hon'ble Sir CHARLES TODHUNTER:—"I do not want to make a speech, Sir, but I simply want to hand over to the mover a copy of the Civil List of July."

The Hon'ble the PRESIDENT:—"Do I understand the Hon'ble Member to say that he questions the accuracy of the figures quoted by the mover?"

The Hon'ble Sir CHARLES TODHUNTER:—"I would only ask the Council not to accept those figures without verification."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I have already stated that I am prepared to accept any challenge even privately and I repeat my challenge."

The resolution was by leave withdrawn.

New appointments on Rs. 500 or above.

Mr. C. V. VENKATARAMANA AYYANGAR then moved the following resolution:—

"168. That this Council recommends to the Government that every Government Order creating any new appointments on Rs. 500 or above per month be laid on the Council table."

In doing so, he said:—"Sir, this is a very simple proposition which I hope the Government will accept. This is necessitated by the fact that I gave notice of a resolution that no appointment on a pay of Rs. 500 and above should be made without the sanction of the Council, but unfortunately that resolution was disallowed. The only next best thing that I could do was to move that the Council should have an opportunity to know about the creation of such new appointments. I want the Council to know the reasons as to why appointments are made and probably it may act as a check also on the Members of Government from making any additions they please. I therefore commend this proposition to the Council."

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Mr. M. SURYANARAYANA PANTULU:—"Sir, I second this resolution formally, and I do not think any speech is required."

The Hon'ble Sir CHARLES TODHUNTER:—"Sir, after the evidence that this Council has received of the watchfulness of the watchdogs that watch the Finance Department, I hardly think that this resolution is necessary, but I may say that we have no objection to laying a list of such appointments on the table."

The resolution was put to the Council and passed unanimously.

Court of Special Deputy Collector, Chendragiri.

Mr. B. MUNISWAMI NAYUDU:—"Mr. President, Sir, the resolution that stands in my name runs as follows:—

"169. That this Council recommends to the Government that the Court of the Special Deputy Collector, Chendragiri, Chittoor district, appointed to try suits under the Madras Estates Land Act, I of 1908, be made a stationary court with its office at Tirupati."

"The object of this resolution is that the Government should be asked to take satisfactory steps with regard to the location, etc., of the courts established under the Madras Estates Land Act. Under the Madras Estates Land Act a number of suits for recovery of rents by landholders from the tenants have to be filed before the revenue courts. In cases where a large number of suits are filed, the Act provides for the appointment of a special officer to try such suits and one of such special officers was appointed for Chendragiri division in the Chittoor district. In moving this resolution I ask that the special officer may be made to sit at one place and not to hold court at different places moving from station to station, from village to village and ask parties, their vakils, witnesses, etc., to go from place to place. The object of the resolution is to show that having regard to the convenience of the parties, their vakils and also their witnesses, it is much better to have this court located at one place. One thing that may be said in favour of the present system is that under the present system the officer who is of the position of a deputy collector moves from camp to camp, and can dispose of suits in those camps. But more dismissals for default and more *ex-parte* decrees are being passed, because there are various stages to be observed, i.e., plaint has to be filed, the written statements have to be put in, issues have to be framed, evidence has to be let in and time has to be allowed for arguments as all the procedure under the Civil Procedure Code is made applicable to the Revenue Courts also. The only difference is that the judge in this case is the special officer and in civil courts he is the District Munsif, or Sub-Judge. While these steps are taken, the suits undergo various adjournments and the parties have to go from place to place. Therefore many suits are dismissed. In such cases it is also very difficult to get vakils as very few vakils agree to go from place to place. These are the difficulties of which I can speak from personal experience so far as the Chittoor district is concerned. If Government will be pleased to call for a statement of suits dismissed for default, the number of suits decreed *ex-parte* as also the number of suits decided after trial, we would find that not even 30 per thousand represent cases that were disposed of after trial. All the other suits are either dismissed for default or are decreed *ex-parte*. I submit this state of things is due either to the fact that the parties do not want to contest, or that they find it very difficult to contest. If the parties do not want to contest, it does not matter whether the court is a moving court or is stationary. But in many cases the parties want to contest the suits if they have the necessary opportunity and convenience. It is necessary that steps in that direction should be taken and this resolution would remedy all the difficulties felt by the parties."

[Mr. B. Muniswami Nayudu] [13th December 1921]

"I have stated deliberately in this resolution that this court should be located at Tirupati. If the court is directed to be stationary, the special officer will have to sit at Chendragiri, which is six miles from Tirupati, where there is a District Munsif's Court and a large number of vakils. I am drawing attention to this fact because the parties will have ample convenience if the court is located at a place where there are resident vakils who can be easily procured. Almost all these cases are tried like small causes and the parties have now to engage vakils even in small cases for heavy fees, as they have to move from camp to camp. They will have also to provide travelling allowances, etc., to the vakils and witnesses. For these reasons, I submit that the court may be located at Tirupati which is six miles from headquarters, and it would be of great advantage to locate this special officer's court at a place where legal assistance can be obtained as cheaply as possible. It may be desirable that parties should not resort to vakils for small cases like those under the Estates Land Act, but unfortunately all the procedure required under the Civil Procedure Code is made applicable to these suits, such as, the right of appeal, *res-judicata* and many other things, and it is in many cases impossible for parties to get on without vakils. All the difficulties which parties experience will be minimised if they can engage vakils. For all these reasons, I commend this resolution for the acceptance of this Council."

Mr. A. T. MUTTUKUMARASWAMI CHETTIYAR :—"I second the resolution."

Mr. M. NARAYANASWAMI REDDI :—"Sir, the amendment that stands in my name is this: to omit the words 'with its office at Tirupati' in the resolution."

"Sir, I rise to propose this amendment as I am compelled to do so, for more reasons than one. It is admitted on all hands, that Chendragiri is an ancient historic town, whose importance has been sufficiently recognised even in official records. It was once the seat of Hindu Rajas of Vijayanagar dynasty, and history bears testimony to that. It was Sri Rangarayulu of Chendragiri that gave this site on which we now are and the Fort Saint George is built, to the British in the year 1639. Without any fear of contradiction I say, Sir, that the Government as well as this honourable House is bound by high sense of duty and honour to try to perpetuate the name of the Raja of Chendragiri by some means or other."

"Sir, I feel happy to inform this honourable House that the Government had already realised their duty and had even expressed the same in the form of action on many an occasion. During the bifurcation of the Chittoor district the question of locating the Revenue Divisional Office at Chendragiri was much contested. In spite of the agitation and representation made by the local pleaders and residents of Tirupati to have it at their own place, the Government were pleased to locate the said office at Chendragiri only, for the main reason of perpetuating the name of the Raja of Chendragiri from whom they got the Madras site. Consequently, Chendragiri became the headquarters of the division and began to regain its lost prominence. Besides this, the Special Deputy Collector's court, Taluk Board office, Taluk office, Forest Ranger's office, and post and telegraph office are located there only and they also have gone a long way to strengthen the town."

"If the main resolution is carried, I apprehend, Sir, the pruning knife will be applied to the tender tissues which the town of Chendragiri is putting forth. The location of the Special Deputy Collector's office at Chendragiri has contributed

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and is contributing a good deal towards the town and it will not be too much when I say that the removal of the same to Tirupati will certainly stop the growth of Chendragiri and its death will naturally take place. I believe that it would be sheer injustice on the part of this honourable House to give its consent for the removal of the court from Chendragiri. I say that it is sheer injustice, because I am of firm opinion that this is not the treatment that that famous and historic town, that has contributed so much towards the progress and prosperity of the Presidency, should receive from the hands of this House. Justice demands that the town should be given full scope to regain its lost prominence and it should be done as we stand by justice."

"Sir, let us consider for a moment, apart from this aspect of the question, how far it is desirable and expedient to change this court from Chendragiri to Tirupati. The Special Deputy Collector's office was started at Chendragiri as early as 1913 and ever since that time, it is being continued there only, having its own Government buildings for the office and the court. The transfer of the court and the office to Tirupati means acquiring a large piece of land for office buildings. You know, Sir, the present valuation of sites in towns and the cost of constructing buildings. That is to say, it will involve an expenditure of not less than Rs. 25,000. In these days of retrenchment, days when the Government is not able to meet the bare necessities which, when fulfilled, will promote the prosperity and happiness of the bulk of the population of this Presidency, days when the emptiness of the purse is keenly felt by this House as well as by the Government, is this honourable House prepared to spend a sum of Rs. 25,000 on a scheme which serves no purpose?"

"Again, leaving out of consideration the financial aspect of the question, let us consider whether this transfer is not detrimental to the interest of the litigant public. You know, Sir, that parties have often to deposit and withdraw sale amounts, rents, etc., into the treasury as per decrees given by the Special Deputy Collector. There is no treasury office at Tirupati and the parties have to go to Chendragiri alone for this purpose as there is no sub-treasury in the whole of the Chendragiri division except one at Chendragiri. If the main resolution is carried and the court is transferred to Tirupati, then the parties have to go over to Tirupati and then again to Chendragiri either to deposit or withdraw the sale amounts in question. The retention of the Special Deputy Collector's office at Chendragiri as at present will save the litigant public from the unnecessary trouble of going up and down."

"Lastly, as a result of this transfer, the poor petty clerks will be subjected to still more difficulties. Chendragiri is not a big town and consequently the cost of living is low when compared to that of Tirupati. In these days when the non-gazetted officers are clamouring for increase of pay, it is improper on our part to force on them to go to a place where they have to spend more than at present."

"Mr. President, I do not propose to speak further; for I think I have given free and full expression sufficiently to what I feel in connexion with my amendment. I wish to say, in short, the question of transferring the court from Chendragiri to Tirupati overlooks many advantages and does not stand to examination and reason."

"With these remarks, I commend this amendment for the acceptance of this House."

Mr. A. RANGANATHA MUDALIYAR :—"Sir, I have only a very few words to say by way of seconding the amendment. The difference between the main proposition and the amendment is one of the location of the court. My friend,

[Mr. A. Ranganatha Mudaliyar] [13th December 1921]

Mr. Muniswami Nayudu seems to think that the absence of vakils at Chendragiri may be a disadvantage to the litigants who have recourse to this court. I may assure him that vakils are a class of people who will take care of themselves and they will surely flock to the places where they may have work to do. In case the court is stationed at Chendragiri, one or two vakils who have no work to do at Tirupati will go to this place and find it to their advantage to do so."

Mr. B. MUNISWAMI NAYUDU:—"Sir, I am only rising to state that it is immaterial to me whether the court is stationed at Chendragiri or at Tirupati. I wanted that it should be at Tirupati only to meet the convenience of the parties and I am prepared to leave the question of locality to Government. I have no objection to it and with these few remarks I am willing to accept the amendment."

The amendment was put and adopted.

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Mr. President, this Special Deputy Collector, under the present sanction, will cease to have jurisdiction in April 1922. Whether we are going to continue the same court or whether we are going to abolish it, leaving it to the ordinary revenue officers to try these suits, is yet unknown. The resolution is to locate this particular court as a stationary court. If this resolution is accepted, it can only apply for the few months before us.

"Then, Sir, there is another objection to make this court stationary. We asked the Collectors with regard to this matter, and I understand four successive Collectors have investigated this question and after investigation they have come to the conclusion that it is not right to have a stationary court. This again involves a question of principle. When the original Estates Land Act was passed, one reason why jurisdiction was vested in revenue officers was that they as touring officers would be able to go to these villages and deal out justice in those places on matters of which they will have special knowledge without any difficulty and practically without any inconvenience to any one. I do not deny that there may be cases in which important principles might be involved in which professional assistance may be required. In such cases, it is not rare to find a number of tenants joining together and engage professional lawyers, and it has been easy to attract the members of the bar from Madras. Now, Sir, I shall read one passage from the latest report which we have got: 'In 1920 in as many as 82 per cent of suits and other proceedings, the parties were not represented by vakils.' That I think is as it ought to be. 'The suits and other proceedings relating to Estates Land Act, the Deputy Collector is able to dispose of in the locality of the parties concerned.' That is really the principle or rather one of the main points on which the jurisdiction was vested in the revenue courts instead of in munsifs or civil courts. 'He is a touring officer. He saves the ryots the expenses of long road and railway journeys to Tirupati and back.' He says 'Tirupati' is on the edge of the zamindari area. 'The Special Deputy Collector's principal camps are Kalahasti for the Kalahasti taluk, Puttur and Tiruttani for the Puttur and Tiruttani taluks and Tirupati for the Chendragiri taluk. A perusal of the district map will show that these centres are fairly convenient to the litigant public and also all being on railway line are accessible to vakils.' Now, in that state of affairs, I think it will be unreasonable to expect the Government to go and have a stationary court either at Chendragiri or at Tirupati. Because the main idea of vesting jurisdiction in revenue officers is that they will be able to go about and dispose of cases in their tours, and from what we hear from the Collector, this Special Deputy Collector is posting his camp in such a way as to give facilities for

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the ryots from the nearer places to come in and have their cases disposed of. It was said that a very considerable number of cases are dismissed. There is nothing to show it was due to the fact that you have got itinerating officers.

"More especially, as the term of this particular court will expire in April 1922, there is no special advantage in considering this question at the present moment. There will be amendments, I hope soon, of the Estates Land Act when the question may be reconsidered whether it is not desirable to have jurisdiction vested in ordinary munsifs or in stationary courts; also as some provisions of the Civil Procedure Code are applicable to the trial of these suits that necessitates the engaging of professional men to assist the clients in all the cases in which they are concerned and for this purpose to locate the court permanently in a particular place. Therefore, I am unable to accept the resolution."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, the request embodied in this resolution is a very simple one and I am unable to follow the Hon'ble the Law Member in his opposition to the resolution. It was suggested that the present court is a temporary one and that it will expire within a few months. That is a special reason for the acceptance of the resolution. I was somewhat perplexed when I found a divergence of views between the two representatives of this Council from the Chittoor district; but I am glad they have made up their difference and they have agreed that the court need not be located at Tirupati, as originally intended. But the honourable mover pointed out that it was not his object to have the court located at a particular place, but he would leave it to district officers to settle it in consultation with others concerned and fix it later on. When the resolution does not commit the Government to locate it at any particular place, and when, as explained by the Hon'ble the Law Member, he will have an opportunity of considering the whole question again when the matter comes up for its continuance, I do not find any justification for not accepting the resolution to make it stationary, even though it be for a short period. The inconvenience and disadvantages pointed out by the honourable mover, Mr. Muniswami Nayudu, must convince every one that the change is worth trial and that an attempt should be made to make the court stationary. No financial considerations have been put forward before this Council. It has not been said that the acceptance of this resolution would lead the Government to spend more money. When we find that both the representatives feel that there is need for its being made permanent and stationary, I think the request is reasonable and that it should be complied with."

Rao Bahadur T. BALAJI RAO NAYUDU:—"Mr. President, I oppose this resolution for this reason. Though my friends felt some difficulty for making the court stationary either at Chittoor or Chendragiri, I am afraid the object with which these courts are established will be vitiated if they are made stationary. In each district there will be more than one zamindari, and there will be a lot of suits to be tried in connexion with each one of them. The arguments suggested by Mr. Muniswami Nayudu will only serve the purposes of a vakil attending the court, if all the suits are tried at one place. It won't serve the litigant public at all, and it would be very inconvenient for them if it should be in one particular station. Now, the Deputy Collector on special duty goes round the district and tries the suits in different localities, which are as near as possible to the parties concerned. That seems to be the object with which the Government created these special five temporary courts to be itinerating. The object of appointing special officers to dispose of the Estates Land Act suits

[Mr. T. Balaji Rao Nayudu] [18th December 1921]

will be baffled if they are made stationary, and there is also no necessity for making them permanent, for as soon as the pending work is disposed of, the ordinary work will have to be done by the ordinary revenue divisional officer."

Mr. B. MUNISWAMI NAYUDU :—" In regard to the argument of the Hon'ble the Law Member about the administration of justice in the villages, I certainly must say that justice is never administered properly in mufassal places. As I have submitted, these suits are not disposed of summarily. Very often issues are framed and various papers are exhibited in the case and after several stages have been gone through at one place or another, the cases are posted once in three or four months in different villages, and they are taken from camp to camp. There are also instances of suits from one corner being tried at another corner; and if there is any body to profit by this arrangement, I do say that the vakils are profited by this, because they get their own travelling allowance, and I further say that the Deputy Collector also gets his own travelling allowance. But I am speaking on behalf of the ryots. It is urged that four successive Collectors have recommended that this should not be made stationary, and with regard to that I would only say that they were acting evidently on the information of the person who was in charge of the court, and I should say that the interests of the ryots were not consulted. If the court is going to be merely temporary, certainly I welcome the news, but so long as it continues, I think the inconvenience will be minimised by giving effect to this resolution. When the Estates Land Act was passed, the question of Revenue Courts was opposed tooth and nail. There has already been an agitation and the Government also are said to be considering whether jurisdiction should not be transferred to civil courts again."

The Hon'ble Mr. K. SRINIVASA AYYANGAR (*interrupting*) :—" You will have an opportunity of discussing this matter when the amendment to the Estates Land Act is brought before the Council."

Mr. B. MUNISWAMI NAYUDU (*continuing*) :—" With these few words, I press this resolution to a division."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—" I have only one word to say, Sir. I was very anxious for the protection of the ryots and I was not particularly concerned with the vakils, because they could take care of themselves. Now I do not know what basis there is for the honourable the mover to say that the reports of the Collector were based on the information given by the particular officers concerned, nor am I able to appreciate the point why these particular officers should be anxious to go about from village to village instead of sitting at a particular place. I presume, Sir, that the Collectors who had to do with this matter made inquiries of all parties who were interested and came to the conclusion that these touring officers did their duty better in the trial of cases, because they could post cases nearer to the place where the parties are, and as I told the Council just now, the camps are fixed at several places which are nearer to the place where the cases are to be tried. If in any particular case an officer perversely posts a case coming from one end of the district at another end, all I can say is, it is perverse. Then the remedy is not by making the court stationary, but by bringing such cases to the notice of the Government or the Collector when sufficient directions will be given to prevent any misuse of the discretion."

The resolution as amended was then put to the vote and declared carried.

On the motion of the Hon'ble Mr. K. Srinivasa Ayyangar, a poll was taken.

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Ayes—55.

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| 1. Mr. B. Appaswami Nayudu. | 29. Mr. S. Mottumanickaswami. |
| 2. Diwan Bahadur C. Arunachala Mudaliyar. | 30. Rao Bahadur C. V. S. Narasimha Raju. |
| 3. Rao Sahib P. C. Ethirajulu Nayudu. | 31. Mr. K. V. Ramaswami. |
| 4. Mr. K. Gopalakrishnaiah. | 32. Rao Sahib U. Rama Rao. |
| 5. Sir P. Tyagaraya Chettiyar. | 33. Mr. A. Ranganatha Mudaliyar. |
| 6. Diwan Bahadur R. Venkataratnam Nayudu. | 34. Mr. K. Sadasiva Bhat. |
| 7. Mr. T. A. Ramalinga Chettiyar. | 35. Sriman Sasibhusana Rath. |
| 8. Mr. O. Tanikachala Chettiyar. | 36. Diwan Bahadur D. Seethagiri Rao. |
| 9. Mr. B. Muniswami Nayudu. | 37. Mr. T. Sivasankaram Pillai. |
| 10. Mr. A. T. Muttukumaraswami Chettiyar. | 38. Mr. M. Suryanarayana. |
| 11. Mr. M. Narayanaswami Reddi. | 39. Mr. C. V. Venkataratnam Ayyangar. |
| 12. Mr. C. Natesa Mudaliyar. | 40. Mr. T. Arumainatha Pillai. |
| 13. Mr. V. Pachirawami Pillai. | 41. Mr. A. T. Palmer. |
| 14. Mr. C. Ponnuswami Nayudu. | 42. Mr. G. Vandanaam. |
| 15. Rao Bahadur A. Ramayya Panja. | 43. The Raja of Ramnad. |
| 16. Mr. K. Sarabha Reddi. | 44. The Zamindar of Mandasa. |
| 17. Mr. W. P. A. Saundara Pandya Nadar. | 45. K. Prabhakaran Tampan. |
| 18. Mr. K. K. Shanmukham Chettiyar. | 46. Mr. Abbas Ali Khan Bahadur. |
| 19. Mr. T. Somasundaram Mudaliyar. | 47. Saiyid Diwan Abdul-Razak Sahib Bahadur. |
| 20. Mr. N. A. V. Somasundaram Pillai. | 48. Khan Sahib Muhammad Abdur Rahman Sahib. |
| 21. Mr. S. Somasundaram Pillai. | 49. Mr. Munshi Muhammad Abdur Rahman Sahib. |
| 22. Mr. A. Sebbarayudu. | 50. Mr. Saiyid Muhammad Padsha Sahib. |
| 23. Diwan Bahadur K. Suryanarayanamurthi Nayudu. | 51. Mr. Hamid Sultan Marakkayar. |
| 24. Mr. A. Tangavelu Nayagar. | 52. Khan Bahadur Muhammad Usman Sahib. |
| 25. Mr. W. Vijayaraghava Mudaliyar. | 53. Mr. M. C. Raja. |
| 26. Diwan Bahadur M. Ramachandra Rao. | 54. Mr. B. T. Kesavalu Pillai. |
| 27. Diwan Bahadur M. Krishnan Nayar. | 55. Mr. M. C. Madurai Pillai. |
| 28. Rao Bahadur A. S. Krishna Rao. | |

Noes—14.

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| 1. The Hon'ble Sir Lionel Davidson. | 7. The Hon'ble Rao Bahadur A. P. Patro. |
| 2. " Sir Charles Todhunter. | 8. Mr. R. Littlehales. |
| 3. " Khan Bahadur Muhammad Habib-ul-lah Sahib Bahadur. | 9. Mr. E. Periyaswami. |
| 4. " Mr. K. Srinivasa Ayyangar. | 10. Mr. P. Subbarayan. |
| 5. " Mr. P. Ramarayanagar. | 11. Mr. C. W. E. Cottou. |
| 6. " Rai Bahadur K. Venkatarreddi Nayudu. | 12. Rao Bahadur T. Balaji Rao Nayudu. |
| | 13. Rai Bahadur T. M. Narasimhaswami. |
| | 14. Mr. Muhammad Sadulla Badsha Sahib. |

The Hon'ble the PRESIDENT :—" The Council will now adjourn and meet again at 4 p.m. when the result of the poll will be announced."

The Council reassembled at 4 p.m.

The Hon'ble the PRESIDENT :—" The resolution has been carried, 55 voting for the resolution and 14 against."

THE MAPPILLA PRISONERS' TRAIN TRAGEDY.

The special motion for the discussion of the Mappilla prisoners' train tragedy was then taken up under Standing Order 22.

Mr. R. K. SHANMUKHAM CHETTIYAR :—" Mr. President, Sir, in venturing to draw the attention of this honourable House to the gloomy tragedy in which more than 60 human beings perished on account of being denied the liberty of breathing air, I do so with all the sense of responsibility that devolves upon me not merely as a representative of the people but as one pledged to support the Government in their endeavours to put down the forces working for disorder. I feel it necessary to begin with this remark, for it is now the tendency and fashion to condemn all legitimate and popular demands as springing from the dark machinations of the non-co-operator, and to brush aside even legitimate criticisms on the actions of Government as the wicked bragging of demagogues who are supposed to make 'political capital' out of trivial incidents

[Mr. R. K. Shanmukham Chettiyar]

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and use them as 'propaganda' to bring into contempt the prestige of the powers that be. So, Sir, I thought it necessary to bring to the notice of honourable members that in initiating this discussion I do so with a full sense of responsibility that attaches to me as a member of this House. It might be urged, Sir, that this deplorable incident is the subject of enquiry by an independent committee and as such a consideration of this by this House at the present stage is premature, and in anticipation of this objection being raised, I may state at the outset that I consider the very principle on which this committee of enquiry has been constituted is fallacious and as such I think I ought to draw the attention of this House to the way in which the enquiry has been launched. I have nothing, Sir, to say against the competence of the members of this committee to judge in this matter. But I am at a loss to understand how the deliberations of a committee of this nature can be presided over by an official who, I consider, ought to be responsible for the arrangements or the lack of arrangements that brought about this deplorable incident. I have no doubt, Sir, that Mr. Knapp as an individual is eminently fitted to conduct an enquiry of this nature. But as the High Commissioner of Malabar, as the highest official of the locality who ought to be directly or indirectly responsible for the administration of the area, it is very doubtful whether it is fit and proper that he should sit in judgment over this affair. In my humble opinion, one of the essential facts which a committee of enquiry must elicit in this affair is what portion of responsibility for this tragic incident must be borne by the Special Commissioner himself, and if this view of this case is correct, I think I am justified in maintaining that the place of the Special Commissioner in a committee of this nature is the witness box and not the Judge's seat. The place of the Commissioner in the committee being the reverse of what it ought to be, I think the public can be pardoned for feeling that the committee as constituted at present is one of those whitewashing committees which is meant to invent a theory rather than elucidate the facts. The action of Government itself has contributed not a little to the creation of this unfortunate feeling in the public mind. The press communique of the 21st November expressed the regret of the Government at this sad occurrence and their determination to spare no pains fully to elucidate the circumstances which resulted in this terrible loss of life. So far it was very good. But then, unfortunately, within a day after, that is, on the 23rd November, another communique was issued which stated that 'from further information which has reached the Government they learn that the Mappilla prisoners whose deaths are under investigation travelled in a luggage van similar to that in which such prisoners have been regularly conveyed hitherto without any ill effects whatsoever'—and now comes the unfortunate portion of the communique—'there are other circumstances also which throw doubt on the diagnosis first made that the cause of death was asphyxiation'. May I venture to ask, Sir, what are those other circumstances which were subsequently brought to the notice of Government? May I ask who was responsible for making Government doubt the first diagnosis, and made them run to the Press and issue the second communique? Especially after the expression of the confirmed opinion of three medical officers that the cause of death was asphyxiation, is it not natural that public confidence was shaken by the second communique? And in the face of such a communique, is it any wonder that the impression got abroad that an attempt was being made to explain away the incident by propounding theories?

"As if these circumstances were not sufficient to prejudice the public mind and as if an evil fate was brooding over the committee from the outset, the deplorable mistake made in the notification issued about the place of the first sitting of the

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committee has contributed not a little to the uneasiness created in the public mind. The press communique of the 25th November stated that the enquiry would begin at Coimbatore on Tuesday and the only other notification in modification of the same was the announcement in the papers the next day that the enquiry would begin on Monday the 28th November."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"May I ask, Sir, if the Honourable Member is alluding to a press communique by the Government or to information issued by Mr. Knapp?"

Mr. R. K. SHANMUKHAM CHETTIYAR (*continuing*):—"I do not know, Sir, under whose authority the communications were issued. But we know that the first communique was the press communique issued by the Government and the second was a notification in the papers. The editors of the papers will be in a better position to answer the question."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"I only wanted to know, Sir, what the particular communique referred to was, as I do not seem to have a copy of it."

Mr. R. K. SHANMUKHAM CHETTIYAR (*continuing*):—"I have got a copy of the notification dated 25th November which gives the date and the place of enquiry. It states: 'The first meeting of Mr. Knapp's committee on the recent deaths of Mappilla prisoners will be at Coimbatore at 10 a.m. on Tuesday next, November 29. It will not be possible for all members to reach Coimbatore earlier.'—N. E. MARJORIBANKS, Acting Chief Secretary."

The Hon'ble Sir LIONEL DAVIDSON:—"I should like to see it, Sir."

The copy of the notification was passed from Mr. R. K. Shanmukham Chettiyar to the Hon'ble Sir Lionel Davidson.

Mr. R. K. SHANMUKHAM CHETTIYAR:—"No place being mentioned in the second notification, it was naturally thought the place had not been altered. But when some of us at Coimbatore tried to find out where the committee sat on the 29th November, it looked as if nobody knew anything about the place of enquiry. And the information came a day after that the committee had begun its sittings at Tirur the day previous. Of course no one suggested that the mistake was intentional. But considering the seriousness of the situation and the importance of the enquiry, it must be admitted that the mistake is inexcusable."

"Now coming to the tragedy itself, a few questions obviously arise out of the facts connected with the incident and the evidence disclosed at the enquiry. Have the officials responsible for making the arrangements for the conveyance of prisoners exercised due care and judgment in making these arrangements? What is the responsibility of the Railway Company in providing accommodation in such cases? Has the person who made arrangement for this particular journey and escorted the prisoners done his duty as a reasonable man is expected to do? And last but not least, what portion of the responsibility for this incident must be borne by the Special Commissioner in charge of affairs in Malabar?"

"According to the evidence of Mr. Reeves, the Traffic Inspector, Colonel Humphreys, Mr. Evans and Mr. Hitchcock decided on the 1st of September to use waggons for the conveyance of prisoners. In the course of the enquiry three medical officers have in unequivocal terms expressed that the waggons of the type used in the present case are unfit for the conveyance of human beings."

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4-15 p.m. "It was sought to be made out that on several occasions prisoners had been conveyed in similar waggons without any mishap and that in this particular case the mesh of the wire was blocked with paint and hence the result. But in the course of the enquiry, being asked whether, even if the gauze were removed from all the doors, this van can be used with safety for the conveyance of human beings. Br. O'Conner replied: 'Certainly not for human beings'. Such an emphatic pronouncement would go to show that even for a layman the nature of the waggon would at least throw a doubt whether it is fit for the conveyance of human beings. Such being the case, Sir, is it unreasonable to ask whether in making arrangements for conveying prisoners in vans, the three officials satisfied themselves either by taking medical opinion or otherwise that these vans were fit for the purpose in view? And under these circumstances, will it be too much to say that Government ought to satisfy themselves and the public whether the three officers concerned exercised due care and judgment in the discharge of their duties?"

"And what is the responsibility of the Railway Company and its officials in a matter like this? It would be worth while to know whether in supplying whatever kind of carriage for conveying human beings, there is not an implied warrant of the fitness of these carriages for the purpose for which they are used and when it turns out, as in this instance, that the carriages supplied by the railway officials are, on the face of it, unsuited for the conveyance of human beings, may I ask whether in such a case the railway officials are not guilty of culpable negligence if not of a positive breach of duty?"

"In spite of all these, the unpardonable indifference of the officers responsible for the arrangements and the almost criminal negligence of the railway official concerned, in spite of all these I say, the tragedy might have been averted if only the man who escorted the prisoners—Sergeant Andrews—the Dyer of Malabar—had been a little more humane. I should think, Sir, that the mentality of this man is not far different from that of his more famous counter-part of Punjab."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"May I ask the name of the man referred to, and Sir, I would also ask you to use your influence with the honourable mover to induce him not to indulge in detailed incrimination of individuals when speaking on this motion?"

Mr. R. K. SHANMUKHAM CHETTIYAR (*continuing*):—"I am sorry, Sir, I did not hear a word of what the honourable member said."

The Hon'ble the PRESIDENT:—"The honourable member had better proceed with his speech."

Mr. R. K. SHANMUKHAM CHETTIYAR (*continuing*):—"An erroneous conception of his duty and a lamentable indifference to human suffering—these are the essences of Dyerism and these qualities are evidently predominant in this man."

The Hon'ble the PRESIDENT:—"May I know to which man the honourable member refers?"

Mr. R. K. SHANMUKHAM CHETTIYAR (*continuing*):—"Sergeant Andrews who escorted the prisoners. The mentality of this man could be imagined from the fact that even when the van was opened at Podanur and this gruesome tragedy was exhibited to public view and most of the prisoners were found dead, or groaning in death agony, he refused to remove the men even when asked by Captain Mathai, the senior Medical officer. It is no wonder then that this gallant man at his post of duty turned a deaf ear to the agonizing cries of dying men asking for nothing more than air and water."

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"I have so far dealt with the part played in this tragedy by the three eminent officials in Malabar, by the railway officials and by the escort. And now last but not least, may I, in all humility, ask what portion of the responsibility for this affair must be borne by that august personage—the Special Commissioner for Malabar affairs? Even before this occurrence, there were complaints in the leading journals about the unsatisfactory way in which the Mappilla prisoners were conveyed. Were these brought to the notice of the Special Commissioner, and did he, as the highest official of the locality, inquire into the truth of the allegations and satisfy himself that the arrangements made for the conveyance of prisoners were quite satisfactory? Or, are these affairs beyond his jurisdiction? And, in this connexion, without attempting to pry into Olympian secrets, may I ask what are the duties of this Special Officer? If he is the highest authority responsible for the administration of the area under him, can it be contended that he is the fit and proper person to inquire into this affair?"

"It is for these reasons, Sir, that I consider that a committee presided over by an independent judge should thoroughly investigate the affair and find out the culprits and the share of the responsibility of each for their crime. For, I firmly believe that this incident is a crime and that its appalling magnitude will do incalculable injury to the Government if the offenders are not properly punished. Whether the Blackhole of Calcutta was a myth or an historical fact, we have before our very eyes witnessed a scene which in its tragic gloom has, I think, far surpassed that dark picture painted in History."

"Well, Sir, it is seriously observed in certain quarters that all this sympathy for this affair is wasted and is worthy of a better cause. No one denies the atrocities committed by the Mappillas in Malabar, but can it be denied that the State owes a duty even to its most heinous criminals? And can the Government and this honourable House try to make 'political capital' out of this event in Malabar? And when gentlemen clothed in the authority of the State commit such stupendous atrocities, are they to go unpunished? Commenting on this incident, the *Daily Mail*, a leading journal in England, observed: 'The atrocity was committed by some man clothed in the authority of Britain with the result that in native eyes we stand guilty of an infamy as vile as the Black Hole of Calcutta. The man responsible must immediately be identified, brought to trial without delay and hanged promptly. Nothing else will satisfy our many pledges to India.' Such emphatic pronouncements from responsible Englishmen come as a silver lining in gloomy clouds and renew our faith in British justice."

"I have no doubt that this House with a unanimous voice will claim that justice must be meted out. We realize the great responsibilities of Government. But this House has also a heavy responsibility not merely to the country but to itself. It is no wonder that persons steeped in bureaucratic or autocratic traditions all their life should look upon what is said in this House as the harmless letting out of steam. But if the new order of things mean anything, I have no doubt that our legitimate demands will not go unheeded as the voice of one crying in the wilderness."

"A year has not yet gone by since His Royal Highness the Duke of Connaught came to heal the wounds inflicted by the Punjab wrongs and gave his message to forgive and forget—a message that brought about a revival of faith, a renewal of hope. And at the heels of His Royal Highness came a Viceroy with his watchword *Justice*. And I plead that, if for nothing else, at least to maintain the real

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prestige of this Government, justice will be made to prevail so that our countrymen might not say in despair, 'Earth is sick and Heaven is weary of the vain words which kings and states utter when they talk of truth and justice.' "

The Hon'ble Sir LIONEL DAVIDSON:—"The honourable mover of this motion for adjournment has closed his speech with an invocation to truth and justice. I, Sir, will begin mine with an appeal to this Council to wait until the truth in regard to this deplorable disaster has been elucidated by the committee which has been appointed to inquire into it and not to forget that justice is due also to those who may have to bear a share in the terrible responsibility for the tragedy. I do not, Sir, propose to follow the mover into the details of his criticisms of Col. Humphreys, Mr. Evans or Sergeant Andrews. All these gentlemen and others may in some degree perhaps be implicated, in some cases clearly, in other cases not so clearly. But our instructions to the members of the committee that is investigating the case are that it is their duty to express their opinion as to the responsibility for the catastrophe and we have told them that if they find themselves able to fix the responsibility on any person or persons, such person or persons should be given an opportunity of submitting any explanation they may wish to offer before the findings of the committee are laid before the Government in the shape of a final report.

"We have been treated to-day to an indictment of one man, Sergeant Andrews, based on evidence as reported by the press. I venture to think, Sir, that even in the case of Sergeant Andrews, it is incumbent upon this Council to withhold judgment until the whole record is available and until anything that he may have to say in respect of any specific indictment of his acts is also on record. I feel, Sir, it is more consonant with the dictates of justice that we should adopt such a course. And I am sure that I shall carry the sense of the House with me when I implore other speakers on this debate to abstain from following the lead of the mover by discussing the case against individuals or stating opinions in regard to the responsibility of particular persons. To generalities there is no objection, but it is unfair to condemn individuals on the strength of newspaper reports and without full knowledge of what their defence may be. It is especially unfair to adopt that course when a committee, against the personnel of which, I believe, little exception has been taken, is sitting and endeavouring to elucidate the full facts of the case.

"The initial instruction of the Government was issued to Mr. Knapp within a period of not many hours from the time when the first report by telegram arrived. Information in that form was received from the District Magistrate of Coimbatore on the afternoon of the 20th November and his written report followed the next morning giving the result of a preliminary inquiry. His Excellency the Governor immediately convened a special meeting of the Cabinet and in consequence of that meeting the communique which appeared in the papers on the 21st November was issued. Telegraphic instructions were also sent to Mr. Knapp to make immediate and full inquiry into this most deplorable occurrence and to spare no pains fully to elucidate the circumstances which had resulted in this terrible loss of life and suffering. The Government, I understand, are found fault

with for having entrusted the duty of this inquiry to Mr. Knapp, and it is suggested that a portion of the responsibility for this event rests upon his shoulders. Let me, therefore, invite the attention of this House to the facts in regard to Mr. Knapp's appointment."

Mr. R. K. SHANMUKHAM CHETTIYAR (*interrupting*):—"I did not make the statement that the responsibility for this rests upon Mr. Knapp. What I said was

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that the committee of inquiry ought to find out how far it rests upon Mr. Knapp. Being the Special Commissioner for Malabar, he is generally responsible for whatever takes place, for the administration of affairs within his jurisdiction."

The Hon'ble Sir LIONEL DAVIDSON (*continuing*):—"I am within the recollection of the House, Sir, when I say that the Honourable Member suggested that a portion of the responsibility rested upon the shoulders of Mr. Knapp. It was a matter within the knowledge of the Government, at the time when Mr. Knapp was appointed to carry out this inquiry, that he could have had no real responsibility for this tragedy. He was not on the spot, and it was only a matter of two or three weeks since he had been appointed to the post of Special Commissioner of Malabar affairs. There was no reason, nor is there now any, for supposing that he had a share of responsibility in the matter. If the arrangements for the transport of prisoners were materially defective, it would not have been reasonable to suppose that, within the short interval of time between his appointment and his visit to Malabar he should have found out and set right anything that was wrong in that direction. The order appointing him, which was issued on the 24th October, gave him general powers over all civil officers, and appointed him to examine and deal with all questions arising out of the rebellion in the martial law area. I cannot at this moment say, Sir, exactly when Mr. Knapp paid his first visit to Malabar after his appointment, but I know that it was not for some little time, after handing over charge to Sir Charles Todhunter in the last week of October; he first remained in Madras for several days, paid next a brief visit to Malabar, including a journey to Cannanore and then returned, I think, to Madras proceeding later to Ootacamund in order to interview the General Officer Commanding whose headquarters are at Wellington, where it was convenient for Mr. Knapp to meet and confer with him. My point, however, Sir, is merely this, that knowing Mr. Knapp's movements the Government had at that time no reason whatsoever to attribute any share of the responsibility to him. Nor has anything that has transpired since caused them to change that opinion. This being so, as the chief civil officer in the area, he was clearly the most proper person to preside over a special inquiry directed in the matter. It was also, as my honourable colleague reminds me, a matter of extreme importance that an enquiry should be initiated at once. We knew that, on the morning of Monday the 21st November, Mr. Knapp was already at Coimbatore; Mr. Evans had proceeded to the spot from Malappuram immediately after he heard of the occurrence; and, similarly, Mr. Knapp had left Ootacamund immediately after the information reached him. Both officers were on the spot by Sunday night and making such immediate inquiry as was possible.

"The next step the Government took was to associate three non-official gentlemen with Mr. Knapp in his investigation. Care was taken to suggest representatives of various sections of the community, and I have not as yet in the press or elsewhere heard any criticism of the personnel of Mr. Knapp's associates."

"I come next, Sir, to the communique of the 23rd November which has caused Mr. Shanmukham Chettiyar some anxiety. There is, Sir, a simple explanation of that communique. The passage to which exception is taken is contained in this sentence: 'There are other circumstances also which throw doubt on the diagnosis first made that the cause of death was asphyxiation.' That, Sir, is a purely medical point. The reason why that sentence was inserted in the communique, which, mark me, Sir, was issued on the 23rd of November, little more than forty-eight hours after the first reports had reached the Government was that the Government had made inquiries of the Surgeon-General and

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other medical officers of high standing in Madras, showing the Surgeon-General in particular such reports as had then been received at the time, whether they were in a position definitely to pronounce what the cause of the death was. The view stated in reply was that there was a definite doubt on the point. The Surgeon-General could not be certain that asphyxiation was the real cause, for certain symptoms as reported at that time were inconsistent with the usual concomitants of asphyxiation. We looked on this as a purely medical point and because we wished to have that issue of the exact cause of death definitely settled, we instructed Surgeon-General Giffard to go and make a personal investigation in the matter. That is the reason for the insertion of this sentence in the communique, and it is immediately followed by a note of the fact that the Surgeon-General had been instructed to proceed to the spot and make full investigation as to the cause of death of those prisoners. I may here say, Sir, that honourable members are far too apt to look on these past communiques in the light of their present knowledge. Mr. Shanmukham Chettiyar apparently assumes that at the time when the communique of the 23rd was issued we had before us all the medical opinion to which he now refers. It was because there was some conflict in the medical opinion then available to Government that the Surgeon-General was instructed to make a special inquiry. The result of his visit was to bring out that the cause of death beyond any reasonable doubt was slow suffocation together with heat exhaustion—not very different from asphyxiation but not precisely the same. The Surgeon-General also told us, Sir, that there was not likely to be any conflict of opinion on the point so far as the medical witnesses were concerned. It is largely on that communique, and the reference to a doubt on the question of asphyxiation, that the mover has, I gather, based his inference that the committee has been appointed to whitewash and not to elucidate the facts. I should like, Sir, to repudiate that suggestion as strongly as I possibly can."

Mr. R. K. SHANMUKHAM CHETTIYAR (*interrupting*):—"It was not my opinion, Sir, that the Committee was meant to be a committee for whitewashing. I said that the inference was created in the public mind, the unfortunate inference, that, after all, the committee was one of those whitewashing committees."

The Hon'ble Sir LIONEL DAVIDSON (*continuing*):—"I think, Sir, that his remark clearly suggested that there was a certain amount of colour for such a popular view. I am quite ready to accept his assurance that he did not himself intend to make the suggestion. But I think he spoke of its being the practice of Government to appoint whitewashing committees, and his remarks led to such an inference."

Mr. R. K. SHANMUKHAM CHETTIYAR (*interrupting*):—"I leave the inference from my speech to the Hon'ble the Home Member."

The Hon'ble Sir LIONEL DAVIDSON (*continuing*):—"I am merely mentioning what inference the man in the street would draw if he had heard what the Honourable Member said, and it is that inference which I wish to repudiate as strongly as I can. I do want it to be understood by every gentleman in this House that the Government are not trying to whitewash those who are responsible for this terrible tragedy. We want to get at the facts as much as anybody here. We regret as much as anybody in this House or outside, that such a terrible tragedy should have occurred, but we do not want to condemn people before they have been heard or to form hasty conclusions."

"I will next deal with the Honourable Member's comments on the mistake in the notification of the inquiry regarding the place at which it was to be held. I am

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grateful for him for letting me see the printed communique of the 25th November which he read out. I have not the original, but I have traced the authority for it in the shape of a telegram from Mr. Knapp which runs thus:

'Rama Ayyar unable arrive Coimbatore before Tuesday and unlikely that Krishna Varma will be available before then. Have fixed first sitting of committee Coimbatore 10 a.m. Please inform press.'

"That is the basis of the communiqué. I think that later on a reference to Tirur as the place of further inquiry must have been embodied in a communique issued by Mr. Knapp himself. I cannot carry the details in my head but I do know that Mr. Knapp told me himself personally that he did not think there had been any mistake, and that he had taken particular pains to make it clear at Coimbatore where the next sitting of the committee would be held. There was certainly not the least intention to mislead any persons who might desire to attend the inquiry. If I had had any notice of this motion and the fact that stress would be laid on the minor point, I could and would have made certain of the facts by a reference to Mr. Knapp."

"Before I sit down, Sir, there is only one other thing which I need say. Attention having been called to an extract from the *Daily Mail* telegraphed out to India, I should like to assure the honourable mover that the average reader in England is not apt to regard such hasty statements as equivalent to pronouncements of responsible persons. I do not know what matter was available to the *Daily Mail* at the time, but it can only have been a brief telegram. Is it reasonable or fair on material of that description to base a demand that 'the man responsible should be brought to trial without delay and hanged promptly' or to say that 'nothing less will satisfy our many pledges to India?'"

Sir P. TYAGARAYA CHETTIYAR:—"Mr. President, I am afraid we are rushing to form opinions on matters which are *sub judice*. Nobody denies the fact that it was a very deplorable incident that occurred, and I think nobody can justify it; nor does the Government wish to justify it. Sir, the moment the matter was brought to the notice of the Government, they at once appointed a committee. What better committee could the Government have appointed than the present one? There are three non-official gentlemen on the committee. The personnel of the committee is composed of the best possible men. From the careful cross-examination of Mr. Manjeri Rama Ayyar and from the evidence so far published in the papers, we find how deeply the committee is going into every detail. The Government did all they could possibly have done in the matter. What else could be done on the spur of the moment? When the Government heard of this disaster, they at once rushed to start a committee. Of course in course of time when the whole matter has been investigated and the report published, it will be time enough for us to form our own opinion as to what ought to be done further in the matter."

"It is quite evident from what has been stated by the Hon'ble the Home Member that the Government with great promptitude, I should say without losing even a single moment, appointed the committee. They wanted to do their duty and they are willing that the men who are responsible are to be punished. We outsiders have no responsibility in the matter. I mean to say that we have not that responsibility of the officials, but I mean that if we are placed in that position we would leave everything to the man on the spot. The men who are held responsible must know what they have to do in the matter. If the report is published then it will be time enough for us to say whether they correctly appreciated the state of affairs and if we differ from them then we can say so."

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Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—“Mr. President, I am glad that the Hon'ble the Home Member told the House that the Government are trying to get at the real facts, and if the real facts are before them, then I am sure the Government will punish as early as possible those who are responsible for this unfortunate tragedy. It was mentioned that Mr. Knapp's committee would be partial, but I do not for one moment doubt the impartiality of Mr. Knapp's committee, and I am sure that Mr. Knapp will come out with flying colours with regard to the impartiality with which he will deal with this case. Sir, it is very unfortunate that this tragedy happened at all. At this moment there are no two opinions in this House with regard to that. We have now got the assurance of the Hon'ble the Home Member that everything will be done after getting at the facts. All that this House is interested in this matter is that Government should punish severely those who are found responsible for this unfortunate tragedy.

“Leaving aside Mr. Knapp whom we all know very well and who was our colleague till recently, there are three non-official gentlemen on the committee, and I do not think it is fair to attack the committee at this moment by saying that it is a whitewashing committee. I am sure the committee will soon come out with their decision in the most impartial manner. I cannot help saying that the Government have done all that they possibly can. They cannot of course bring to life those that are dead. The moment the newspapers announced publicly the occurrence of this unfortunate tragedy, then almost simultaneously came out their communique appointing a committee of inquiry. I am sure that when the facts are before them, the Government will, in the interests of justice, give deterrent punishment to those who are responsible for this unfortunate neglect of duty.”

Mr. SAIYID MUHAMMAD PADSHA SAHIB Bahadur:—“Mr. President, whatever explanations are offered by those who were entrusted with the custody of the prisoners or by their friends in the matter and whatever palliatives are urged to attenuate in the matter, no such endeavour can succeed in alleviating the enormity of the act perpetrated by those responsible for this tragedy. Sir, in the first place to attempt to convey human beings in a vehicle which is constructed solely for the purpose of carrying goods, not even cattle, is a piece of cruelty, pure and simple. But to thrust about a hundred men in a waggon in which even air could not easily pass and which ordinarily could not boast of sufficient means for the access of air and which on the fatal occasion was rendered completely air-tight by the painting of the wire gauze, is an act of inhumanity which passes all comprehension. My honourable friend, Mr. Shanmukham Chettiyar, who has made this motion has given sufficient account of the way in which the circumstances occurred that resulted in that terrible loss of life, and it is not therefore necessary for me to go over the same ground and to repeat what has been stated by him in his eloquent and well-reasoned speech carrying conviction to the minds of all. Whatever may be the constitution of Mr. Knapp's committee, I think any one who has followed the proceedings of that committee and attempted to scrutinise the evidence that was adduced before that committee can see what utter indifference and what heartless callousness were evinced by those who were entrusted with the lives of those unfortunate persons. No doubt, Sir, attempts were made even in that committee by some of the witnesses to colour the true complexion of the affair. Some of the stationmasters who were examined, systematically denied having ever heard of the cry for water or for air. Sir, it is preposterous to think that about 60 or 64 persons who died of asphyxiation would have made a swan like exit out of this world without suffering any agony. Reading between the lines

[18th December 1921] [Mr. Saiyid Muhammad Padsha Sahib]

of the facts so far disclosed in the press, a cursory examination of the circumstances clearly shows that there have been repeated warnings given to the people who formed the escort and to the stationmasters and others who had also a proportionate share in the catastrophe. There were repeated calls, piteous cries and uproarious clamour for water and air; but these warnings were not heeded by the people. The head constable for instance brushed aside all these things by saying ‘Let the dead die, we will take care of the living.’

“Here, I should like to say that it is not the intention of the honourable mover of this motion or for the matter of that of any member of this House to throw obstacles in the way of the Government doing what is just and best under the circumstances. Nobody in this House would like to throw any obstacle in the way of the Government putting down the unhappy rebellion in Malabar. On the other hand every one of us is anxious that the unfortunate events that are occurring in Malabar should end soon. But, Sir, though we do not ask for any undue mercy to be shown to the rebels who are in arms and though when at large and defiant the rebels may be dealt with severely when inevitable circumstances justify, yet when once they are entrusted to us, their lives are as precious as those of any other citizen in this country. I should be failing in my duty if I do not mention to the Government the depth of our feeling in the matter and that they should try to do all they can possibly do in this affair. And I may state, Sir, that I am sorry for the second communique issued by the Government and referred to by my honourable friend, Mr. Shanmukham Chettiyar. It was issued after the post-mortem examination of some of the bodies was conducted and after competent medical men had pronounced on the cause of death and yet it was issued in the face of the existing facts. I am merely saying all these from the reports that appeared in the newspapers. From the very first day it was published in the papers, it was clear that the cause of death was asphyxiation. The evidence of the medical witnesses is enough to establish indisputably that the cause of death was asphyxiation. The other medical men who were not present at the post-mortem examination, however efficient they may be, can only theorise and they cannot speak from personal knowledge. Therefore the opinions of those in Madras or elsewhere should not have much weight. All that this House desires is that the matter should be investigated thoroughly and the persons who are found responsible for this tragedy should be brought to book.”

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—“Mr. President, Sir, the Honourable Member, Mr. R. K. Shanmukham Chettiyar, has,

6 p.m.

I venture to think, done the right thing in giving notice of this motion with a view to give expression to the feeling of great indignation that prevails throughout the Presidency. I must say, Sir, that this matter has attracted widespread attention not only in this Presidency, but throughout India and also in the United Kingdom. And if, in dealing with a matter of this character, we do not put forward the feelings of the people, I think we should be wanting in our duty to the people and to the Government. Now, Sir, I join the Hon'ble Sir Lionel Davidson in the expressions that he has used, expressions of horror and indignation, and thank him for the assurance that those who are responsible for this horrible tragedy will be adequately dealt with. I do not wish to go into the question of responsibility now. I myself had given notice of a motion to deal with this matter, but on account of the difficulty pointed out by the Hon'ble the Home Member, the difficulty of adequately dealing with the whole subject of responsibility now and awarding punishments, I did not press my motion.

[Mr. M. Ramachandra Rao Pantulu] [13th December 1921]

"Again, Sir, I may say that in dealing with a question of this character we shall also have to see that we, in this House, have an adequate opportunity of dealing with this matter. We have a meeting in January, which I take it will be merely of a ceremonial character, and subject to anything that may be announced by you as President, the next meeting when we can discuss this will be only in February next. Therefore if the report of this committee of Mr. Knapp is received and the Government proceeds to pass orders on this matter without waiting for an adequate discussion in the Council, it would be unfortunate —"

The Hon'ble the PRESIDENT:—"Probably it might be of help to the Honourable Member if I say that there will be a business meeting of the House in January."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"I thank you for your assurance, Sir. The report is likely to be received by the Hon'ble the Home Member very soon. I hope he will give us an opportunity of discussing it at a later stage."

"It has been stated that the Railway Company held an inquiry into this matter. It has also been said that Surgeon-General Giffard went there and made certain inquiries. I wish to ask the Hon'ble the Home Member whether all these papers will be available to the honourable members of this House when this question comes up for discussion again."

"Now, if Mr. Knapp's committee comes to the conclusion that the three officials referred to by Mr. Shanmukham Chettiyar, Mr. Hitchcock, Colonel Humphreys and Mr. Evans have anything to do with this matter, is this committee going to ask those gentlemen to tender an explanation in regard to their responsibility in this matter? After getting explanation from them is this committee going to fix the responsibility on any or all the three officers concerned in regard to their share in this affair?"

"Sir, I have only one other remark to make in this connexion. Whatever may be the result of this inquiry I should like to impress on the Hon'ble the Home Member the fact that, unless the officials concerned are adequately punished, it will lead to a widespread agitation not only in India but also in the Parliament. The Hon'ble the Home Member made some reference to the state of public opinion in England. I may assure him that most of the people in England know nothing about India or the administration of India."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"My reference was not to the public opinion in England, but to the expression of opinion in the *Daily Mail*. My point was that the *Daily Mail* is not always to be regarded as a responsible authority in matters of this sort."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"That is altogether beside the question."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"Exactly so. It is altogether beside the point."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"I may say that whether the *Daily Mail*, the *Morning Post*, or the *Daily Telegraph* takes a particular view is quite beside the point. The matter is one which has attracted as much widespread attention and raised as much indignation and intensity of feeling as the Punjab atrocities. I want to impress this essential fact that whoever is found responsible should be brought to book and awarded adequate punishment."

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"Something has been said about the fitness of Mr. Knapp to preside over a committee of this sort. From an examination of the evidence before the committee, it seems to me that the practice of carrying Mappilla prisoners in closed wagons began some time in September, about two months before Mr. Knapp took charge of his office as Special Commissioner. This was continued until the day when this great catastrophe took place, i.e., the 19th November. As to whether Mr. Knapp was or was not aware of the practice which had been established is a question which has to be elucidated by the report which no doubt will be submitted to the Government."

"Sir, I have sent two or three interpellations to the Government bringing to their notice the fact that definite orders of Government are contained in the Police Orders in regard to the conveyance of prisoners. The escorts are given definite instructions as to the way in which carriages should be reserved. I take it that according to the Police Orders the prisoners are not to be conveyed in closed wagons. I should like to know whether there are any specific orders authorizing anybody in Malabar to deviate from the practice laid down in the Police Orders. That is the reason for my interpellation. If the Hon'ble the Home Member tells me that there are definite orders to deviate from the regular procedure then the question of responsibility can be fixed. It seems to me that to consign prisoners at one end in a goods van, to be delivered at the other end, dead or alive, is a practice which is absolutely inconsistent with the policy of the Police Orders. The question of the responsibility of the officer who endorsed the deviation is worth the attention of the Hon'ble the Home Member."

"In this connexion, Sir, I will venture to refer to the evidence of Mr. Green who said that he had suggested that accommodation for these prisoners could be found in what he called the 'train carriages.' I do not know what he meant by that. Three of the officials who were present on the occasion seemed to have considered that a separate van should be allotted as otherwise a large escort would be required. Then he seems to have suggested this particular van."

"This practice of conveying prisoners in closed carriages had gone on for two months. I should therefore direct the attention of the Hon'ble the Home Member to the question as to whether there are any existing orders of either the Government of Madras or the local officials of Malabar authorizing the deviation from the Police Orders."

"Then, there is also the question of the responsibility of the Railway Company. Even assuming that the Government have the authority to deviate from these orders, is the Railway Company liable to anybody for conveying human beings as if they were goods which could be locked up at one end and opened at the other? I have no desire to sit in judgment over anybody. When we see the report we shall certainly be in a position to see who was responsible for this. But we are right in informing the Government now that this is a matter which has caused intense pain throughout the Presidency, and that if any impression is allowed to prevail that the Government are not dealing adequately with the persons who are concerned in this, it will be a most unfortunate impression which it will be very difficult to wipe off."

Mr. ABAS ALI KHAN:—"Sir, notwithstanding the fact that our misguided Mappilla friends are guilty of perpetrating these trinity of horrors that ever trail on the wake of a rebellion, namely, murder, rapine, lust and loot, it gives me great pleasure to behold that so many of our Hindu friends with their lacerated hearts protesting so strongly against these awful train tragedy. This shows, Sir, on the common platform of humanity, questions of caste, religion, etc., pale into insignificance."

[Mr. Abbas Ali Khan]

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"The first time I came to know of this tragedy was through the press communique which was couched in such soothing terms that I was convinced that the Government realized the enormity of the crime. The very next day the Government came with the appointment of a committee even before the papers suggested it. For all this I am thankful. I have no doubt whatsoever that when the committee comes out with its report, the Government will not show mercy or quarter to those who are really guilty and punish them taking into consideration the enormity of this heinous crime. I have also to add that a number of Mappillas have been convicted technically and vicariously for offences for which they have been held responsible on technical grounds. For instance, persons who actually did not shoot but who were present with the rebels have been sentenced to death."

The Hon'ble the PRESIDENT:—"Order, order. I would point out that it would not be relevant now to discuss the question of the guilt or otherwise of the Mappillas who have been convicted in courts."

Mr. ABBAS ALI KHAN (continuing):—"I am confident that the Cabinet which contains five of our countrymen equally with the Europeans present will do the needful."

Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, the Hon'ble the Home Member appealed to the members of this House that

5-15 p.m. they should not come to any hasty conclusion about the guilt of any particular individual concerned in this tragedy before they were in possession of the authentic records of inquiry. I wish, Sir, that he himself had followed the spirit of the advice he gave us and refrained from expressing his opinion about the responsibility of Mr. Knapp in this matter. It is conceivable, Sir, that he may come in for a certain share of responsibility in this affair. If it is proved that he knew of the iniquitous system of the conveyance of prisoners and did not take such action as one would expect him to take to put an end to the system, I should say, Sir, that he too should share to some extent the responsibility for this tragedy. I join with Mr. Ramachandra Rao in requesting the Hon'ble the Home Member to make available to the members of this House all the reports and records of inquiry in connexion with this matter, whether it be by the Surgeon-General or by the railway department or any other authority. And then, Sir, after the committee submits its report and after it has recorded its findings, the question arises what action the Government are going to take on those conclusions. It has been suggested by more than one that the persons responsible should be adequately punished. Now, Sir, that is a very vague way of putting the case. Are the Government going to award punishments by retiring a person who is already due for retirement, by giving a reprimand here or a censure there or in one of many other unsatisfactory ways? To my mind, the only satisfactory way in which the persons responsible for this tragedy can be dealt with is by putting them before the ordinary criminal courts for their criminal negligence. Then only public opinion in this country would be satisfied and not otherwise."

Mr. T. SIVASANKARAM PILLAI:—"Sir, after this lengthy discussion there are only two things that occur to me. It is agreed on all hands that this is perhaps the greatest tragedy in recent times, and the Government is certainly responsible for it. So far as I see from the Hon'ble the Home Member's attitude there is a feeling of remorse in the Government itself, and the Government devoutly wishes that such a thing should not occur at any time. That is a matter on which the whole Council is agreed. It is a mistake, a Himalayan mistake as one would call it, Government is a great task and perhaps the magnitude of a mistake depends on

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the magnitude of the task. But what we are now concerned with is whether Government has issued any instructions with regard to the future mode of conveyance of prisoners."

The Hon'ble Sir LIONEL DAVIDSON (interrupting):—"May I say at once, Sir, that the use of luggage vans of this description was prohibited on the very day of the occurrence."

Mr. T. SIVASANKARAM PILLAI (continuing):—"We want to make ourselves sure as to how far the present lesson has taught fresh wisdom in matters of this sort. As regards the personnel of the committee, Mr. Knapp is an estimable person and loveable too. But it is not on principle always desirable that a man in the position of Mr. Knapp in relation to the subject of the enquiry should preside over a committee like this. In the face of the desire on the part of the Government to associate non-official people more and more in the affairs of Government, would it not have been possible to select a non-official to guide the deliberations of the committee? There is no use of crying over spilt milk. It is impossible now to bring back to life these seventy people. The Government should concentrate its attention to avoid recurrence of tragedies of the kind."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, as one who comes from the district, I mean the district of Malabar, and as one who has sent in a series of questions and a resolution on this subject, I wish to say one or two words on this motion for adjournment. There is no doubt that all of us, whether officials or non-officials, and whatever our community may be, are horrified at this appalling tragedy. I am very glad, Sir, that the Government very promptly appointed this committee to inquire into those matters and submit a report for its consideration. The resolution that I referred to as having been sent by me to your office was this: "Recommending to the Government the appointment of a committee of officials and non-officials to inquire fully into this matter and submit a prompt and exhaustive report." I sent up this resolution as soon as I saw an account of the occurrence in the newspapers and I was very glad to see in the next day's newspapers that the Government had already appointed a committee. In one way, my friend Mr. Shanmukham Chettiar's resolution has been opportune, for it has given an opportunity to all the members of this House to know the views of the Government on this matter. The Hon'ble Sir Lionel Davidson has stated in explicit terms that the Government like others are horrified at this tragedy and that when they receive the report of the committee they will deal adequately with the offenders. He further stated that now the whole matter being before the committee, the present time is inopportune for considering the guilt of individuals concerned in this and that the proper time for consideration of that question is after the submission of that report to Government and after its publication. I venture to think, Sir, that this is a very reasonable and sound view. Probably it may not be legally and technically correct to say that the matter being before the committee is *sub judice*. Technically it is not, because the committee that has been constituted and is inquiring into this question, is not a regular judicial tribunal. But at the same time I think it is only fair both to the members of the committee and to the persons who are responsible for this criminal and reprehensible negligence and carelessness that we in this House should not commit ourselves to any opinion regarding the guilt or innocence of individual persons. I was further very glad to hear the statement given by the Hon'ble the Home Member that as soon as this occurrence took place Government issued orders that prisoners should not in future be carried in wagons like this."

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The Hon'ble Sir LIONEL DAVIDSON (*interrupting*) :—"The orders were not issued by Government but by the local officers. It was not necessary for the Government to issue any orders, because the moment this tragedy was brought to notice, the local officers took immediate steps to prevent any possibility of its recurrence."

Diwan Bahadur M. KRISHNAN NAYAR (*continuing*) :—"I hope that when the Government receive the report they will fully go into this question and see that such unhappy occurrences do not recur in future. In spite of the rules which are already there, prisoners are carried in wagons. The rules are very often not observed in practice. It should be made impossible for railway authorities to carry prisoners in wagons."

"Then, Sir, one word, with reference to the constitution of the committee. It has been said by my friend Mr. Shanmukham Chettiyar that Mr. Knapp ought not to have been on this committee. I beg to differ from him. Mr. Knapp was not long in Malabar before this tragedy took place. He had no time either to go into all those circumstances under which the prisoners were carried or to form an opinion one way or the other regarding the way in which prisoners were carried. Personally, I have known Mr. Knapp for more than twenty years; and I know he is too fair minded to take any side in such a tremendous and terrible matter as this. We may defer our opinion regarding the guilt or innocence of individuals till the publication of this report. And I hope that an opportunity will be offered to this House to discuss that report when it is received."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Mr. President, when I first read of this tragedy in the newspapers I thought that it was an ordinary accident. But when I read the second communiqué of the Government that the prisoners were carried in luggage vans, not for the first time, but they were carried like that on previous occasions also, I took it that the conduct of the officers responsible in Malabar was most inhuman. It was the inhuman character of the administration and the mistake of the persons responsible that struck me most and I feel strongly for it. Sir, the civil administration is in the hands of the Civilian Government and it is the duty of the civil administration to see that the hundreds of Mappilla prisoners were properly conducted to their destination. Sir, if it be an ordinary case, we might know whether the sub-magistrate or the police inspector who is escorting them has taken the necessary precautions or not; but in this case from day to day prisoners are being sent in great numbers to various places. Is it not the duty of the person who is responsible for the civil administration of the district to see what arrangements are made and whether the arrangements made are human in their nature or otherwise? Sir, it has been said and challenged by Mr. Knapp as the head of this committee. And some attempt has been made by the Hon'ble the Home Member to explain that Mr. Knapp was not responsible and that was why he was placed at the head of the committee. When the accident or incident took place Mr. Knapp was at the head of the administration of that district. Is the Government justified in trying to explain the conduct of Mr. Knapp or his negligibility or otherwise? It is for the committee to say how far Mr. Knapp is responsible. I beg leave to correct Mr. Shanmukham Chettiyar by saying that Mr. Knapp, if the inquiry is properly made, perhaps may have to stand not in the witness box, but in the dock itself."

"Sir, it was said that he was in charge of the area for a very short time, that he was here in Madras for some time and that he spent some time in the Nilgiris. That may be a fact, but it is his business to explain why he has not looked into this particular question, whether it was on

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account of pressure of his work or his indifference to look into these details that the incident happened. Government were pleased to appoint as a special case a very highly paid officer and it is his business to see to all these details. It is clear to my mind that he may be guilty of negligence and the question has to be settled after due inquiry."

"Some attempt has been made to explain the second communiqué as to asphyxiation, and if I understand the Hon'ble the Home Member correctly, he was pleased to say that the Surgeon-General after going to Coimbatore and getting in touch with the facts, remarked that it was slow suffocation and exhaustion. I am not able to understand the difference between asphyxiation and slow suffocation. Whatever difference there may be in both cases, the officers responsible are clearly negligent, call it misconduct or inhuman conduct. We are not concerned as to whether this Government was quick in appointing the committee or issuing certain orders. It does not in any way extenuate the grievous nature of the incident, but on the other hand some are apt to pass adverse criticism on the conduct of the Government in appointing the committee with Mr. Knapp at its head."

Diwan Bahadur T. DESIKA ACHARIYAR :—"Mr. President, Sir, the motion this evening has had the effect of convincing the public amongst whom there has been a considerable amount of feeling, that this House understands its responsibilities in making or having made enquiries with reference to the appalling tragedy that has been occupying public attention for some time. After the assurance given by the Hon'ble the Home Member, it is perhaps unnecessary to discuss further what has been placed before this House either by Mr. Shanmukham Chettiyar or other members or has appeared in the public print. The facts are not such as could be judged on here. We are not a court. We could only draw attention to the points which require immediate and proper consideration at the hands of the committee and the Government. After listening to the discussion here and having regard to what I have gathered from newspaper reports relating to this matter, one point that struck me as noteworthy is that which relates to the responsibility of the official or officials who had sent these prisoners, consigned in goods vans contrary to the rules in this matter. There are certain rules, I think, framed under a statutory enactment. Those rules have the force of law, and they had to be strictly carried out by certain officials. Who was guilty of the infringement of these rules is the question for consideration and if we trace the responsibility to the real individual who was guilty of the infringement, we come to a proper appraisal of the whole situation. The rules began apparently to be disregarded more than two months prior to this unhappy event and they continued to be disregarded. And the question really is, who is responsible, which set of officials is responsible and what is the punishment that is to be meted out to them. Any discussion as to whether any person should be found guilty of a criminal offence and, he should be hanged or not, cannot be the subject of adjudication in this House. If a person has to be hanged, he must be committed to a Court of Session or taken to the High Court and tried there. If a person is to be punished criminally for offences committed by him, he also should be dealt with, not by a committee or by this House but by a court of justice. But it may be relevant for the purpose of knowing what has brought about this deplorable tragedy that our attention is directed to the principal issue, as to why and how for a number of weeks rules which had the force of law came to be disregarded by the officers to whom the administration of these rules was committed."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, it is very deplorable that an incident which has saddened the people of this province of the old Black

[Mr. A. S. Krishna Rao Pantulu] [13th December 1921]

Hole of Calcutta should have taken place and that it has become necessary for every one concerned to express his regret at this most unhappy occurrence. Two questions arise for consideration on the motion now before the House. One is as to the various incidents that have taken place that led to this unfortunate disaster, and the other is as to the responsibility of the various persons concerned in bringing about this result. I appeal to this House to keep in mind the distinction between these two circumstances in the present debate.

"There is not the slightest doubt that the system which has been in operation and which has led to this unfortunate calamity is largely responsible for it. It is in evidence, evidence which is not open to any doubt whatsoever, that prisoners were carried not on this occasion alone but on former occasions also, in a similar manner, in wagons not fit for the conveyance of human beings. It is also in evidence without any doubt whatsoever that they were carried over a long distance and for several hours, that the doors were closed and that no water was supplied to them. It is another thing to consider who is actually responsible for it and what punishment is to be meted out to him. But so far as the incidents that have taken place are concerned,—and there is no reason to doubt that these incidents have taken place—it is a matter for serious consideration as to how the Government have allowed such things to take place. Is it the case that the Government have not been acquainted with the way in which these prisoners were carried in wagons on former occasions? Is it the case that their attention was not drawn to the course followed before this unfortunate disaster? If they were not acquainted with the existing state of things, then the responsibility would have to be borne by the local officials without any question. And then, Sir, it is a matter for consideration as to how they deliberately infringed the standing rules on the subject and took upon themselves the responsibility of deviating from the prescribed course of action. These are points which have to be considered and which deserve to be answered apart from the individual responsibility of the persons concerned. We are glad to hear from the Hon'ble Sir Lionel Davidson that after this unfortunate incident, the local officials themselves have made it a rule not to allow such things to take place hereafter. But one finds it difficult to imagine how with any ordinary sense of humanity or with any regard to ordinary principles which ought to govern every individual, the authorities have allowed the conveyance of human beings in such wagons even before this event. I also think along with my friend Mr. Shanmukham Chettiyar that we cannot absolve the Commissioner Mr. Knapp from responsibility in the matter. It is one thing to make one personally responsible for the incidents which took place in his presence and it is another thing to make one responsible for the administration of the matters entrusted to his care. We have been told that he took charge of his office two or three weeks before the occurrence. Are we to understand that there was no enquiry on his part as to the manner in which prisoners were being taken in such cases? Are we to understand that the circumstance that the prisoners were being conveyed in such a manner was considered not sufficiently important to induce him issue other orders or to give fresh or further instructions in that respect? These are all matters for consideration.

"Mr. Shanmukham Chettiyar has rightly drawn attention to the fact that he (Mr. Knapp) ought not to have been the presiding judge in this matter. I think he has taken the correct view of the position. No one suggests that he was then present or that he was personally responsible; but everyone must admit that he, as one responsible for the administration of those affairs during that period, ought not to have been the person chosen for the purpose of presiding over this committee.

[13th December 1921] [Mr. A. S. Krishna Rao Pantulu]

This is what I wish to state regarding the procedure adopted and the manner in which these prisoners were escorted.

"Now, coming to the question of the responsibility of individual officers and of the punishment to be meted out to them, it is quite true that we have to wait till the whole evidence is published. It is quite true that we who ask for fairness and justice should also give the persons concerned an opportunity to state exactly what they have to state in their defence. But even then, I think the honourable mover has done some service by moving this resolution before the House to-day. We all know that final orders are generally passed by Government after the receipt of the report of the committee appointed, without this Council or the public having any opportunity of discussing its conclusions and without their being in a position to have those orders modified, if they are improper or unjust. It might be that notwithstanding the objections raised to the appointment of Mr. Knapp as the presiding member of the committee, the conclusions will be correct; or it might be that the conclusions will not be such as the Council or the public at large can accept. But what is to be the remedy if it is to be found later on that the committee with all its endeavours in that direction have not been in a position to come to correct conclusions in the matter? If the Hon'ble the Home Member can give us an assurance that notwithstanding the old procedure and the old methods, he would be in a position to give the Council an opportunity of discussing the proposals of the committee before final orders are passed thereon, I think this Council can very well accept that assurance. We are informed that the Government are also anxious to see that justice is done. By these only will the prestige of the Government be maintained. If we are actuated by the same object and if we are all anxious to have justice done, there should not be any objection to the proposals of the committee being placed before the Council and the Council being given an opportunity to express its opinion thereon before final orders are passed. If, on the other hand, the Government, as has often been done before, receive the report, pass orders thereon in chambers and then publish the final orders on the subject, I think that such a procedure would be very unsatisfactory and that it would really create dissatisfaction and discontent."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, one of the objects of such motions as this, I take it, is that the necessary steps should be taken so far as the actual facts are concerned as well as to take steps to prevent the recurrence of similar occurrences. So far as we have been able to see, we have not heard anything from the Hon'ble the Home Member as to what steps he has taken or the Government have taken to prevent the possibility of such things happening hereafter."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*) :—"Sir, I stated expressly that the local officers, without any action on the part of the Government, had already taken steps in that direction. The use of luggage vans for the conveyance of prisoners has been discontinued under their orders. That is surely one step, Sir, which is definitely intended to prevent the recurrence of such incidents."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*) :—"I was going to refer to that unfortunate portion of the discussion wherein the Hon'ble Sir Lionel Davidson first said that orders have been already issued to prevent the carrying of prisoners in such vans. Many of us thought that the Government had issued orders to all parts of the Presidency, but subsequently he said that the Government had nothing to do with that, and that it was only the local officers of Malabar that issued the orders to prevent the future conveyance of Martial Law prisoners in such vans."

[Mr. C. V. Venkataramana Ayyangar] [13th December 1921]

"I do not think that it is sufficient at all. It is absolutely necessary that Government should issue orders at once in order that no such thing can possibly be done hereafter and at any place. Is it not possible, Sir, to-morrow or even to-day that such a thing might recur, if the 500 non-co-operators in Palnad and Guntur proclaim civil disobedience; if they are all arrested, sentenced and sent to some jail, are the people in authority in Guntur going to take notice of some orders issued by the local officials in Malabar? I would strongly urge, Sir, that immediate orders should be issued, whatever may be the result of the inquiry so far as this particular tragedy was concerned, that no prisoner should, under any circumstances, be taken in such vans. I suppose the order will also be applied to pilgrims. I had myself the misfortune to travel in such wagons not as a condemned prisoner but as a voluntary pilgrim, and I believe that such things do take place whenever the railway companies find that wagons are not available. I think the cry that has been raised against that will now be seen to be reasonable, and orders should be issued at once that no prisoners or pilgrims, although it may be wounding the feelings of some religious people, should be conveyed in such luggage vans.

"Only one thing I want to say. It is not the object of Mr. Shanmukham Chettiyar to say that the Government intentionally wanted to appoint a white-washing committee. But his object and our object is that the Government should take particular care to see that they do not appoint committees which will be suspected to be white-washing committees. Caesar's wife must be above suspicion. We have seen that for some reason or other it has been said that it was a white-washing committee when the names of the committee members were published. This is not what can only be coming from imagination. Even before this committee was announced, we held a meeting at Coimbatore and it was then stated by some people that a white-washing committee would be appointed. A resolution was passed that a respectable committee of non-officials commanding the confidence of the public should be appointed, and in some of the speeches then made, it was said that it was desirable to appoint gentlemen from outside the Malabar district to be members of the committee. That meeting was attended by three members of this Council, Mr. Ramalingam Chettiyar and Mr. Shanmukham Chettiyar and myself. As the president of that meeting, I sent a wire next morning about this resolution, followed by a covering letter that somebody outside the district should be appointed. To this day, Sir, to add insult to injury, not even an acknowledgment has been sent of that letter or telegram. Can we then expect confidence to be placed completely in the actions of this committee? Mr. Rama Ayyar is one of my best friends. We have been chums and we have talked on these Mappilla affairs for a long time. But apart from all that, we have read his letters in the "New India" and they show that for some reason or other one who had been a friend of the Mappilla has become prejudiced against them now, and he glories in saying that he escaped imprisonment or death although he was five days in the "Khildat Government." I do not say that he might be prejudiced, but all that I say is that it is better that when we deal with such questions people outside the district also are associated in these things. Therefore it was that the Coimbatore public said that non-officials and if possible some members outside the Malabar district should be appointed to inquire into this matter.

"So far as Mr. Knapp is concerned, at least some respectable members of this Council believe that he may be guilty of negligence, gross negligence. Was it

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not his duty to see that the prison rules were obeyed, or at least in the conveyance of prisoners some humanity was brought into play? Well, these are things which might stain anybody and Sir Lionel Davidson says that he will never believe or the Government will never believe that Mr. Knapp can in any way be blamed for anything. In spite of that, many of us believe otherwise, and as Mr. Ranganatha Mudaliyar said, in asking us not to prejudge the case, Sir Lionel Davidson had himself prejudged the case. In any case, it is extremely desirable to alleviate public feeling, not among any particular class of people, not in any particular place, but throughout the country and throughout all communities. It is necessary that some more members should be added to this Committee, and that Committee itself with some new members might be asked to make some more enquiries. As has been suggested, so far as Mr. Knapp and his conduct are concerned, some independent Committee should be appointed. It grieves me much to see Sir Tyagaraya Chetti applauding the Government on its appointing a Committee. Does Sir Tyagaraya Chetti or the honourable leader of the House want to say to the people that it was impossible to get some respectable people, people like Sir Tyagaraya Chetti, for the Committee. It is only twelve hours' journey from here, instead of six hours from Calicut to Coimbatore and certainly there was a good deal of bungling in this Committee. I wanted to witness at least for a day the proceedings of the enquiry. I saw in the papers that the enquiry was on Monday, and as Mr. Shanmukham Chettiyar has said, we searched in every important place at Coimbatore for the enquiry on Monday and found it was not a living enquiry or an enquiry in the physical world. It was not found whether inside the jail or outside, inside the hospital or outside or anywhere else. Something was wrong somewhere certainly, and yet no explanation was forthcoming; no apology has been forthcoming either from Mr. Knapp or on behalf of Mr. Knapp. Sir Lionel Davidson said that it was a mistake. If a serious mistake has been made by going to Tirur instead of to Coimbatore, well what about the enquiry on Monday? These are circumstances that will lead the ordinary public to suspect things. All that we say is that we must command the confidence of the ordinary public. We have to respect public opinion; we have to respect the average man's anticipations and do things accordingly. In view of that, when committees are hereafter appointed, when steps are taken hereafter to present such things, care should be taken to prevent all possible doubts and suspicions. I hope, Sir, that orders will be issued by the Government itself at once to see that no such things recur or ever take place in any part of the Presidency at any time hereafter."

Mr. K. GOPALAKRISHNAYYA :—"Sir, I don't think there is anybody in this Council who would not feel for the dastardly tragedy which occurred in the closed wagons in which Mappilla prisoners were taken. I think that this motion is in a way opportune from one point of view, that it would give an opportunity to the Government to take this matter seriously into consideration and not to create another occasion for discussion at the time when the final orders of Government are published for public criticism. Much has been said about the personnel of the Committee. With regard to that matter, honourable members are aware how sincere and how earnest the Government was in the appointment of this Committee and to dispose of this matter as expeditiously as possible, so that no suspicion might be created in the minds of the public that the Government have been delaying this matter and that no public criticism may be levelled against any inaction of the Government. No sooner than we heard of this tragedy in the press, or probably just in a few days after the publication of the tragedy, a Committee was appointed and an assurance has been given by the Government that the matter will be seriously enquired into.

[Mr. K. Gopalakrishnayya]

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"With regard to the appointment of Mr. Knapp as President of the Committee, I don't think that any serious objection could be raised. The members of this Council are aware that the tragedy is after all a mere accident and it was not intentionally done. I think that the lower subordinates who were responsible for employing these closed wagons are liable, criminally liable for negligence. It does not mean that Mr. Knapp should go and inspect the railway wagons in which these prisoners are carried. We know the individual responsibilities of people. It may be that the lower subordinates are responsible for this tragedy for their gross negligence, but to say that Mr. Knapp should be classed along with such subordinates would be blaming him for not being present at the time of loading these prisoners into those wagons; it is not right. I may probably illustrate my point by means of an example. Supposing under the very nose of a district official his clerk forges the signature of the district official and draws a cheque on the district treasury. I don't know how the district official would be held responsible for the drawing of money from the district treasury by the nefarious action of his subordinate unless and until it was brought to light. This very district official may institute an enquiry into the conduct of his subordinate and his responsibility is still there. It does not mean that because he is dealing with the case of his own subordinate he cannot be appointed a judge to sit in judgment over the illegal action of his subordinate. I think Mr. Knapp's responsibility is on a par with the district official referred to in this illustration. It is very unfortunate that this accident should have taken place. It was never intentional. No doubt the Government has given us the assurance that the people who were responsible for such negligent conduct would be brought to book, and I would suggest to the Government that this opportunity should be taken by them for suitable action to be taken as promised to this House by Sir Lionel Davidson, and as to give satisfaction to the people by hauling up those delinquents before courts of law for meting out justice in an adequate manner."

Mr. T. ARUMAINATHA PILLAI :—"Sir, when the news of the Moplah tragedy

6 p.m.

was published in the papers, people were simply staggered at the enormity of it, but about the same time, the soothing communications from Government regretting the mishap gave some sort of consolation to the people and it was expected that the Government would see that real justice would be done in this case in finding out the offenders. Sir, promptly enough the Government appointed a committee against which a lot of objection has been taken in this Council, but I submit, Sir, that so far as the objections to the personnel of the committee are concerned, any remarks passed would be rather too premature. The committee is still sitting and if we are going to pass remarks about the impartiality or otherwise of the people who form that committee, perhaps it may not lead to all the matters being fully sifted.

"Very serious objection has been taken to the appointment of Mr. Knapp as President of the committee. But if all these objections are to prevail, then I submit that no officer of the Government would be entitled to sit and decide cases in which Government is a party. Therefore, so far as the objections as to the personnel of the committee are concerned, I submit, Sir, that we ought not to discuss these things here.

"But there is one other matter, Sir, for which one would like to have an explanation, and that is this new method of carrying the prisoners in what I would call hermetically sealed wagons. It has been suggested in the evidence and also in some of the papers as well that this is not the first time that the

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[Mr. T. Arumainatha Pillai]

prisoners have been carried in such wagons, but that they have been carried in similar wagons even on previous occasions without any mishap. But when certain questions were put to the medical experts who attended the committee sittings as to whether even the other wagons would be good enough to carry human passengers, it was definitely stated that such a thing ought not to have been tolerated. Now, Sir, in this connexion the question arises, and I would put it to the Hon'ble the Home Member, whether the Madras Government were aware of any such thing happening. I would like to know, Sir, from the Hon'ble the Home Member whether the Madras Government sitting here in the Madras City knew that even on prior occasions the Mappilla prisoners were being carried in wagons, and if they knew about that, then I submit that the Madras Government are to be blamed. My friend, Mr. Ramachandra Rao, read out from the orders as to how these prisoners are to be carried. But why should a special treatment be accorded to these Mappilla prisoners? Might be they are rebels and are hiding in forest and other places, and if they are caught, they might deserve even stronger punishment for all their atrocities. But, Sir, when they have surrendered and when they are adjudged to be criminals and when their lives are handed over to the officers and to the Madras Government which is responsible for their lives, is it right that these prisoners should be treated in this fashion? But anyhow, now that the Hon'ble the Home Member has given us an assurance that he would look into the matter without impartiality, and that whoever he might be, whether he be high or low, any man who is found to have transgressed any of these rules laid down by the Government for the carrying of these prisoners would be punished, I am sure the public feeling would be allayed to a little extent. But, as suggested by my friend, Mr. Ranganatha Mudaliyar, I would also ask the Hon'ble the Home Member to give us some better explanation as to how these people are going to be dealt with. I may also assure you, Sir, that, in order to allay the public feeling, unless some sort of public trials are held and whoever is found by the committee to be responsible for all these things is made to stand to take his trial before properly constituted courts, the confidence in the British Government will not be restored, because on account of these things, Sir, I submit that the confidence in this Government has been very much shaken. It is a pity, Sir, that it has come to that; unfortunately it is so. So far as every one of us here is concerned, we are all anxious that the good name and the prestige of the Government should be maintained, and in order to maintain that, we hope that the Government would see that no steps are left untaken in order to restore its old prestige and the confidence which it has always been infusing into the hearts of the people."

Mr. A. T. PALMER :—"Mr. President, I do not rise to justify the tragedy that took place the other day. It is one of the saddest events that happened in modern times and some of the incidents that occurred during the tragedy as elicited by the committee have made it even more tragic. For example, the prisoners were so thirsty that they wrung out their sweat and quenched their thirst and some of the prisoners died with their mouth held close to the holes in the wagon from which they could get some air. To hear of all this is simply heart-rending. But, whatever it be, some one has blundered. Such accidents happen once a while. I remember an accident that took place some years ago. Some British soldiers were being carried from Bombay to Karachi and many of them died of thirst and sunstroke. The authorities sometimes cannot help regarding such matters. Now, if we who are for safeguarding the prestige and good name of the Government bring in such subjects into this Council, I am afraid we are not

[Mr. O. Tanikachala Chettiyar] [13th December 1921]

to it, is to expect too much of any authority. Everybody in this House is agreed that, so far as Government are concerned, they have done their duty in taking immediate action. However much we may condemn the persons responsible and deplore the event which we are discussing to-day, we cannot condemn the men concerned without the evidence having been fully recorded and their explanations taken. Therefore, it is but right that we must suspend judgment. But at the same time I am glad that my friend, Mr. Shanmukham Chettiyar, has provoked discussion on this subject, for it has enabled Government and the country to see and realize the various points on which attention must be focused before the committee closes its labours and before the Government pass final orders. And as Mr. Ramachandra Rao has pointed out, I hope the Government before passing final orders will give an opportunity to this House to look into the papers individually and make suggestions before final orders are passed."

Diwan Bahadur D. SESHAGIRI RAO PANTULU :—" Mr. President, I very much deplore the terrible loss of life involved in this tragedy. The thoughts of the horrible agony through which these victims must have passed still haunt me. But this feeling ought not to prevent us from taking a dispassionate view of the matter. We are glad Government have immediately moved in the matter and appointed a committee presided over by Mr. Knapp. As regards the constitution of this committee, I cannot possibly think of any objection. It is said that Mr. Knapp might be responsible for what happened in the district for which he was appointed Commissioner. I do not know why this responsibility cannot be extended to the Government of India and the Madras Government, if not further. Of course the unfortunate accident has taken place and who is to be held responsible in the matter will have to be judged when we have all the materials before us. The committee is sitting and in fairness to the members of the committee and to the persons who may be held responsible for the action and called upon to explain their conduct, we must await the report of the committee. When the report is ready, I dare say it will be laid before this Council and there will be time enough to think who is to be held responsible, whether the Railway Company is also to be held responsible and why the rules for the transport of prisoners were not obeyed. All these matters may be very well discussed in a cool and considerate manner later on and an opportunity given to those people who will be held responsible to explain their conduct. Therefore, my opinion is that this House should not commit itself to any opinion before it has got the full materials before it."

The Hon'ble Sir LIONEL DAVIDSON :—" There is really very little, Sir, that I need say after the exhaustive discussion which has taken place in this House. I agree that there is force in the remark of that honourable member who expressed satisfaction that an opportunity had been given for this discussion to take place. To some extent I am in sympathy with that view, if only for the reason that it has given me an opportunity of stating publicly that it is the intention of the Government to do its utmost to get to the bottom of the facts which gave rise to this terrible disaster. I repeat that assurance. It is also our intention to do all that we can to see that adequate punishment is meted out to those responsible. But, Sir, I would again deprecate any attempt at this stage to assess responsibility. It has been said by one speaker that the only way of meting out adequate punishment is to place the persons responsible before the criminal courts. Surely, Sir, the first point which must be settled is whether the facts brought out against individuals are such as to justify the framing of criminal charges against them. It may be that negligence of a criminal character will be brought home to individuals, and

[13th December 1921] [The Hon'ble Sir Lionel Davidson]

so, it will be the obvious duty of the Government to consider whether in such cases judicial proceedings before criminal courts should not take place. That is an issue which the Government of Madras will consider, if the need for it should arise.

"So much for generalities. I cannot enter into the details of this matter, because adequate materials have not yet reached me, and I am not going to base remarks upon newspaper reports of the evidence of particular witnesses. In a long experience of newspaper reports, I have learnt that it is not safe to take as gospel the record of evidence as it appears in the press of Southern India, or indeed in the newspapers of any other country. But that is the kind of material on which many of the judgments pronounced to-day have been based. I am not going to follow that erroneous path. But there are one or two things in regard to which there is no possibility of mistake. It has been assumed that because somewhat similar luggage vans were being used on previous occasions, therefore the use of this particular van on the 19th and 20th of November implies criminal responsibility on the part of those who originally approved the use of luggage vans. May I point out to this House that whether or not it may have been right to use luggage vans at all—they are not 'covered goods wagons'—it does not necessarily follow that this particular van would have been approved by those who were responsible for the use of luggage vans at a stage when the strain on traffic was exceptional and when it was necessary that prisoners should be got quickly away from the terribly congested accommodation in the sub-jail at Tirur. Honourable members may remember that if there was risk to comfort, to health and to life by reason of transport in unsuitable vehicles, there was equally risk to comfort, health and life by detention in the sub-jail at Tirur. I should like honourable members to think for a moment of the terrible strain put on the civil and military authorities in the martial law area in dealing with hundreds and thousands of prisoners. Reference has been made to-day to the conditions of pilgrim traffic. On occasions of festivals pilgrims voluntarily face conditions of travel in railway trains to which no one would like to expose others. It was necessary to get these prisoners away quickly and I believe I can say without any fear of contradiction that on the first occasion on which a luggage van was used for such a purpose the number of people transported in it was something between 30 and 40 and the ventilation was such that while it might perhaps have caused a little discomfort, there was not the least danger to life or health. The disaster undoubtedly arose from the fact that on the 19th and 20th November a luggage van was utilized in which the ventilation spaces were much smaller than in previous vans and were also blocked up by dust and paint. But it is not fair, Sir, indiscriminately to impute criminal responsibility to those who originally used other luggage vans for limited numbers of prisoners. This particular van had not been used for the transport of prisoners on earlier occasions. I mention this, Sir, in case honourable members may have been led to think that the van used on the fatal 19th and 20th November was identical with the luggage vans used on previous occasions. That is not the case."

As it was then 6-30 p.m. the gong was sounded indicating that the discussion should terminate.

The Council adjourned at 6-30 p.m. to meet again on Wednesday, the 14th December 1921.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday, the 14th December 1921, the Hon'ble Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.O.S.I., C.I.E., President, presiding.

I
QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

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

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

Wearing of Swadeshi caps in schools and colleges.

1144 Q.—Mr. B. P. DEVARAJULU NAYUDU : Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(1) whether it is a fact that forty students of the Government Medical School, Vizagapatam, were recently dismissed for attending the school with Swadeshi caps ;

(2) whether Swadeshi caps made of white khadi have any political significance ;

(3) whether the Government have issued any orders prohibiting the use of Swadeshi caps in schools and colleges maintained or aided by them ;

(4) whether the dress regulations regarding the cap which students should wear and its colour were being strictly enforced in the medical school at Vizagapatam ;

(5) whether the superintendent of the school administered any warning to the students not to wear the Swadeshi cap or gave sufficient time for correction before he summarily suspended 150 students ;

(6) whether it is a fact that the aforesaid 150 students stated clearly in their explanation, following the order of suspension, that they wore white caps because they were made of Swadeshi cloth and not because of any political significance ;

(7) whether the students can be deemed to have realized the enormity of the offence they are alleged to have committed to merit dismissal ; and

(8) whether the Government contemplate any revision or modification of the orders ?

A.—(1) One hundred and forty-two students were suspended for wearing white (Gandhi) caps in contravention of the prescribed dress regulations and in defiance of the orders of the Superintendent directing them to discontinue wearing such caps. Thirty-two of them have since been dismissed for failure to apologize for their conduct although they were given two chances of doing so.

(2) The Government have not issued any directions to that effect.

(3) No orders other than those contained in the dress regulations of the respective institutions have been issued by the Government.

(4) The regulations are intended to be observed. The Government have no reason to think that they were wilfully disregarded before.

(5) The answer is in the affirmative.

(6) The Government have no information on the point.

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(7) The students were clearly warned twice that they would be dismissed if they did not apologize for their misbehaviour. They had no cause to be under any delusion as to the consequences of their action.

(8) The answer is in the negative.

Rao Sahib U. RAMA RAO:—"Sir, with reference to question No. 1144 (6) the Government state that they have no information on the point. I want to know, Sir, whether the students sent in any memorial to the Government and, also to the Surgeon-General through the Principal."

The Hon'ble Mr. P. RAMAIAH:—"Sir, I want notice of the question."

Rao Sahib U. RAMA RAO:—"May I know whether the Government will at least call for the information?"

The Hon'ble the PRESIDENT:—"The Hon'ble the Minister has asked for notice."

Death of Mappilla prisoners in the train during transit.

1145 Q.—Mr. V. HAMID SULTAN MARAKKAYAR: With reference to the press communiqué issued by the Government in regard to the death of 64 Mappilla prisoners who were entrained from Tirur to Bellary, will the Hon'ble the Home Member be pleased to state—

(a) the circumstances under which the deaths occurred;

(b) whether it is a fact that the prisoners were confined in a covered iron wagon, and if so, whether this is allowable under the law;

(c) what action the Government propose to take in regard to those responsible for the ghastly tragedy; and

(d) what compensation the Government propose to give to the families of the deceased prisoners?

A.—The Government are awaiting the report of the Committee of Enquiry.

Bifurcation of villages in regard to the beris.

1146 Q.—Mr. K. A. KANDASWAMI KANDAR: Will the Hon'ble the Member for Revenue be pleased to state—

(a) whether the Government propose to bifurcate villages whose beris is 10,000 to 12,000;

(b) whether it is a fact that out of the two munsifs and an assistant karnam now appointed in villages whose beris is above 8,000, only one is going to be retained and the other dispensed with and whether the assistant karnam also is to be dispensed with hereafter; and

(c) whether the Government propose to bifurcate large villages whose beris is 10,000 to 12,000 and whose extent of irrigation is 10 square miles?

A.—(a) & (c) Under section 6 of Act II of 1894 and section 6 of Act III of 1895, power to subdivide villages vests with the Board of Revenue.

(b) Schemes for reduction of village establishments are now sanctioned by the Board of Revenue which has been empowered in this behalf by the Government.

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The Madras University Students' Club.

1147 Q.—Mr. V. P. PAKKIRISWAMI PILLAI: Will the Hon'ble the Minister for Education be pleased to state—

(a) whether it is contemplated to convert the Madras University Students' Club into a residential one;

(b) whether it is to be a hostel for law students;

(c) what remunerations the honorary Secretary and the Physical Adviser of the Madras University Students' Club get;

(d) whether it is a fact that the present honorary Secretary draws Rs. 100 as carriage allowance; and

(e) whether it is a fact that this literary club has no organized library, but has only a collection of books presented by sympathisers?

A.—(a) The matter is under consideration.

(b) No.

(c) & (d) Under the rules of the club, the honorary secretary is eligible to draw a conveyance allowance of Rs. 100 per mensem, but no allowance has ever been claimed by the secretaries. There is no separate physical adviser attached to the club.

(e) The library which was started recently is being organized and improved.

Muhammadian Elementary Training school, Arcot.

1148 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the Hon'ble the Minister for Education be pleased to state—

(a) the number of Muhammadian trained teachers employed in 1921 in the elementary training schools of this Presidency;

(b) the number of Muhammadian teachers belonging to the southern districts of this Presidency who are undergoing training at Arcot;

(c) whether it is a fact that the present Muhammadian elementary training school situated at Arcot is located in a very insanitary place;

(d) whether it is proposed to shift the existing institution from Arcot to Trichinopoly; and

(e) when the proposal, if any, is likely to be given effect to?

A.—(a) 26.

(b) 23.

(c) The answer is in the negative.

(d) & (e) The matter is under consideration.

Pilgrim-tax in Madura.

1149 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Madura Municipal Council raises pilgrim-tax through the South Indian Railway authorities from the out-going passengers, including permanent residents, leaving Madura;

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- (b) if the answer is in the affirmative, to state the reason why the Madura Municipal Council levies tax upon them ;
 (c) whether any class of passengers are exempted ; if so, on what grounds ; and
 (d) whether such taxes raised by the Madura Municipal Council are refunded on application ?

- A.—(a) The tax is levied only from passengers who travel to stations more than thirty miles from the Madura municipality by railway.
 (b) The levy is authorized by sections 79 (b) and 116 (1) of the Madras District Municipalities Act, 1920.
 (c) & (d) The answer is in the negative.

Madras Customs House Office.

1150 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAN : Will the Hon'ble the Member for Finance be pleased to state—

- (1) the reason why the two branches comprising the clerical establishment, namely, "Customs (proper)" and "Statistics," of the Madras Customs House have been amalgamated ;
 (2) whether it is a fact that, under the schedule of the arrangement, promotions are made by merit and not by seniority ; and
 (3) the number of clerks appointed according to the latter principle ?

- A.—(1) The amalgamation was made in the interests of efficiency.
 (2) & (3) It is presumed that what the Member desires to know is whether in filling the posts under the new scale any of the more junior clerks have been put into higher places than more senior men on the ground of greater efficiency. If so, the answer is, there have been five such cases.

Admission to the Calavala Cunnan Chettiyar's Hindu Secondary school.

1151 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAN : Will the Hon'ble the Minister for Education be pleased to state—

- (a) whether it is a fact that pupils leaving the Wesleyan Mission School, Tiruvallūr, are not allowed to be admitted into the local Calavala Cunnan Chettiyar's Hindu Secondary school ;
 (b) the reason why the Director of Public Instruction has issued such an order ; and
 (c) whether it is a fact that the authorities of the Wesleyan Mission school do not allow pupils to leave them for joining the aforesaid Hindu school ?

A.—The attention of the Member is invited to the answer to question No. 490 asked at the meeting of the Council held in September last.

Incomplete secondary school for Arcot.

1152 Q.—Mr. A. TANGAVELU NAYAGAR : Will the Hon'ble the Minister for Education be pleased to state—

- (a) whether it is a fact that there is not even an incomplete secondary school at Arcot (North Arcot) and that the school-going children of Arcot are put to serious inconvenience by having to cross the Palār river and go a distance of nearly four miles to attend the school at Wallajah ;
 (b) whether it is a fact that the number of such children is very considerable ; and

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- (c) whether it is a fact that several memorials were sent to the education and local authorities by the people of Arcot and adjacent villages to locate at least an incomplete secondary school at Arcot ?

- A.—(a) The answer to the former part of the question is in the affirmative. The Government have no information regarding the latter part.
 (b) The Government have no information.
 (c) The Government are informed that no memorials have been received by the Director of Public Instruction.

The Madras University Students' Club.

1153 Q.—Mr. T. C. TANGAVELU PILLAI : Will the Hon'ble the Minister for Education be pleased to state—

- (a) how the amount of Rs. 35,000 granted to the Madras University Students' Club is being utilized ;
 (b) whether there is any proposal to convert the said club into a residential club ; if so, whether it is intended for law students only ; and
 (c) whether there is any proposal to place the management of the club under a Board ?

A.—(a) It is presumed that the Member refers to the provision of Rs. 32,000 in the Civil Works Budget Estimate for the current year for improvements to the Madras University Students' Club. The amount has not yet been utilized.

- (b) The member is referred to the answer to clauses (a) and (b) of question No. 1147.
 (c) The club is now under the control of a council assisted by a committee of management. No change is at present under contemplation.

II

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

Permanent settlement of land revenue in ryotwari holdings.

Rao Bahadur A. S. KRISHNA RAO PANTULU moved :—

' 170. That this Council recommends to the Government to take necessary steps to introduce permanent settlement of assessment in the ryotwari holdings in this Presidency.'

In doing so, he said :—" Mr. President, Sir, I have the honour to move the resolution standing against my name recommending the introduction of permanent settlement in ryotwari areas. It will be within the recollection of those who have been following the proceedings of this House during the last ten years that if there is any question more than any other that has created wide divergence of opinion between the non-officials on the one side and the Government on the other, it is the question affecting the resettlement. Within the last ten years proposals for the resettlement of Madura, North Arcot, South Arcot, Chittoor and Bellary among other districts were under consideration and whenever those proposals were placed before the public or the Council there was vehement opposition to the proposals made on behalf of the Government. In the course of the discussion, one will remember, the respective differences were characterized as the differences which must inevitably exist between the tax-payer and the tax-gatherer. I remember, Sir, the persistency and tenacity with which the late lamented

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ryotwari system was introduced, it will be found that the idea of permanency of assessment was in their minds even then. When Sir Thomas Munro thought it necessary to introduce the ryotwari settlement, he expected that he would be helping the landholders in the ryotwari areas more than the zamindars themselves. He thought it more convenient to deal with individual landholders than with larger farmers of revenue like the zamindars. But he made it clear that when the assessment is fixed on certain well-known principles, it should be fixed for ever. I shall now draw the attention of this House to various declarations made by responsible officers of the Government from early 1796 to satisfy that the demand made to-day on behalf of the agriculturists is not a new demand, but the Government were fairly agreed even in those days as to the necessity for the grant of this privilege. It will be found that in the proclamation relating to the Salem district in 1796 by Colonel Reed he stated that 'the holding being measured and valued, the assessment of every individual field in it when at the full rate is fixed for ever'. I would ask the Council to remember the words 'fixed for ever' because I shall presently show how the Board of Revenue tried to explain it away and tried to draw very fine distinctions.

'That is to say the Government is never to require more or receive less nor you to pay less or more than the present rate unless when those fields actually dry shall hereafter be converted into wet at the expense of the Government when the rates will be proportionately raised according to the consequent increase of the produce and in like manner fixed for ever.'

"Sir Thomas Munro dealing with this question some time later stated :

'When a district has been surveyed and the rent of every field permanently fixed, the kulwar Settlement becomes extremely simple; for all that is required is to ascertain what fields are occupied by each ryot, and to enter them with the fixed rents attached to them in his patta; their aggregate constitutes his rent for the year. He cannot be called on for more, but he may obtain an abatement in cases of poverty or extraordinary losses.'

"Remember this generous declaration of Sir Thomas Munro. He was again questioned before a committee of the House of Commons when he made that position abundantly clear in his answers. He stated :

'I shall state what I understand to be the principle of the ryotwari system. The principle is to fix an assessment upon the whole land of the country. This assessment is permanent; every ryot who is likewise a cultivating proprietor of the land which he holds is permitted to hold that land at a fixed assessment as long as he pleases; he holds it for ever without any additional assessment. If he occupies any waste or additional land, he pays the assessment that is fixed upon that land and no more; his rent undergoes no alteration'.

"He again stated :

'with respect to permanency there is no difference between the ryotwari system and the Bengal permanent settlement. But the ryotwari leaves the Government an increasing revenue arising from the waste in proportion to its cultivation.'

"Later on, Sir, we find that these declarations were followed by responsible officers of the Government and we find that the Board of Revenue was laying stress upon that position in subsequent years. They themselves admitted in 1818 that the assessment was 'a permanent maximum rent fixed on each field.' And again in the administration report for 1855-56 this Government stated that the Madras ryot is virtually a proprietor on a simple and perfect title and

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has all the benefits of a perpetual lease. And again, in 1857 the Board of Revenue stated: 'The Madras ryot is able to retain his land in perpetuity without any increase of assessment so long as he continues to fulfil his engagements.' The Government again stated in 1857 that 'the proprietary right of the ryot is perfect and as long as he pays the fixed assessment on his land, he can be ousted by no one; there is no principle of ryotwari settlement more fixed or better known than this and Government deny that any right can be more strong.' In 1862, it again stated that 'the one fundamental principle of the ryotwari system is that the Government demand on land is fixed for ever.' And it will be found that subsequently the famous despatch of the Secretary of State of the 9th of July 1862 advocated the introduction of permanent settlement subject to certain limitations. It is sad to notice that in subsequent years attempts were made to explain away the declarations made by responsible officers in the years before. The officers of the Government who were loyally bound to carry out these instructions and who were also bound to give effect to the policy enunciated before, found it proper in years following to bring into existence conditions quite the opposite of those which were then contemplated. Though on a reference made by the Government of India, the Governments of Madras, Central Provinces and the North-West Provinces also suggested introduction of permanent settlement, there was a change of policy and the idea was subsequently abandoned. It is necessary for us to make a close examination of the circumstances under which this change of policy was brought about. You may analyse the conditions as best as you can, you can come to only one conclusion and that is this; that subsequent governments did not care so much for the interests of the landholders or the cultivators as for the idea of getting enhanced revenue. The interests of the cultivator did not give them the same uneasiness, the same anxiety as they should have given them. They were only concerned as how best to get the maximum amount of revenue. Again, when a later Secretary of State, Sir Stafford Northcote, thought it necessary to recommend the introduction of permanent settlement, he stated that the Government would advocate it notwithstanding any loss of land revenue so that the interests of the landholders might be safeguarded and connected with the stability of the British Government. Sir, I think, I will correctly express the opinions of the landholders in this Presidency regarding this question if I refer to the words of the late Mr. R. C. Dutt. He summed up the situation on behalf of the Madras landholders. He stated :

'The first point to which I desire to invite attention is that this right of the Madras cultivator to a fixed, perpetual and unalterable assessment recognized by the British Government during half a century has been virtually confiscated by the British Government within the last forty years. I cannot believe that the British Government deliberately desired on this or on any other occasion to violate a right which it had deliberately affirmed and recognized before. I am inclined to believe that in the settlement and survey operations which were introduced after 1857, the real position of the Madras cultivator was lost sight of and rules were introduced to secure an increase of the land revenue without an adequate consideration of the rights of the cultivator. So far as the Madras cultivators are concerned, there can be little doubt that the rights previously assured to them have in effect been withdrawn, and the pledges previously given to them have in effect been violated. And, at the present time the Madras cultivator instead of holding "his land in perpetuity without any increase of assessment" is subject to enhancement at each recurring settlement and has been reduced to a state of poverty and indebtedness which makes him an easy prey to famines in years of bad harvests.'

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"Notwithstanding the enquiry which took place subsequently the position taken up by the Government is indefensible.

"Now, Sir, I wish to draw the attention of this House—with your kind permission for ten more minutes—to the fact that after all the increase in land revenue during these years is not such as to induce us to hesitate in putting forward this motion. Taking a period of ten years for the purpose of comparison, it will be found that in fasli 1319 (1909–10) the whole of the ryotwari demand was Rs. 5,87,61,314 and in fasli 1329 (1919–20) it was Rs. 6,57,53,845. During these ten years, the demand increased by Rs. 69,92,531 or nearly 70 lakhs working at an average of 7 lakhs per year. This total sum of 70 lakhs is not made up on account of increased revenue on resettlement alone. It is made up of an increase of Rs. 35,55,370 in assessment, Rs. 9,80,635 under second-crop assessment and charge for water on Government lands, Rs. 12,32,207 under miscellaneous revenue and a decrease under remissions of Rs. 12,24,319. In the same period the extent of holdings also increased by 1,270,321 acres. Even the increase of 7 lakhs is not the increase from resettlement alone but owing to various other factors. It will be something between 3 or 4 lakhs per annum.

"Let us remember that there has been an abnormal increase in the cost of survey and settlement operations. It will be found that during the same period of ten years we have spent 147.07 lakhs on survey and settlement operations, which means that the work had cost us at the rate of 14 lakhs per annum. One of the reasons for this excessive cost of survey and settlement operations is the necessity for carrying on resettlements on a large scale. So long as the permanent settlement is not in force it is necessary to have such a large establishment for the purpose of carrying on these operations on a large scale. I believe it was in 1913 that in replying to a resolution regarding the cost of survey and settlement operations, the Hon'ble Sir John Atkinson himself admitted that so long as permanent settlement is not in force and so long as the ryotwari system is to be perpetuated, it will be necessary to have a large establishment. I bring it to the notice of this Council to show how these two are connected with each other. If we agree upon the introduction of the permanent settlement, then it would be quite possible to reduce the expenditure upon survey and settlement operations. We have been agitating for several years for a reduction of expenditure under these heads. We can bring it to something like 50 per cent of the expenditure now incurred upon these operations. Therefore from whatever standpoint we look at it, the possible loss of revenue under the head of assessment will be more than counterbalanced by the decrease in expenditure under survey and settlement operations. Along with this, Sir, let us realize that when once permanent settlement has been introduced, it would not be necessary to maintain such a costly establishment even for the collection of revenue. It is possible to effect savings in that direction also. These are points to be taken into consideration before we make up our minds in asking for permanent settlement which might mean some loss of revenue to the Government. But I would even go a step further and say that even if it were not possible to reduce the expenditure under survey and settlement or under the head of land revenue, the fact that we are likely to lose about 4 lakhs under this head owing to the acceptance of this resolution ought not to deter us from taking that step. The House would remember that the Madras agriculturist has been paying an abnormally high rate of land tax for several generations. There is however scope for substantial retrenchment which will more than compensate the loss of revenue.

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"There is another point which has to be taken into account. It is sometimes suggested that the grant of the permanent settlement will only benefit a few rich landed proprietors. But that is certainly a mistaken impression. It is a well-known fact that most of the landed proprietors in this country are very poor. More than 90 per cent of the total number of *pattas* are *pattas* paying Rs. 30 and less, though the revenue paid on these *pattas* is about 46 per cent of the total amount realized. If therefore any one is likely to be benefited from the permanent settlement, it is not the rich landlord or *mirasidar* but it is the poor landholder. Can it be maintained for one moment that persons who pay such low assessment and who own such small holdings do not deserve that benefit which is likely to accrue from the grant of permanent settlement?

"Again, Sir, it has been urged or it is likely to be urged that it will affect the question of the unearned increment of the State. In the first place I question the correctness of that proposition. If we remember that the largest body of the landed proprietors own small holdings, it is incomprehensible how the question of unearned increment of the State can be applied to such small landed proprietors. They have very little margin left for additional assessment. They have to meet all the other necessities of life as every one else in the world. It is incongruous and inexplicable how this unearned increment theory can be applied in the case of land alone when it can be applied with greater force in the case of other incomes or in the case of other properties. Therefore I suggest that that theory should not be accepted for one moment. Among the latest pronouncements on the subject, I find that Mr. Montagu himself in discussing this question did not lay any stress upon the theory of the unearned increment of the State. He practically stated that we can leave it out of account altogether. He rather laid importance upon the question that when once we grant relief to the large landed proprietors, we must be in a position to grant relief to the tenants or ryots under them. That is the only objection which he raised and he did not lay any stress upon the theory of the unearned increment of the State. In reply to the position taken by the Secretary of State, I would point out that no one would advocate that the other persons who hold smaller lands and who are placed in a worse position ought not to be given relief. The question of giving them relief is not such a difficult proposition as it is apprehended to be. When once this principle is accepted, it is quite possible to introduce changes in that direction.

"This resolution, Sir, suggests the introduction of permanent settlement. One question may be asked; that is, on what basis should this permanent settlement be worked out? It will be asked whether the prevailing rates should be immediately declared permanent or whether there should be an adjustment of the rates before they are declared permanent. This question has been under consideration before the public for some time past and there is likely to be some divergence of opinion in questions of detail. But any divergence of opinion in questions of detail need not deter us from urging the acceptance of the principle. I know that the Madras ryotwari landholders' association which met in August last emphatically passed a resolution urging the necessity for the introduction of permanent settlement. They stated that the existing rates should be declared permanent and that in the case of those districts which were settled during the last ten years there should be a reduction of 15 per cent. But there is also another point for consideration and that is, whether we may not at least accept the present rates in the case of those settlements which have been in operation

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during the last ten years when we find the enhancement in those cases really very high. In the case of those districts which were settled before that period, the rates may be settled and adjusted. If once we accept the principle that in all resettlement operations no proposal ought to be given effect to unless they are sanctioned by the legislature, there will not be any danger in drawing such a distinction. I am quite certain that this House composed as it is of members representing the landed classes will not sanction proposals for resettlement without taking all the circumstances into consideration. Therefore I suggest that though it is necessary to level up and equalise the rates, we need not touch the case of those districts which have been settled during the last ten years. Even in the case of other districts, one might examine whether there is any need for alteration.

"Another point which was raised in this connexion was this: do you make it impossible for the State to claim anything from land or from landholders for all time to come by introducing the permanent settlement? I know two suggestions have been made in that connexion. One suggestion has been that except in the case of small pattadars—excluding of course very small pattadars paying Rs. 50 and less—we can levy an additional cess. Another suggestion has been made whether we cannot have an additional cess upon agricultural income above a certain figure. These two suggestions no doubt deserve some consideration. In the case of pattas paying Rs. 30 and less, and even Rs. 50 and less, there is the admitted circumstance that there are several persons who own such small pattas. The figures relating to pattas themselves would not give us an accurate record whether these small pattadars are rich or poor. It is therefore very difficult to classify them under any such category. I believe there is greater force in the suggestion that has been made that if for exigencies of State it is found absolutely necessary to have an additional cess, it may be on agricultural income of Rs. 1,000 and more. That is a suggestion, Sir, which is well worth consideration. But I would venture to place before this House that that suggestion ought not even to be considered before the other items of revenue are exhausted. In my opening remarks I indicated that agriculturists have already been over-taxed. They have been driven to abject poverty; they have paid much larger sums of money than anybody else in this world. That being so, before any question of additional land-cess is thought of, it will be the duty of the Government to see whether there are any other items of revenue which should be developed. It is my painful duty to point out that though we have been demanding land revenue at enhanced rates, yet there has not been the same earnestness and enthusiasm in the way of developing land revenue by improvement of irrigation sources or the extension of cultivation. I would ask the Government to consider whether for the purpose of improving the land revenue they would be justified in thinking of additional land-cess without at the same time properly improving the irrigation sources or the extension of cultivation and thereby getting enhanced land revenue. It is really painful to notice that during the last ten years there has been practically very little improvement effected in this direction. There has practically been no increase in the extent of cultivated area during the last ten years. That is a circumstance which leads me to think that even the question of additional cess to cover up unavoidable deficit and to meet the exigencies of the State ought not to be thought of under any circumstances unless and until the Government have done all that they should in the development of irrigation sources and in the extension of cultivation. It is in that direction that they should find their additional land revenue and not in the way of imposing any additional burden upon land.

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"I only wish to point out that this question of permanent settlement has been accepted by all persons in this country, by persons of all shades of opinion. Even the Indian National Congress and the Provincial Conference urged the introduction of permanent settlement. Some of the leaders of the non-Brahman party also urged its introduction. In the non-Brahman conference presided over by my honourable friend, the Minister for Development, they urged the introduction of permanent settlement as early as possible. It will be remembered that the Madras ryotwari association which is an association representing the interests of landed proprietors emphatically stated that it is possible to remove the present economic evils from which a large number of agriculturists are suffering only if legislation is introduced or if steps are taken for the purpose of introducing permanent settlement. I now ask, Sir, whether at this stage and in this new era, when the people of the country have been given a voice in the administration, are we not justified in asking for this measure of reform which we have been agitating about for the last so many years? Is it not natural and fair to expect this popular assembly at one of the early sittings after its inauguration to mark the utility of its existence by passing this measure without any difference of opinion? If this House constituted as it is does not give expression to its unanimous wish in this direction, those who have expressed doubts as to the utility of this institution will find their fears justified. If this House unanimously expresses its opinion, I believe the Executive Government will not be bold enough to discard the unanimous wish of the people. I know the Government have been making some attempts to legislate in this matter. I know that a land revenue bill has been under preparation and a committee has been working at it. If that committee has recommended the adoption of permanent settlement, then the work of the Hon'ble the Revenue Member will be easy and I will have no cause for complaint. Otherwise the duty of this House is clear. It is bound to express its opinion leaving the further action to be taken by the Executive Government.

"I feel it my duty before I close to give a warning to the members of this House and to the Government and it is this: if the non-co-operators have been able to exercise any influence over the ignorant masses, it is by their incessant preaching in season and out of season that we in this country have been subjected to very heavy taxation. I am not surprised that some ignorant persons might have been carried away with the picture—an alluring picture—presented to them of a future India when they will have fewer taxes, lighter taxes or no taxes at all. There is no use of quarrelling with them or of objecting to their methods so long as we do not take steps to remedy the existing evils and to remove the discontent. The best way of meeting the non-co-operator is not so much by inaugurating or pursuing the policy that has been followed hitherto, but by remedying the evils and by removing the root causes which have led them to adopt such a course of action. I would only request the Government to take note of the fact that if the agriculturists are enamoured of the preaching of these non-co-operators, it is because they feel the pinch of taxation. It will be the duty of the Government to remedy the evil and to defeat the forces which have been at work. If only this measure of reform is accepted, I am confident that the prevailing discontent among the masses will disappear and the non-co-operators will cease to exercise the same influence over the ignorant masses that they are now wielding."

Mr. T. C. TANGAVELU PILLAI:—"As one who had given notice of a similar resolution I beg to second the resolution. It has been said in season and out of season that we in this country are subjected to very heavy taxation. I am not at all surprised that some ignorant persons are

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carried away by a picture of alluring condition of things, of a future India when they will have fewer or lighter taxes, or no taxes at all. There is no use of quarrelling with the methods of the non-co-operators so long as you give them a handle in discontented and over-taxed cultivators. I only request the Government to take note of the fact that if these agriculturists or some of them have been enamoured of the preachings of the non-co-operators, it is because they feel the pinch of the taxes. It is the duty of the Government to remedy this defect and defeat the forces which have been at work. If only this measure of reform is accepted I am confident that the prevailing discontent among the masses will disappear and the non-co-operators themselves will cease to exercise so much influence over the masses.

"I have great pleasure in seconding this resolution. I wish to impress on this House that the main question on which the election campaign was fought and brought a majority of non-Brahmans in this House was the introduction of a permanent settlement in ryotwari villages. That should be borne in mind by every member in deciding this question. It may not be out of place to mention that the Royal Decentralization Committee has given its opinion that the land revenue question must be settled by some legislation. This was overthrown by the Government of India, but the Joint Committee came to our rescue and settled that the land revenue administration should be a provincial subject. It is essential that the levy of land revenue should be settled by legislative enactment.

"No doubt it may be urged that there are many different kinds of tenures prevailing in this country. But they are not too numerous. The settlement of the land revenue question is a great task and involves the task of putting an end to the prevailing discontent. It should be remembered that more than two-thirds of the people paying land revenue are poor people. Now 50 per cent of the net profit after deducting the expenses is claimed as the tax due to the Government; this is a great source of trouble and annoyance to the people. Mere outturn only is taken into account. They do not take into consideration that the cultivator has a wife and probably two or three children whose maintenance would cost about Rs. 250 a year. In the produce expenses the work turned out by the owner himself is not taken into account. The point that the Government should have taken into account when they begin to settle the assessment of a particular district is to consider if the total yield in the district was sufficient for the maintenance of the entire population in the district, but they did not do so. It was admitted by one of the Viceroys of India that the greatest discontent that prevailed in India was due to the poverty of the agricultural classes who were oppressed by the taxes being resettled every now and then. It may also be brought to the notice of this House that if the Government takes a sympathetic attitude and brings about a permanent settlement it will be considered a great boon by the people and all sorts of discontent will come to an end. With these few words I second this resolution."

Mr. A. SUBBARAYUDU:—"It is a well recognized fact, I believe, that India is one of the most heavily-taxed countries in the world so far as land revenue is concerned. It is also a recognized fact that we in Madras pay a higher land tax than those of any other Province. The indebtedness of the Madras ryot has become proverbial and all your co-operative societies working at a high pressure and with tremendous speed have not been able to reduce the indebtedness of the ryot. The absence of fixity in land revenue has

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always been a source of anxiety and insecurity to the Madras ryot. It is a common belief in this country that the permanent settlement of Bengal is mainly, if not solely, responsible for the prosperity of that Province. Our rivers like the Godavari, Kistna and the Cauvery are as much rich in alluvial matters as the Ganges, and yet we find that the people of Bengal are more prosperous than those of any other Province. It cannot be an exaggeration therefore that the prosperity of Bengal is to a large extent due to her permanent settlement. In our own Province the zamindars have had their settlement in what is called the 'Bara Fazli' corresponding to the year 1802 and all these hundred years the ryotwar holders have been paying increased assessment, not to speak of increased water-rates.

"While I am on this subject, I may mention that the Godavari anicut was constructed, in the hope and belief, if not with the assurance that a 3 per cent interest could be realized on the capital invested on that work. It was also considered at the time of the construction that a water-tax of Rs. 2-8-0 per acre would cover the 3 per cent interest which was sought to be realized. But what do we find to-day? We find that from Rs. 2-8-0—the original tax—it was raised to Rs. 3, and then to Rs. 4, and now it stands at Rs. 5 with the result that to-day instead of the original 3 per cent interest or the 9 per cent interest now prevailing in the market the Government are realizing an interest of something like 22 to 25 per cent on the capital outlay.

"In this Province, out of a total Provincial revenue of 17 crores of rupees, more than 7 crores of rupees are collected from land alone whether in the shape of land revenue or irrigation cess. That is the state of affairs which must make any Government halt. Is there any country in the world which draws as much as 45 per cent of the total revenues or total expenditure in the Province from land alone? Is it not possible for the Government to tap other sources of revenue and relieve the landowner? Take again the case of the zamindars. They own nearly one-third of the land in this Province. They were given the permanent settlement and they are enjoying the unearned increment for more than a century. Why should not they share the burden of the State as much as the millions who work and toil in the fields morning and evening, day and night as much as their bullocks work."

Mr. A. RANGANATHA MUDALIYAR:—"Hear, hear."

Mr. A. SUBBARAYUDU (*continuing*).—"I may tell the House that the country is looking forward for a permanent settlement. If you reject this resolution, there will be dissatisfaction in the country. Whatever may be the work of the non-co-operators, I may tell you that in this Province the heart of the agriculturist is sound, and I may say without fear of contradiction that the agriculturists form the mainstay and the support of the Government. To them the Government owe a duty. Tax the agitators; tax all those people who talk so big; tax railways; insurance companies; impose death duties; collect inheritance tax; tax the luxuries; tax whatever you will; but pray, do not tax land any longer. For goodness sake, do not kill the duck that lays golden eggs."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I rise to support this proposition. The ryotwari settlement made with the cultivators direct in this Presidency was originally intended to be permanent. Colonel Reed and Sir Thomas Munro were the authors of the ryotwari settlement and their recorded opinions about the permanency of this settlement leave no doubt in the matter. My honourable friend, Mr. Krishna Rao, who moved this resolution, referred to certain extracts

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from the Reed's proclamation relating to the Salem settlement and from Sir Thomas Munro's evidence before a Committee of the House of Commons in 1818. I have got extracts from those documents here, but considering the fact that my honourable friend has already referred to the more important portions of these extracts I do not wish to refer to them again. In the face of these clear declarations and evidence, the statement of the Board of Revenue, Madras, in their report which is enclosed in Lord Curzon's Land Revenue Resolution of 1902 that 'the words *fixity* and *permanency* as applied to the assessment did not, when used regarding the Ryotwari System, connote the idea of perpetual immutability' cannot be accepted as correct. Nor is it a valid argument to say that the right of permanency claimed was not declared or granted by any statutes. Statements and declarations made solemnly and after deliberation for the acceptance and guidance of the people, by responsible officials and administrators, particularly in the early days of the British rule in India, ought to be and are binding not only upon themselves but upon their successors and the Government they represent. No doubt, for about thirty years after the death of Sir Thomas Munro, which took place in 1827, the land revenue administration in this Presidency was in a hopeless confusion and the assessments in the different districts were lowered, raised and lowered again according to the judgment of revenue officers. This also does not detract from the weight and authority of the statements regarding permanency of the ryotwari settlement, recorded on several occasions by Munro and others. In 1818 the Board of Revenue issued detailed instructions for the general introduction of ryotwari as ordered by the Home Government. One of the distinguishing characteristics of the system, they said, was 'that the assessment was a permanent maximum rent fixed on each field.' 'The Madras ryot,' said the Administration Report of 1855-56, 'cannot be ejected by the Government so long as he pays the fixed assessment. The ryot under the system is virtually a proprietor on a simple and perfect title and has all the benefits of a perpetual lease.' 'A Madras ryot,' said the Board of Revenue in 1857, 'is able to retain his land perpetually without any increase of assessment'. In the same year the Government expressed themselves thus: 'The proprietary right of a ryot is perfect and as long as he pays the fixed assessment on his land he can be ousted by no one; there is no principle of ryotwari settlement more fixed or better known than this, and the Government deny that any right can be more strong.' Again the Government of Madras wrote to the Government of India in 1862 'There can be no question that one fundamental principle of the ryotwari system is that the Government demand on land is fixed for ever. It is thus abundantly clear that the distinguishing feature of a ryotwari is the limitation in perpetuity of the demand of the State on the land.' There can thus be no doubt as to the original intention regarding the ryotwari settlement. Proposals for the formal introduction of the permanent settlement in this Presidency as well as in other parts of India were also under consideration for almost 23 years from 1860. In 1861 Lord Canning's Government circulated proposals to extend the permanent settlement into all parts of India for opinion to the Governments of the different provinces. The Madras Government replied in its letter No. 241, dated the 8th February 1862. In this remarkable letter the Government, after carefully reviewing the previous history of the ryotwari settlement in this Presidency, supported 'the old ryotwari principle of a permanent money assessment—that is to say, an assessment based on a certain portion of the crop, and converted into a money payment at a fair commutation rate, fixed once and for ever.' The Governments of the Central Provinces and Bengal were also in favour of extending the permanent

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settlement. The Lieutenant-Governor of the North-West Provinces too was in favour of it, but only with due caution and reservations. He stated in a minute recorded by him that the limitation of the Government demand in perpetuity would lead to the investment of capital in land, the increase in wealth of the agricultural classes and the augmentation of the prosperity of the country and the strength of the community, that it would be politically wise, that it would be received by the people with the highest satisfaction and that it would produce, if anything could, feelings of attachment to the Government and of confidence in its desire to promote the best interests of the country. On the 5th July 1862 Sir John (afterwards Lord) Lawrence recorded his opinion entirely in favour of permanent settlement. He said that it was very desirable that facilities should exist for the gradual growth of the middle class in India, connected with the land. It was necessary to give the intelligent, the thrifty and the enterprising among the people, the opportunity of improving their condition, and this, according to him, could be best done by limiting the public demand on land. 'When such men', said he, 'acquire property and are in a thriving state, they are almost certain to be well affected to the Government, and will use their influence which will generally be considerable, in its favour. Feelings of race and religion have great influence on the people of India; but love for their lands had still greater.' On the 9th July 1862, Sir Charles Wood, afterwards Lord Halifax, the first Secretary of State for India under the Crown wrote a memorable despatch in which he entirely approved of the proposal of a permanent settlement of the land revenues of India. After a careful review of all the circumstances, Sir Charles Wood said 'Her Majesty's Government are of opinion that the advantages which may reasonably be expected to accrue not only to those immediately connected with the land, but to the community generally, are sufficiently great to justify them in incurring the risk of some prospective loss of land revenue in order to attain them and that a settlement in perpetuity in all districts in which the conditions absolutely required as preliminary to such a measure are, or hereafter may be, fulfilled is a measure dictated by sound policy and calculated to accelerate the development of the resources of India, and to ensure in the highest degree the welfare and contentment of all classes of Her Majesty's subjects in that country'. On the 8th June 1864 the Viceroy in Council submitted, in reference to the above despatch of the Secretary of State, an account of the steps taken in furtherance of the object in view. On the 24th March 1865, the Secretary of State replied to the Viceroy and laid down certain rules for the introduction of the permanent settlement. On the 23rd March 1867, the then Secretary of State for India, Sir Stafford Northcote, re-affirmed the decision of Her Majesty's Government to introduce a permanent settlement. Her Majesty's Government, he wrote, were prepared to sacrifice the prospect of an increase in land revenue 'in consideration of the great importance of connecting the interests of the proprietors of the land with the stability of the British Government.' But as time rolled on the desire to make the sacrifice gradually began to diminish and the objections to permanent settlement which had been foreseen and disregarded in the earlier years began to acquire greater weight. At length in his despatch No. 24, dated 28th March 1883, the Secretary of State formally rejected the recommendation for the introduction of permanent settlement, made by Viceroy Canning and Lord Lawrence and accepted by Sir Charles Wood and Sir Stafford Northcote. Thirty-eight years have now elapsed since the date of this last despatch and the angle of vision of the Home Government has again changed. Larger powers in the Government of this country have been granted to the people by the reforms and land revenue is likely to become a transferred subject before

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long. The present time seems to me to be quite opportune for pressing upon the Government of India and the Secretary of State the need for reconsidering and reversing the policy laid down in 1883. Before closing this part of my observation I wish also to refer to the opinions of the late Diwan Bahadur S. Srinivasaraghava Ayyangar, one of the ablest and most cautious officials this Presidency has had and of the Madras Ryotwari Landholders Association, on this question. In his memorandum on the progress of the Madras Presidency during the last forty years of British administration written in 1892, Mr. Srinivasa Raghava Ayyangar after carefully considering all the arguments *pro* and *con* in regard to the question of permanent settlement says that the advantages of a permanent settlement are so great, 'that I am inclined to think that it should be introduced, wherever practicable.' The Madras Ryotwari Landholders Association has, at its recent conference in Madras, passed a resolution urging the need for enactment of a law introducing permanent settlement. Before actually introducing permanent settlement, it is necessary to equalize, as far as possible, rates throughout the Presidency. This may be done in several ways and I suggest three methods. In such of the districts as are now pending settlement, the rates may be settled and such rates may be declared permanent. In the case of such of the districts as have been settled within the last seven years, the rates now prevailing may be made permanent. The period of seven years mentioned herein may be altered, say to five or ten years. In the other districts where the thirty years' term has not expired, resettlement may be taken up as it falls due and the rates to be settled may then be declared permanent. If the principle of permanent settlement be adopted the question of the equalization of rates can be solved without much difficulty.

"The loss of revenue caused by permanent settlement can be made good by the imposition, with the sanction of the Legislative Council, of a temporary cess on a graduated scale on land assessments when the needs of administration demand it and when other sources of income are not available. In levying this cess it is necessary to make a distinction between smaller and larger landholders and impose the cess only on the latter. A minimum land assessment of Rs. 50 or so may be fixed and all those landholders who pay more than this minimum may be made to pay cess on a graduated scale. This will afford relief to the smaller landholders who form the bulk of the pattadars in this Presidency. According to the report of the Board of Revenue for fasli 1328 out of a total of 4,222,771 pattadars in this Presidency as many as 4,030,202 pay Rs. 50 and less as annual assessment. The proportion of their number is thus very large and the lot of these smaller pattadars is very hard. They depend solely upon land for their subsistence. They find that while all non-agricultural incomes below Rs. 2,000 are exempted from taxation altogether, they have to pay revenue on lands which do not yield anything like Rs. 2,000. The comparison does not make them happy. The levy of cess on a graduated scale on land assessments above a fixed minimum will also enable those who now enjoy the fruits of permanent settlement to contribute to the resources of Government, for benefits which they share with others.

"The proposal to levy a cess on land assessment and make a distinction between smaller and larger landholders is regarded by some as unsound in principle. It is said that one of the main principles of a ryotwari settlement is that the assessment should be on land and should not be determined by the wealth or poverty of the landholders. I see nothing wrong in principle either in levying a cess on assessments or taking into consideration both the land and the landholder in determining the amount of the cess. The idea of levying a cess on a graduated

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scale and making a distinction between the smaller and the larger landholders has the support of the present Secretary of State for India. In an interesting and thoughtful lecture which Mr. Montagu delivered on the land problem in India and England just before the outbreak of the recent war he said:

'You will notice that each individual for revenue has to pay the proportion demanded in his locality according to the nature of his holding; if this should happen to amount, say to one-fifth of the net profits of cultivation, the big man pays Rs. 20 and the small pays one rupee out of five. We are getting accustomed to recognize that the hardship in the latter case is a good deal greater than the former. Allowances are made, it is true, for the small man in India. Now it is done at the discretion of the revenue officers, and not on any uniform principle and one is tempted to wonder whether it would be possible to apply a graduated scale of assessment instead. There is of course the theoretical objection that such a measure would promptly label land revenue as a tax. But I cannot help thinking that the Government of India's record shows that it is strong enough to look this difficulty boldly in the face and pass it by.'

"Thank you, Sir, for having allowed me to exceed the time limit."

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, I have no desire to take up the time of the House for more than a minute or two. The recent settlement that was held three years ago in South Arcot—the district from which I come—hit us very hard and made the lot of a large number of agriculturists really miserable. At that time, the preliminary report drafted and prepared by Mr. Watson came in for a large share of public criticism and all our protests and the resolutions passed by us at the various meetings and conferences were of no avail. But finally, at a late stage, the Government was pleased to make some slight reduction with the result that, when the matter was looked into from the standpoint of the ryots, they found themselves in a worse position. Assessments on lands under particular sources of irrigation were raised by 33½ per cent, and assessments on lands under other classes of irrigation were raised by 25 per cent. Correspondingly also there were increments with reference to assessment on dry lands. And when the final figures came up for consideration we found, to our utter dismay and amazement, that the revenue has gone up by 25 per cent. I only refer to this for the purpose of showing what the feeling in the country in general is with respect to resettlement operations. Resettlement in ordinary parlance is synonymous with enhancement though it also carries with it by implication, reduction in certain suitable cases. But experience has shown that it is not the case. I do not now go into the vexed question whether the revenue is to be regarded as tax or rent. I do not propose to enter into it, for it is all the same to me whether it is to be viewed in the light of tax or rent, so long as we are confronted with the bogey of resettlement once every thirty years. No matter by what name you call it, the result is there, the burden is there, and the growing weight of it is there.

"Well, I am prepared and ready to concede that permanent settlement will necessarily affect the growing revenue of this Province under the head of land revenue. To make good their loss other sources may profitably be tapped, if and when necessary. It cannot for a moment be denied that permanent settlement will confer a permanent and everlasting boon on the agriculturists and a large number of the tillers of the soil who are entitled to retain a large portion of the fruits of their labours. The honourable mover has taken us at considerable length into the history of this thorny question covering a period of a century and a half. It comes

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to this; that the Government realize from the ordinary ryotwari holder as much as 59 per cent as I shall be able to show presently. According to the Standing Orders, the ordinary revenue represents 50 per cent of net income and on that we have to add the land cess amounting $6\frac{1}{2}$ per cent, and also another 3 or $3\frac{1}{2}$ per cent, under the recent Local Boards Act; so far as my district is concerned and some other districts as well, the district boards are levying a cess of 3 As. per rupee. Some of the taluk boards are following this example, and taking the clue from the district board, have also resolved to levy a cess likewise with the result that when we total up the figures, we find the tax-payers being called upon to pay as much as 60 per cent out of the net income on lands. That is hardly a position which a landholder can be expected to contemplate with perfect equanimity. I expect considerable support from the various sections of this House with reference to the subject matter of this resolution. This resolution, as the House is perfectly aware, does not raise any party question. No communal or sectional issue is involved. As a matter of fact it is the question of all questions. It is a question which vitally affects the masses whose welfare is in our hands. Ryots look upon resettlement as their enemy. We, as representatives of the people, are bound to go to the rescue of the masses, whose grievance is real, whose grievance is legitimate, and I submit that this reform which has been so strenuously fought for is long overdue. With these words, I wish to give my support to the resolution before the House."

Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, Sir, I cannot pretend to any special knowledge of this subject; but as I will be called upon to vote on this resolution and as I have to safeguard the interests of the ryots whom I represent here, I should like to make one or two observations, with a view, among other reasons, to elicit information on certain points. In the first place, Sir, I wish to know whether the scheme, namely, the introduction of the permanent settlement of assessment, carries with it a reciprocity of duty both on the part of the Government and on the part of the ryots. As matters stand, Sir, I know by practical experience that, within the last ten years, land has doubled or trebled in value, and when it is possible for some who have purchased land very recently at enhanced rates to have their 6 per cent, or $6\frac{1}{2}$ per cent, I think it should be possible for those who have been in the enjoyment of land for the past ten years or more to have proportionately a larger income. This state of things is attributable to the fact that for the past five or six years paddy has been selling at Rs. 3, Rs. $3\frac{1}{2}$, Rs. 4 and sometimes for a short period even at Rs. $4\frac{1}{2}$ per Tanjore kalam. Now, should the monsoons be regular and bring a regular supply of rainfall and should it be found possible for the ryots to utilize even dry lands for the purpose of cultivating paddy, should there be a large supply of paddy in the market necessitating a fall in the price of paddy and should speculatively considering the price of paddy revert to what it had been before the war—it was Rs. 2 per kalam in Tanjore—will this introduction of permanent settlement assessment enable Government to revise the rates or for the ryots to call for a readjustment of the rates, so as to bring them into harmony with the existing prices? For, granting that the present wages paid to farm labourers do not admit of being very much altered or could at best undergo only slight alteration, the present rates, I am honestly convinced, will certainly prove a hardship, a terrible hardship, should the prices fall and the value of land therewith. Now, I will reverse the picture. I will speak of irregular monsoons and consequent failure of rainfall, when crops are scanty, when paddy is not raised very extensively, when lands are even allowed to lie fallow, when paddy cultivation is confined to limited areas, where again on account of

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the present system of *murai*, weekly *murai*, the crops very often fail and cannot thrive, will again the introduction of this permanent settlement permit of ryots applying for remission of kists generally, not to speak of those lands which, for prudential reasons have been allowed to lie fallow? Secondly, Sir, I take the case of a large impetus being given to opening model farms. I will also consider the possibility, on a very large scale, of introducing intensive cultivation, for sooner or later we shall have to face this question, if the present slow deterioration of land has to be arrested; will again the introduction of this settlement permit of Government claiming a very proper share of the enhanced revenue? And again, Sir, should the present rate of assessment be considered as many of my friends have already remarked, to be far in excess of the rates in other provinces, far in excess of what must certainly be considered as forming an equitable tax on the ryots, is there anything in the present working of the revenue rules or code which precludes a special inquiry, so that as a result of this enquiry, considering the existing prices and the value of the land, a readjustment may be effected in order to make the rates more equitable? Now these are a few points which occur to a layman like myself who cannot pretend to have any special knowledge of the subject, the only knowledge I possess being practical knowledge and experience gained by me as a small farmer. I think these points deserve very careful consideration and must be met both by my friend the mover and the supporters."

Mr. S. SOMASUNDARAM PILLAI:—"Sir, This question was considered more than once before. I remember to have read some of the objections against the permanent settlement taken on behalf of the Government. First they say: the Moghul emperors whom we succeeded thought that they were the landlords and the people were the tenants; because we have succeeded the Moghul emperors, we are walking on the same lines, and what we are getting from you is the same rent. So as a landlord we have every right to enhance the rent periodically. The second objection is the Moghul emperors used to take a sixth portion of the yield of the land in kind. But we take less than a sixth and we are collecting in coin; on account of the cheapness of money it appears as if we take more. These are the two prime objections brought forward. The first objection is that they succeeded the Mughal emperors, and what the latter claimed they also claimed. There are so many other claims. The Moghul emperors claimed that all Hindus should become Muhammadans. But our friends the British Government did not claim that. I understand that in England there is no land tax. Every landlord owns the land and not the Government. They, the English, generally bring their own sense of justice to the land which came in their possession. If they imitated in this matter the Moghul emperors, they must imitate in all. This brings to our mind a very knotty question, whether the Government is for the people or the people for the Government. The Moghul emperors thought that the whole world was created for them. I do not think the British Government will say like that. They got India but they do not think the whole India is for them. I have one more thing to say. It is said there that the tax is always increasing and never decreasing. There is no tendency to decrease."

"Several years ago when I was in Tanjore I remember what took place when taxes were settled. The Settlement officers—not Europeans, but our own countrymen—were putting some questions to the landlords. They would ask 'How much do you own?' The man who was addressed thus would say: 'One acre'. The

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question will again come 'what else have you?' 'I have got a small betel-nut shop; and the officer would say: I now see the reason why you don't get on well. Your attention is divided, you must devote all your time to the land. So you must pay all your attention to the land and you will then be able to pay the tax.' Another man was asked 'What do you own?' He said 'I own two acres' 'What else have you?' 'Nothing, Sir.' 'That is dam nonsense; you should have something else; why can't you have a small bazaar? then you will pay the tax' and so on. This is the argument for increasing the tax. In Tanjore there were two gentlemen who took interest in the matter, the one was Mr. S. A. Swaminatha Ayyar and the other was Mr. Muthuswami Pillai, both pleaders. They remonstrated with the Settlement Officer with no benefit.

12-30 p.m. "Another thing they say is that the prices of land are rising higher and higher and the prices of agricultural produce as also of land. If so, why should Government lose the benefits of the increased prices? I do not think that the prices were at any time as high as last year, when they seem to have reached a record figure. The price that obtained was 24 Madras measures for Rs. 4 in the rich district of Tanjore. How many people there are taking a full meal a day? There are among them thousands of people, I know, who have to go on with a single meal a day. Does it show the prosperity of the cultivators? Cultivation is held to be the noblest of professions. The Tamil saints say—

‘தொழுதுண் சுவையி னுழுதுண் இனிது’; and

‘எரும் இரண்டுளதாய் இல்லத்தே வித்துளதாய்

நீரருகே உள்ள சிலமுனதாய்—ஊரருகே

சென்று வரவெளிதாய் செய்வோரும் சொற்கேட்கில்

எனது முனவே இனிது.’

It is considered that the food earned by ploughing is sweeter than the food earned by serving others. So, people took to cultivation more eagerly than they did to service under anyone. Now the cultivators do not at all feel happy. Now-a-days some people are even afraid to purchase land. Some honourable member said that prices of lands have risen abnormally. But I ask him whether the produce of the land is increased. No. People are afraid to entrust their money to banks, etc., for the fear of failures of banks and they invest it on jewels. They are advised not to purchase jewels as they may fall into the hands of robbers, but to purchase land which cannot be lost. That is the reason why many people rush to purchase lands. If you go to Tanjore, you will find almost all are petty mirasidars, though a handful of them are big mirasidars. There are 80,000 voters in the Tanjore district. Only about a hundred or two hundred of them are rich mirasidars but all others are petty landholders living from hand to mouth and such people are undergoing much trouble. If you want to increase taxes, do not make it burden on all. Government may collect money in some other shape. They may tax the rich mirasidars but not the poorer landholders.

"Another disadvantage the people are suffering from is this. Everybody is afraid of investing in the cultivation of land. The Agricultural department is no doubt doing its best to convince the people on methods for obtaining more produce from land. But what does the cultivator say? He simply laughs and says, 'what sir, if we increase its produce, the benefit does not come to us. The Government increases the tax and we will have to pay the tax to the Government

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and so we are not gainers. So, he is afraid even to work for greater produce, and goes on in his old *mamul* way. There is thus no inducement to the cultivator to adopt the methods taught by the Agricultural department at great expenditure. These agricultural experts are employed for the good of the people, but the cultivators do not derive any advantage from them. I would therefore beg the benign British Government to seriously think about these matters and fix the assessment permanently. With these few words, always praying to God so that God may be pleased to induce our benign British Government to give us this benefit, I support this resolution."

Mr. K. GOPALAKRISHNAYYA:—"Sir, I rise to make a few observations on this resolution. There are two aspects to this question. From the point of view of the ryot there is nobody in this Council who would deny that the introduction of permanent settlement would be a boon to the cultivating classes of this country. Honourable members of this House will have to bear in mind one fundamental principle in taxation. When land is taxed, the Government will have to see that there is a fixity of tenure and permanency of occupation of land. When we look at the pages of the histories of European countries, for instance we see how in France the land tax was felt to be heavy, how the land owners were made to groan under the heavy burdens of taxation and how under similar circumstances which we are now placed in, the statesmen of that country adopted means and methods both from the standpoint of the land-owning classes and also from the point of view of the Government. The methods adopted in that country were both beneficial to the Government and also the land-owning classes. The Government there did not suffer as a result of their conferring a boon on the people. The magic of ownership in land especially the peasant proprietorship in land has been well known in Denmark. Members of this Council are aware that though Denmark is a small country where holdings have been divided to the extremest narrowness, where the land-owners possess lands measuring about half an acre, one acre and two acres, still when we compare these peasant proprietors with the land-owning classes of our country, it would appear that individually the proprietors there are much better off than those in this country. Therefore, it is that magic of ownership that gives a lead to the cultivating ryot, and it is that principle that will have to be introduced by the Government in this Presidency. We know, Sir, that this Presidency has been very heavily taxed so far as the land tax is concerned and even economists of European countries were not able to solve the question as to whether this land tax in India is rent or tax. But still that is an open question and economists have not come to any conclusion as to whether it is economic rent or whether it is a tax or whether it comes under the strict principles of taxation. Of course, we know that land has been taxed under periodical settlements, and it is our experience that this tax is always on the increase. Probably the Government may feel that the introduction of permanent settlement may curtail the revenue of the Government. I do not think such fears need be entertained because when lands are to be classified permanently even poorer soils will bear the burden permanently. Even the poorer soils which are now paying a lower rate of tax will probably bear a slightly higher rent which would in the long run be beneficial to the people and would also fill up the coffers of the Government. When we take these circumstances into consideration and look into the future, I think the Government need not entertain any such fears. It may be said that the land-owning classes are better off, that the prices are growing higher

1750 PERMANENT SETTLEMENT OF LAND REVENUE IN RYOTWARI HOLDINGS

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and higher and as such the rent or tax that may be assessed permanently may not be sufficient to meet the growing expenditure of the State. That is a nice argument, but we will have to see first of all the ryot also who is still labouring under the same disadvantage of meeting his own ever increasing expenditure by way of giving a share of his produce to the labourers and also to meet his other expenditure which is varied. There is, Sir, a saying in our vernacular that according to our Varnashramadharma system the Vyasa who was carrying on this profession of cultivation in the olden days had to give it up because he found that the castor-oil which he had to apply to his plough-head was just found to be higher on the debit side. He therefore gave up that profession and took to some other profession, and agriculture has fallen to the lot of other classes in this country. That is the proverb that obtains in our country. So when we consider facts before us and examine those facts, we find that the cultivating ryot is not after all at an advantage. He simply sticks on to the land however much he may be put to difficulties and however heavy may be the burden that is thrown on his shoulders, because he cannot eke out his livelihood in any other line. He simply sticks on, squats on the land and does his business on the land for want of any other living. There is no fear in the future because we see signs of growing trade in our country, signs of people taking to other avocations and I think the Government will be well advised if they tap those resources instead of relying on land and land alone. In the Madras Local Boards Act and in several other Acts land has been made the standard of taxation, for taxation is levied chiefly on land or on the standard of land. As one of the members of this Council has pointed out, if at this rate for everything land is to be taxed, there cannot be any hope of any progress either in agriculture or for substantial improvement of land. Hitherto the principle of the classification of soils has been adopted in the periodical settlements. That is also a vexed question. The Government are not yet prepared to adopt any fixed principle even on the question of classification of soils. One expert comes and says that land is to be classified into two classes, for instance into the black *Regar* and red *Ferruginous*, and some other expert comes and says that it should be classed into other classes and so on. There is no end to these classifications, and therefore there should be only one classification, and that is the permanent classification that land should be taxed only at such and such a rate. That should be the principle that has to be clearly adopted in this Presidency also. We know that in Bengal the permanent settlement has been a boon. But unfortunately that settlement has not been introduced into this Presidency and we are made to contribute to the luxuries and comforts of Bengal as has been pointed out in this House when we were considering the resolution on Provincial contribution to the Imperial revenue. We have to see that this principle is adopted by the Government sooner or later. Of course, the Government has been good enough in promising to bring out a settlement Code with regard to the periodical settlements. If the Government gives us the assurance that this principle of permanent settlement would also be embodied in that Code, I think, there will be some satisfaction among the people that the Government have certainly taken up this question with all earnestness.

"I may also remind the House that here we are the representatives of the people who pay this land-tax. The majority, at any rate, of this Council consist of members who have been returned by land-tax paying people, and I may bring to the notice of this House that most of the members of this Council in their canvassing tours for votes have also given the

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assurance to their constituents that this question will be fought out tooth and nail in this Council, and I suppose that the members of this Council will not grudge supporting this resolution. For my part, I heartily support the resolution."

Rai Bahadur T. M. NARASIMHA CHARLU:—"Mr. President, I have only one observation to make on this question. Certainly, I am in favour of the resolution and I fully endorse everything that has been said on the subject by the honourable mover. But there is one observation which he has made with reference to which only I have to say one word and that is this. It was said that if you make the settlement a permanent one and if the Government found that they had got no funds to meet their growing needs additional cesses at varying rates according to the richness or otherwise of the tenants or ryots might be collected to meet the growing needs. I think, Sir, that is a very dangerous principle to adopt. For it defeats the very object of the principle for which we are fighting. If you make the tenant or the ryot understand that he has to pay a certain fixed permanent tax on the land, it will be a great incentive to him to increase his labour, to increase his output and to redouble his efforts to make the land yield a greater outturn. But if you tell him at the same time 'we are giving you this permanent settlement, but you will be liable to additional cesses as occasion arises', then, Sir, you certainly damp his spirit and you are not at all conferring any benefit on him by this device. On the other hand, it seems to me it will be a very great benefit to the Government and to the people if this permanent tenure has been fixed for all time to come, and I shall show how it will be beneficial both to the people and to the Government. It will be beneficial to the people, because they will be induced to devote greater attention and to produce greater yield from the land. That will certainly enrich the people; that will make the position of the ryot gradually better. I shall show how it will be beneficial to the State. It will be beneficial to the State in the long run, because if the ryot grows richer day by day, it is very easy to imagine that the trade of the country will increase as he has to dispose of his surplus proceeds from the land. The industry will certainly develop and the country will be more and more prosperous by the increased prosperity of the ryot. If that is so, these industries will certainly bring in a large share of revenue to the Government. In that way the Government will be benefitted. Even if that will not meet the growing needs of the Government, I think, Sir, the simple remedy is this. They must always try to spend within their means. The true principle is not first of all to devise large heads of expenditure and then try to find out money by some means or other, to meet them. I think, Sir, that it is not a true principle. First of all, find out what money you have got; then try to see how much you can spend out of it safely. Now, the Government have been increasing the establishment and the salaries of the establishment. If only the Government should consider deeply, they will certainly find a means to curtail the expenditure. In that way, they need not only not make the needs grow day by day, but they can also fix their needs according to the income. That is why I say, Sir, that the device that is suggested of levying additional cesses in case the land revenue falls short, in case the total revenue is not able to meet the growing needs, is dangerous. I think, Sir, it is not at all advantageous either to the State or to the people. On the other hand, it defeats the very object of the principle of permanency.

"Sir, I have one more observation to make. What we fight for is the principle of permanency. I think it is better that we do not suggest or imagine

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some defects in it and then try to remedy them. The best thing is to carry out this principle and then other things will adjust themselves."

Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, I rise to support this resolution not because at the time of election I glibly promised my constituents that I will get them permanent settlement or because I think that rightly or wrongly non-co-operators should be pacified. But I support this resolution on its merits. As regards those who in a hasty moment made a promise of one thing or another at the time of election, I should certainly say that they must reconsider their position if fresh arguments are advanced to make them change their former views. And as regards non-co-operators, I think that we should face any question that comes before us boldly and find a solution for it honestly, and I am sure that the conclusions we come to would not be far from acceptable to even the non-co-operators.

"I support the resolution on its merits. First, because, the land assessment as at present levied presses far too heavily on the poorer people. Figures have been given both by the honourable mover and by several of the speakers that followed him as to how a large proportion of the cultivators are the poorer ryots and what percentage this assessment bears to the income derived by them from lands. My own experience based upon some careful enquiry goes to show that the poorer cultivating landlords have really very little margin left after meeting the Government demand. The non-cultivating landlord, I think, is far better than the cultivating landlord. He gets a higher lease; the rent he exacts from the poor cultivator is more than that he should legitimately claim, in my opinion, from the cultivators. Rich people like doctors, merchants or lawyers, I think, are not assessed to any extent approaching what they should be taxed. They may underestimate their income and escape taxation. But not so the landholder. If he encroaches upon land belonging to Government even by one foot, that excess cultivation would surely be noticed and booked by the revenue officials.

"Then, another thing that occurs to me in connexion with this is that we are spending far too much money to get this increase in land revenue. Mr. Krishna Rao has pointed out that while we have obtained an increase of 217 lakhs in revenue, Rs. 147 lakhs goes out in establishment expenses alone. That means it has left us only Rs. 70 lakhs which I think is far too small when compared with the amount actually spent to get this increase. Then, again, there are many attendant evils connected with resettlement which, I think, will disappear when once we have a permanent settlement. In the course of my tours in the villages in the taluks where settlement operations are in progress now, I came across village after village where a certain *mamool* has to be paid to the officer connected with the resettlement, and in that not only the settlement officials—I mean the lower officials—but the petty village officers as well have a part. All this, I think will be at a minimum if we have the permanent settlement. Of course there are some inconveniences attached to permanent settlement. Some of them were enumerated by Mr. Arpudawami Udayar. But they are not insuperable in my opinion. Some people referred to a system of graduated assessment. I do not know how far that would be feasible. The effect of that may be that all the members of a household may divide the lands among themselves, each claiming to possess ten acres, twenty acres and so on, so that they may escape all chance of the increased assessment, and binami transactions, as suggested by one of my friends behind me, may also increase. But as I said, Sir, the objections are not insurmountable. Probably it may be possible to enact that the income from agriculture need no

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longer be exempt from income-tax. If this is done, I think we shall have a reliable source of revenue for our purposes. It will bring in also these rich zamindars and landholders who now possess, I am told, one-third of the cultivated lands in the Presidency, and who I think are not sufficiently taxed. So, if this exemption is removed, I think the objection that the permanent settlement will restrict the expansive character of our revenues will disappear.

"For these reasons, I support the proposition."

Mr. P. SIVA RAO:—"Sir, I give my most unstinted support to the resolution, which has been so ably moved by my friend Mr. A. S. Krishna Rao. I do not think that I need add anything to

the exhaustive treatment which the subject has already received at the hands of the honourable members. I need only draw attention to some of the most salient features in connexion with this question. Sir, the present rates of assessment, or any rates that may be settled hereafter, may be equalized and may be declared by force of legislation to be fixed, unalterable and immutable. In other words, it means that the ryotwari proprietor—though I call him a proprietor, he does not yet occupy the dignified position of a proprietor and I am sure the honourable member in charge will deny him the right to be called a 'proprietor'—the ryotwari tenant, as he is now known, should be assured not merely of a permanency of tenure, but also of a permanency of assessment. This cry for a permanent settlement is a long-standing one in the country. It is the earliest cry of the Indian National Congress; it is a cry which has been voiced from several platforms and through the press; and it is a cry, Sir, as to which there is absolutely no difference between a Hindu and a Muhammadan, between a Brahman and a non-Brahman; it was as much the cry of the non-Brahman candidates in the recent elections as it was that of the Brahmans. Now, I must say that it is made abundantly clear from the records that before the year 1862 or so the ryotwari tenant in this Presidency was encouraged that he would have the grant of a fixed rent. In other words, he was allowed to think that he would enjoy a permanency of assessment. That was the hope held out to him and possibly there is no doubt that that was the idea that was looked up to gradually, till all on a sudden, there was a reversal of that policy. I must say incidentally that the whole tract covered by the zamindari, about one-third of this Presidency, is permanently settled. Now, I would ask with what show of reason or force would you deny this benefit to the poor ryotwari proprietors? It may be urged from the other side, Sir, that it is because we have committed an error in one case, is that a reason why we must extend it to the case of others as well? But I may assure the honourable members of this House that there was absolutely no error committed in the case of the zamindari proprietors; in fact, that was the most proper course to be adopted and which must rightly be extended to other cases as well. I may also draw the attention of the honourable members of this House to another consideration. This permanency of assessment, this fixity of rent has been extended to the tenants holding lands in the zamindari tracts by virtue of the Act known as the Madras Estates Land Act. Now, I would ask why, when the Government have introduced this principle of fixity of rent in the case of the tenants holding in zamindari tracts, they should not extend the same to those holding in Government ryotwari tracts. I think to my mind these considerations are unanswerable. I need not at this stage dilate upon the blessings of the introduction of permanent settlement. As has been pointed out by speaker after speaker, it is bound to be an unmixed boon to the poorer class of proprietors. I may refer to one advantage, Sir, flowing

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from the introduction of the permanent settlement, and that is this; there will be a sense of security on the part of the ryotwari proprietor; he will feel for the first time in his life that he has got a permanent interest in the land; that he will be elevated into the position of a proprietor and he will be made to feel that what little improvement he may make upon his own land, he will be allowed to retain for himself, and he will also begin to think that the fruits of what little labour he expends on his own occupation, he will be allowed to retain. Then, I may also say, Sir, that the best advantage that will ensue from the introduction of the permanent settlement is, it will relieve the peasant proprietor of a great deal of his chronic indebtedness, and I may say that it will go a long way to put an end to the notorious poverty that is affecting this class of persons. As it is, Sir, the one result of the introduction of permanent settlement in the case of zamindari tracts and of resettlement in the case of ryotwari tracts has been to make one class specially prosperous and another class decline. Now, if the Government really care to make the average ryot in this Presidency really prosperous, and if the Government really care to allow to the average peasant in this Presidency an appreciable margin of profit on his own land, the only remedy lies in the introduction of permanent settlement. I need not dilate any further on the blessings of the introduction of permanent settlement. Then, the only difficulty that would be urged from the other side would be 'it is only a theory, Sir; these tenants never owned the land.' As it is already stated, the Mughal Emperors were always recognized to be the proprietors. You may invent any number of theories to suit your own purpose, and I do not think the example of the Mughal Emperors is a fit one to be followed by the Government. The time has come when we should recognize the proprietary estate of the ryotwari tenants. The time has really come, Sir, to confer occupancy proprietary right in the ryotwari tenant of this Presidency. The one other difficulty that has been suggested is as to how we should meet the possible deficit. After all, we can effect some saving, as was pointed out by the mover, by putting an end to the Settlement Department which is costing us a recurring burden of a lakh and a half. One other advantage of having a permanent settlement is it will put an end to the re-settlement process which can at best only be arbitrary and it is only those who are acquainted with it can realize its true nature. One other difficulty mentioned is, how to make up the deficit. I don't quite agree with what Mr. Narasimha Achari said against the additional cess. On some emergent occasion, the State will have to reserve the power to levy such additional revenue from the land, say, from large agricultural incomes or assessments. But these are matters of detail with which we are not concerned for the present. If we vote for the principle of permanent settlement, then all these things can be settled satisfactorily.

"Lastly, Sir, I may say that this is not a fit matter to be discussed in connexion with the Land Revenue Settlement Bill which is shortly to be introduced. It may be said that this matter may be brought up when that Bill is considered, but I should think that this is outside the purview of the Land Revenue Bill; and I may also say, Sir, that there was very strong opinion expressed in that committee in favour of the permanent settlement."

Mr. N. A. V. SOMASUNDARAM PILLAI:—"Mr. President, I support the resolution. Coming from Tinnevely and being myself an agriculturist for the past thirty years, I think it is my bounden duty to place before this Council the poverty under which the agriculturists as a whole, not only of my district, but of

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other districts as well, are suffering. No doubt it has been said that the taxation has been only 50 per cent on the net income. Even taking it at 50 per cent of the net income, the expenses of cultivation that are taken into account by the Government officials in arriving at the net income are not exactly accurate or correct. All expenses of cultivation are not taken into account. We find, as a spent for the purpose of cultivation are not taken into account. We find, as a matter of fact, great difficulties in finding manure. The way in which the provisions of the forest rules are worked leaves us very little scope for getting the necessary manure. Then for maintaining our cattle, we find the greatest difficulty owing to the absence of sufficient pasture lands. In fact, in my own village there is no space at all for the grazing of cattle. We have to send our cattle to distant places covering several miles and then take them back. As for the cost of labour, we find that it is increasing day by day. Where we were paying before at the rate of one and a half annas for coolie for transplanting purposes, we have now to pay five annas or six annas. Besides, these, we have to pay for the village worship of the deity and then have to incur a number of expenses which it may not be possible for any agriculturist to mention, but which, as a matter of fact, he has to contribute by way of supply to officials and other persons who go to the villages. These items are not at all taken into account. And when all this is said, the Government or any person who has got eyes to see could very well see that the agriculturist is growing poorer and poorer every day. In fact the income from the land to the agriculturist dwindles year by year. It was said by some members of the House that we find so many transactions, so many purchases of lands taking place every year and that it shows that the value of the land is increasing every year. But if you take into consideration as to who the persons are that go in for these purchases, then you will find the real difficulty of the agriculturist. It is not the agriculturists who purchase among themselves or sell among themselves. But they are merchants and others who go to distant places and make a few rupees, and being afraid of investing them in banks or in any industries, they want to invest them in lands. For instance, in my district the Muhammadan gentlemen go to Rangoon, Ceylon and other places and when they come back, they have with them some spare rupees which they want to invest on lands. The result is that the price of land in the area rises up and a number of sale-deeds come into existence showing a very high value paid for the land. Therefore a large number of such sale-deeds are now coming into existence.

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The value of the land is rising. Some officials or some vakils who happen to save money and who do not want to put it in banks, invest it on lands. It is in this way that all the purchases or most of them in respect of lands that take place in the villages are generally by the merchants or lawyers or officials from the agriculturists and not by one agriculturist from another. As a matter of fact, the holding of an agriculturist is getting dwindled year after year. In some cases an agriculturist finds it difficult to maintain his family by sticking to the profession of agriculture, and he is obliged to go to Rangoon or Ceylon and work there as a coolie. This is the difficulty in which these agriculturists are placed. As a matter of fact, the population depending on agriculture is very large and it is the duty of the Government to see that these people are prosperous and contented. As some honourable member has observed, even to-day many of the agriculturists have only one meal a day. They are not able to save anything from their cultivation. There is a Tamil proverb which says that if an agriculturist takes account of his income and expenditure, he will find not even one single grain of paddy remaining for him.—உதவன்

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கனக்கு பார்த்தால் ஒரு நெல்லும் மிஞ்சாது. That is a proverb which holds good even to day, on account of the prevailing system of taxation. What is his position now? The Government have reduced him to the position of a tenant. They do not give him even the position of a land-owner. They say that the land belongs to them and that the agriculturist is a tenant holding land under them. In fact we find a difference in the wording of pattas granted within the last thirty years, and those granted before this period. In the pattas issued within the last thirty years they have introduced a paragraph stating that the minerals, etc., underneath the land do not belong to the tenant. He has got a right only to the soil on the surface and not to anything below the surface or above the surface. But it is immaterial whether he is considered as a tenant under the Government or as a proprietor provided he is properly treated and if the assessment imposed upon him is reasonable and fair. As has been pointed out, the assessment that he has to pay is about two-thirds of the income. Fifty per cent of the net income goes for the revenue and $6\frac{1}{4}$ per cent for the local rates, etc., and the remaining 40 per cent will not be enough for any man to live decently. Now there are many difficulties to which an agriculturist is put. Rains often fail. He is not able to get water and even when he is able to get water, he has to pay a very large amount to the officials in charge of the distribution of water, and this is not taken into account in arriving at his income. As a matter of fact, everyone connected with agriculture, even the officials, know how this *mamool* is prevailing not in one village, not in one district, but throughout the whole of the Presidency. But that is a different matter. Under these circumstances, apart from the fact that there ought to be permanent settlement, I would add that there ought to be a permanent favourable settlement. It is a question of permanent favourable assessment. It is only then that a large majority of the people of this Presidency will be benefited, make the best use of their cultivable land and raise the produce. As a matter of fact, if agriculturist grows rich, the country grows rich, and the Government also grow rich, and much of the anxiety which the Government have now will be saved. There will be absolutely no difficulty about the extra police and extra jails and about non-co-operation, if these people are allowed to become rich in the natural course of things; and this is an additional reason why this permanent favourable assessment should be introduced in this Presidency as early as possible."

Mr. M. SURYANARAYANA PANTULU:—"I have very great pleasure, Sir, to support the resolution moved by my honourable friend, Mr. Krishna Rao. The literature on the subject, the history of the land assessment from the time when the Madras Presidency came under the administration of the Madras Government, has been traced by the honourable member, Mr. Krishna Rao, and also by Mr. Krishnan Nayar. I shall not, therefore, trouble the House with a reiteration of the previous circumstances. Suffice it to say that, from the commencement, the Madras Government had in view a permanent ryotwari settlement similar to the permanent settlement granted to Bengal by Lord Cornwallis. Sir Thomas Munro, it will be remembered, was bent upon having a permanent ryotwari settlement for the Madras Presidency. But on account of something or other, it was not possible to give effect to the desires of Sir Thomas Munro. Subsequent to that, other administrators have also said in unmistakable terms that the best thing that the Government can do is to give a permanent settlement to the ryots. As I said, something or other came in the way of the Government and they have not been able to pass an enactment similar to the enactment that was passed in regard to

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the permanent settlement of zamindars, with the effect that the Honourable the Board of Revenue in their reply to the Government has been able to take shelter under the fact that there has not been a legislative enactment on the subject. They said, that because there was not a legal enactment, therefore the Government were not bound to give a permanent settlement. I submit, Sir, that however much the Government or the administrators wanted to introduce permanent settlement prior to 1840 or 1850, subsequent to 1855 or so when the prices of food-stuffs gradually rose, the Government saw that it was possible for them to raise their revenue with the result that the Government said 'we shall not have a permanent settlement for the reason that the people ought not be allowed to have all the benefit of the increased prices for themselves and that the Government, for administrative purposes, ought to be allowed to have sufficient sum of money'. We have now reached, Sir, a stage when, I believe, it is impossible for us to have any further rise in prices. I am afraid that in the course of another four or five years the country will go back to its normal conditions. The strain which has been imposed by the recent war will be abated and the normal prices will prevail. It is a matter which has been admitted on all hands, that three-fourths of the population of this Presidency take only one meal a day. The cultivator finds it difficult to make both ends meet. Will it not be in the best interests of the ryot to have a fixity of rent? There is the question as to how and where the Government can find the necessary money for the growing administrative needs. Of course, it is the duty of the members of this House, it is the duty of the representatives of the people, and it is the duty of the Government also to find the necessary funds for administrative purposes, if the existing funds are found to be insufficient. I ask, is it absolutely necessary to have all the establishment that we have now and to run it on the lines on which we are doing it now? Or, is it not possible to curtail the expenditure in this direction? If after curtailing the expenditure, we still find that, permanent settlement being granted, it is necessary to spend more for the purposes of the State, not only for the purpose of administration but also on industries, agriculture, education, etc., then it will be time enough for us to consider as to what other sources can be tapped for the purpose of improving the revenue. Much has been said by various gentlemen here about the sources which can be tapped to improve the revenue. Those are rather matters which will come on in future. But so far as the present resolution goes, the question is as to whether or not if permanent settlement is introduced, it will be for the benefit of something like 30 millions of human beings of this Presidency. If so, I submit, that this resolution ought to be passed. If, on the other hand, the House thinks that 30 millions out of 40 millions are not likely to be benefited by making the settlement permanent, then to be sure the resolution can be vetoed. I do not believe that there is any in this House or for the matter of that any out of the 40 millions of this Presidency who is against this permanent settlement. I hope that this resolution will be accepted by the whole House and that the Government also will be able to accept it and not vote against it."

Mr. V. C. VELLINGIRI GOUNDAR:—"Mr. President, Sir, I wish to make a few observations in supporting the resolution. We had experience of a recent settlement in Coimbatore. At present the settlement is merely based on the rates prevailing at the previous settlement. We find that the rates differ in different localities. In some localities the rates are unduly high. And this means the Government have got a proprietorship in the land just as the ordinary landlord thinks that he is the owner of the land and in a way extracts rent from his tenant which is greatly rising. But in this case the

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conditions are different. The landlord every now and then looks to the improvement of the land and makes a regular investment in it and personally supervises the investment and gets a sort of income for the investment. And probably by that supervision he multiplies the investment in course of time. In that way such of these considerations contribute towards the reasons that are adduced for the enhancement of the value and income that has been increasing for the landlord. But here the Government proprietorship is quite different. They do nothing at all to improve the condition of the land. On the other hand, such of the benefits which the ryots for generations before were enjoying are curtailed and cut short. Besides all these they have been induced to give up their land in some places and find some other occupation after the last settlement. Under the circumstances they simply emigrate leaving that profession in the hands of a few who are heavily indebted. Thus the cultivation of the property also goes down. In Coimbatore we had a special Resettlement officer for the *pallams* and *jungle streams*. These *pallams* and *streams* will give water only for a month or two and their water-rates have become enormously high. Whatever rate is charged by the taluk office is reported to the monigar for collection. And very rarely a ryot owning about two acres of land finds it convenient to make an objection and even such cases have become so enormous that the district authorities thought that a special resettlement after the general resettlements with regard to *pallams* and *streams* were necessary, and it was effected. I also submitted a petition to consider the different nature of the country with regard to special resettlement, and my petition was kept for about six months, and afterwards I got a reply that 'the petitioner is referred to the Gazette', to the authority of a Government Order or some such thing. In that case no special opportunity was given to ryots to represent what they had to say, and most of the representations made go to the waste paper basket, and no consideration is given at all, probably because the officer has other more pressing office work and has to finish his work in a given time. The differential water-rates have also given us the idea that although we are told that the increase is 12½ per cent, yet the increment in the whole revenue must really be double what was proposed for the original resettlement. So far as the permanent settlement is concerned the Government have to get most of the revenue from the unfortunate ryot. As a survey is preceded before a resettlement, if the Government make a survey of the condition of the ryot they will know whether or not increased taxation is justifiable. Also there is one other thing: the ryot is not exempted from other kinds of taxation which come in from all corners directly or indirectly. The enormous revenue in *abkari* is in no small measure ruinous to the ryot. The population is increasing without an increase in land, and gradually the land tax is felt to be an extremely difficult burden—especially the water-tax. I may even call some instances where, after the last settlement, some lands were abandoned. There are places like that where people emigrate from those places to other countries to make some livelihood.

"Very often the monsoons fail and the crops are hardly sufficient to maintain the family. The Government must think the ryot is an asset to the Government and a strength to the State, and that his prosperity is a useful thing for any emergency or difficulty, and he will be prepared to be taxed whenever such demands are made to make up for the cost of the administration. He may be compared with the proprietary people and the ryotwari landlord. Here are two lands side by side of the proprietary landlord and the Government landlord. The inequalities between the two have been very clear and the ryots have really begun to feel

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the inequality. Permanent settlement rectifying the present inequalities existing in certain parts within the Government lands also is the proper thing to do as early as possible. With these few words I heartily support the resolution."

The Council then adjourned for lunch.

The Council reassembled at 2-30 p.m.

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:

2-30 p.m. "Sir, I was going to say that this resolution has certainly tended to provoke a good deal of what I might term academic discussion. At the same time, I shall not deny the fact that that discussion has been of a very useful and informing kind. I do not detract from the compliment which I should certainly wish to pay to those honourable members who have taken part in this discussion when I say that most of the arguments which have been advanced to-day in this House are somewhat old and belated. However, let me merely attempt on the present occasion to explain to the House how the position stands at present, what under the circumstances which I shall place before this House could possibly be the attitude of the Government in a matter of this description and then leave it to the House to decide for itself.

"I said, Sir, that I was going to lay before the House the present situation. I shall certainly neither enter into the pre-historic period, nor discuss what the principles of settlements were during the Moghul period; nor even do I wish to enter into a comparison with other foreign countries. Speaking for the Madras presidency, which I shall confine my remarks to, honourable members will agree that the periodicity of settlements became a settled policy of the Madras Government as a fundamental principle of land revenue administration in and from the year 1855. It was then, Sir, for the first time, that attempts were made to do away with the system which had preceded it, a system under which the fixation of land revenue was arbitrary—it was revised as often and as constantly as the authorities chose. There were no rules or regulations or principles which guided the levy or enhancement of land revenue. It was from that unsatisfactory state of affairs that the Government evolved the present system. And as a necessary corollary to the systematisation of land revenue principles in this country, the Government insisted on a survey under a statute preliminary to the levy of increased taxation. The principles underlying the settlement were, however, left to be determined from time to time by the executive Government. It was for the first time that the Royal Commission on Decentralization brought prominently to consideration the fact that it would be far better if the principles guiding the levy, determination and enhancement of land revenue were similarly codified. The question which was then mooted by the Decentralization Commission was carefully investigated by the provincial Governments, the Government of India and the Secretary of State and the conclusion which was then arrived at was that in view of the difficulty which a codification of the existing rules would involve, no further action need be taken on the recommendation of the Decentralization Commission. The recommendation of that Commission was followed, in this very province, by a number of resolutions which came up for consideration before the then Legislative Council of this province. No less a personage than the Right Hon'ble (then Mr.) V. S. Srinivasa Sastri was one of those who brought forward a resolution in conformity with the recommendation of the Decentralization Commission that the principles of land revenue policy should be codified. The provincial conferences

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of this province also re-affirmed the same. One of the members of the Imperial Council, as it was then called, insisted on action being taken, but the Government of India adhered to the original decision. This question, Sir, was re-started by the Joint Parliamentary Committee which sat for the purpose of determining the procedure to be observed by the reformed councils and the reformed Governments for the future. In pursuance of the recommendation of the Joint Parliamentary Committee, the Secretary of State, with a view to carry out those instructions, sent out orders to the provincial Government to embark upon legislation of the kind which was contemplated by the Joint Parliamentary Committee, and he at the same time advised that it would be preferable if a piece of legislation of this description were laid before the reformed council. In conformity with the behest of the Secretary of State this Government at once commissioned the Board of Revenue to draft a bill on the lines of the principles which now underlie the re-settlement operations in this province. It was early this year that the Board of Revenue sent its draft bill to the Government. Aware as the Board of Revenue was that it was not an expert body in the matter of drafting legislative enactments and aware possibly of the fact that if a bill of that description as drafted by it were laid before the reformed council it might not satisfy its desires in that matter, the Board of Revenue suggested the appointment of a special officer who should not merely satisfy himself as to whether the drafting was correct but also examine carefully the question as to whether the provisions that had been made therein were sufficient. But the Madras Government, in deference to the respect which they always have for the opinion of non-officials of this province, instead of adopting the procedure that was suggested by the Board of Revenue and appointing a special officer for that purpose, forthwith chose the other alternative of summoning to their aid a large influential and responsible committee, for the purpose of examining the draft bill prepared by the Board of Revenue. As the chairman of that committee, Sir, it is my privilege to note that that committee entered into the question with all earnestness, and with a full sense of the interest of the country at large. It held meetings after meetings, subjected the bill to a very searching, minute and careful analysis, and with an exhaustive report which probably the House will have in its hands at a future date, sent the draft of the bill which it has prepared to the Government for consideration. Those who have eyes to read will discover that the bill which has emerged from this special committee is of a description which its original drafters will certainly disclaim authorship of. That report and that bill are now in the hands of the Government, and I am betraying no confidence when I say that the consideration of the bill and the draft report might be said to have reached almost a stage when it is fit to be introduced before this legislative House.

"With your permission, Sir, I will now take the House for a minute to the stage in which I want them to follow me—I mean the stage of the recommendations of the Joint Committee of the two Houses of Parliament. It is all very easy to say that the injunctions contained in the Joint Parliamentary Committee are capable of more interpretations than one which, I believe, shrewd lawyers would certainly claim; but, at the same time, Sir, reading the language of the report of the committee, it is impossible for me to come to any other conclusion than the one which I think I am justified in drawing. Without attempting to waste the time of the House I will venture, Sir, with your permission, to read a few important passages in this Committee's report. Although I am fully aware that every one of the members of the House has read it and re-read it, and yet just as a lawyer, before he accepts a brief, reads the section once more in spite

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of the fact that he might have handled it a thousand-and-one times, I think I will only help the House by reading it once more—

'The Committee are impressed by the objection raised by many witnesses to the manner in which certain classes of taxation can be levied upon the people of India by executive action without, in some cases, any statutory limitation of the rates and, in other cases, any adequate prescription by statute of the methods of assessment. They consider that the imposition of new burdens should be gradually brought more within the purview of the Legislature and without expressing any judgment on the question whether land revenue is a rent or tax they advise'

"I ask the Council to mark these words carefully 'that the process of *revising* the land revenue assessment ought to be brought under closer regulation by statute as soon as possible'. I have asked the House to mark the word *revising* which finds a place so prominently there. Do the Parliamentary Committee explain what they mean? Yes, they do.

'At present the statutory bases for charging levy on the land vary in different provinces; but, in some at least the pitch of assessment is entirely at the discretion of the executive Government. No branch of the administration is regulated with greater elaboration or care'—thanks to the testimony borne by the Joint Committee. 'But the people who are most fitted have no voice in the shaping of the system and the rules are even obscure and imperfectly understood by those who pay the revenue. The committee are therefore of opinion that the time has come to embody in the law, the main principles by which land revenue is determined, the methods of valuation, the pitch of assessment, the periods of revision, the graduation of enhancement and the other chief processes which touch the well-being of the revenue-payers.'

"I think, Sir, I have read enough from the report to show that the Joint Parliamentary Committee could have meant only what we in our humble interpretation of their intentions have understood.

"Now the bill as I stated, Sir, is in the hands of the Government and it is almost in a fit state to be introduced before the Legislative Council. Before ever that measure has been placed in this House, before ever this House has had an opportunity of examining the principles which have been incorporated therein, before ever this House has had an opportunity of examining critically whether the intentions of the Joint Parliamentary Committee have been literally, faithfully and honestly translated into action by the Local Government, I say, Sir, that any attempt to discuss a resolution bearing on the land revenue policy of this country is, as I said before, serving no more than an academical discussion.

"Then, Sir, we have surveyed at great length the past history of permanent settlement dating so far back as 1796 and what is known as Colonel Reed's proclamation of the settlement of the Salem district. It is certainly not my intention to go back to that period beyond remarking that if honourable members of this House will search for chapter and verse they will understand for themselves that Colonel Reed's proclamation has been condemned by those who were in authority over him as absolutely unauthorized. I will not therefore labour the point any more than by saying that Colonel Reed's proclamation merely indicated his personal views and not the views of the Government of the day.

"Something of course has been stated in regard to Sir Thomas Munro's writings in regard to permanent settlement. Well, in regard to that matter, I

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might simply say that particular quotations have been read by some of the honourable members who have spoken on the matter which would merely show what from their standpoint, in any case, Sir Thomas Munro's views were on permanent settlement. But if honourable members of this House would carefully examine a few more passages down below in his famous despatches and writings, I think it will be sufficiently clear to the House that what Sir Thomas Munro had in his mind was not a fixity and immutability of taxation which shall, for all time to come until the Sun and the Moon last, be unalterable but what he meant was fixity and immutability on certain fixed principles, as contrasted with the absence of fixity and immutability which characterized the land revenue administration of this province prior to the year 1855, viz., some fixity and immutability which would render the position of the landlords safe for some period at least. I lay emphasis on the fact that it was to be for some period only, for I am not without authority for saying so. I quote the very words of Sir Thomas Munro as to what he meant by fixity and immutability of taxation. This is what Sir Thomas Munro says:—

'We feel rather ignorant of the Indian revenues and the difficulties arising from it and instead of seeking to remedy it by acquiring more knowledge, we are endeavouring to get rid of the difficulty by precipitately making permanent settlements which may relieve us from the troublesome task of minute or accurate investigation and which are better adapted to perpetuate our ignorance than to protect the people.'

'That is one clear view of Sir Thomas Munro expressed by him when he was the Governor of Madras and not when he was the Principal Collector of Bellary, Anantapur and Kurnool districts. We have constantly followed up this discussion of the relative merits of permanent settlement *versus* periodical settlements from period to period. This question has often come under investigation and while my honourable friends who have spoken on the matter have led the House into the mysteries of the writings and opinions of some of those who have expressed an opinion in favour of permanent settlement, the subsequent literature dating, I think, from and after 1869 would only point to one conclusion, namely that the authorities, on each occasion when they examined the question, expressed their opinion against the possibilities of permanent settlement. The very first despatch on the matter is that of 1869, the Duke of Argyll's despatch. In this despatch I find the following:—

'Since 1856, the question of declaring the grain assessment permanent has frequently been referred for the decision of the authorities in this country and it has been decided both by the Court of Directors and by the Secretary of State that the settlement should be a money assessment founded upon a consideration of all the circumstances of the district and revised after a term of years.'

'Subsequent to that in 1885 and on two or three occasions thereafter, the question of permanent settlement had come under consideration either by the Local Government or by the Government of India or by the Secretary of State and on each occasion on account of its magnitude and importance and on account of the various complications involved therein it was considered not to be mature for being considered.

'Now, Sir, we have reached the last stage of this episode quite recently by the pronouncement of the present Viceroy as regards the permanent settlement in this country. His Excellency Lord Reading while replying to a certain deputation which waited upon him in October last and urged on his attention the desirability of a permanent settlement in that particular province stated:—

'You have also touched on questions of permanent settlement. Here again, you will not expect me to express on this occasion opinion on a matter which not only affects the administration of provincial subjects and revenue of provincial governments but also involves a fundamental change in

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the general principles of land revenue policy throughout the country as well as the country's finance. I would point out however, that it has hitherto been the policy of the State to assert its claim, a claim insisted on by all of its predecessors in the past to a share in the growing increments of the lands and that a proposal for revision of that policy and opinion—none such are at present before my Government—will naturally require a most careful and prolonged investigation both by the local Governments and by the Government of India.'

'Now therefore, Sir, we have got the views of the authorities in India and the Secretary of State as to what they consider about the permanent settlement and under these conditions, the Government is asked to face the responsibility of putting up a local measure before this House for the purpose of promulgating permanent settlement as its future policy in lieu of periodical settlements which has been its accepted policy from the year 1855, a policy which from time to time had undergone severe criticism but which on each occasion emerged unscathed. If therefore there is any desire on the part of this House to pursue the policy of permanent settlement, then I can only tell them that this is a matter which will need the most careful and elaborate investigation. It is a matter which not only the local Government will have to consider very carefully in all its bearings but they shall have to persuade the Government of India and the Secretary of State to see eye to eye with them in the matter of permanent settlement for the province. Then again, Sir, let it be remembered that we will not be profited by the error committed by another province, I mean the permanent settlement of Bengal. At the present moment, no other province including Burma, of course, has expressed the idea of permanent settlement. Nor has there been any attempt made in any other province as has been pointed out by His Excellency Lord Reading to secure permanent settlement excepting the one which was presented to him in the shape of an address by a few individuals. Under these circumstances, Sir, it has to be remembered that this question is not a provincial question, but that it assumes an all-India complexion. When it is an all-India question, the Government of India, as the final arbiters of our destinies, and the Secretary of State as possessing absolute, unfettered control over the affairs of India, will have to decide between themselves whether permanent settlement can be sanctioned not merely for the Madras Presidency which might be the first to ask for it but whether it can be sanctioned with the prospect of its being extended to all the other provinces. Sir, in view of its magnitude requiring the most careful consideration the local Government cannot on their own responsibility at once tell the House: 'Yes, we agree to the permanent settlement and we agree to make the recommendation on your behalf and to secure it for you.'

'Then, Sir, it has to be remembered at the same time that so far attempts had been confined to secure a codification of the existing rules and the principles governing resettlements, but not to secure permanent settlement. A number of resolutions to that effect were brought both in this House and in the previous Council. The last occasion when the subject was discussed was in February; it was on that occasion that the resolution of my honourable friend opposite, Mr. P. Siva Rao, was discussed. An attempt was then made to demand that the principles underlying the resettlement proposals should be codified at as early a date as possible. That demand was at once taken note of by the Government. Every effort is being made to bring into existence a bill for itself the great, or shall I say, the almost radical changes which the committee have suggested for the acceptance of the Government. The Government have until now acted on the advice of this Council for the purpose of codifying the existing rules. They have so far carried out the intention of this House, which I

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take it was the intention of the people whom it represents. Suddenly at this stage before that measure is laid before the Council it does not seem proper that the Council should change its mind and that it should urge, not the demand which it was all along making since the year 1911, i.e., the codification of the principles governing the conduct of resettlement operations, but urge a permanent settlement. The House will remember that Mr. Siva Rao's resolution had a full-dress discussion. The tenor of the discussion on that occasion was this: that the adoption of resettlement proposals in the Presidency may be postponed till the principles of land revenue settlement are embodied in legislation. My honourable friend, Mr. Krishna Rao, also took part in that discussion and he clearly told us exactly what he intended. He said 'assuming that the result of accepting this resolution will be to put off the introduction of the resettlement rates for two or three years more, is it not a step for which this Council can take up responsibility?' Speaker after speaker emphasized the fact that all that was aimed at was the codification of the principles governing resettlement proposals. They did not want to stop the machinery of the resettlement parties; they did not want to cry 'halt' wherever those parties were in operation; they did not want that those parties should be scotched away, and the resettlement operations should be brought to a termination exactly at the point where they were at the time of the passing of the resolution. They said that the preliminary operations could go on, but when the question of the introduction of resettlement rates is to be considered the Government should have to wait until the principles governing resettlement proposals took the form of legislative enactment. I then pleaded that it would involve heavy financial loss to the Provincial revenues. But the House carried the resolution by a majority. In deference to the opinion of the Council which carried this resolution we have suspended the introduction of resettlement rates in all districts where resettlement rates ought to have been introduced. We have thereby incurred appreciable financial loss. But to-day we are told that it is not the codification of the resettlement rules which is wanted, nor the translation into action of the intentions of the Joint Parliamentary Committee, but an advance of another step, namely change in the policy which has guided this province until now in the matter of its land revenue administration. If we adopt this proposal it will take years before we find ourselves actually where we ought to be. Does the House suggest that until all the processes, long, tedious and I may say very meticulous processes are gone through, the provincial revenues should be deprived of their legitimate source of increase under schemes which are already ripe for introduction but which had to be deferred under the resolution of the Council? If the House comes to the conclusion that the Bill which is likely to be placed before it will not satisfy it, if it requires that detailed investigation and examination should be made for the purpose of the introduction of the permanent settlement, then the House will have to realize that the Government will be under no obligation to continue the suspension of the operations of the settlement schemes which are ready to be introduced.

"One word more, and I think I should utter it with all the seriousness I am capable of. This is a question of finance. At a time like the present—although I hesitate to speak with anything like the first-hand information in regard to the financial position of the province while the Hon'ble the Finance Member is sitting to my right—I may venture to say that the Council should consider carefully before recording its opinion thereon. We are faced at the present moment with enormous items of deficit. What the total of the deficit at the close of the year will be is premature to forecast at present. We therefore expect the House to help us

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as far as possible to secure financial equilibrium, and to see that we do not lose an existing opportunity for the growth of revenue. No doubt as Mr. Narasimha Acharlu remarked we should cut our coat according to the cloth, and we should spend in proportion to our receipts. I very much wish that that golden advice should be observed by himself in his transactions as President of a District Board without placing himself under the necessity of asking financial aid from provincial revenues. I may at the same time point out that every effort is being made to cut our coat according to our cloth. But one has also to take into consideration a man's size as well. I may require a long coat, and I hope you are not going to ask me to be satisfied with a jacket. You have created a certain kind of machinery, and that machinery must go on. It may be that certain parts of that machinery are deficient; it may also be that after a careful examination certain parts of it can well be removed. The whole financial condition of the province which was spoken to by the members of the Finance Committee was placed on the dissecting table of the Council yesterday. Every honest attempt is being made in that direction. But do not at the same time take away the chances of the growth of revenue. Honourable members say that in Belgium land tax is not levied; nor is it so high in France or England as here. I was surprised to hear one of my learned friends say that there is no land tax in England. It was an announcement which I received with amazement. But I think that England to-day perhaps pays the heaviest taxes in the world. Now, Sir, these comparisons will not serve us any good purpose inasmuch as we have got to deal with our own local needs and conditions; there are certain principles which we have created for our own administration, and we have to provide for the continuance of these principles so far as they are found to be legitimate and reasonable.

"Then, Sir, a few other remarks have been made by a number of speakers who have addressed this House on this very interesting question. It is not my intention at the present moment to traverse them all; and I shall not weary the House by replying to every one of them. One remark struck me as very significant, and that was the remark of my honourable friend Mr. Krishna Rao echoed, as it were by more than one honourable member. It was maintained that the increase in the land revenue of this province was so negligible that one might as well ignore it. Well, Sir, that is an argument which cuts both ways, and all the arguments which have been advanced in regard to the poverty of the ryot and the statement that at every resettlement two-thirds according to one speaker and more than half according to another of the net produce is taken away by the Government falls to the ground. In spite of the resettlements the net result to the revenues of the Province was small distributed as it is among millions of cultivators, the increase per head being so imperceptible as not to be even felt by the people. Why then this loud talk? There was a Tamil proverb quoted by Mr. Somasundaram Pillai, viz., if the account of a ryot is examined it will be found that he will not have one grain left. But there is a Telugu proverb which says that to be a cultivator you must know first to cry. It is only he who cries in season and out of season that will be able to take to the profession of a cultivator. (Laughter.) This means that the cultivators will always cry that they are ground down by taxation and that they have no grain left.

"If cases of heavy taxation are brought to the notice of the Government, they will certainly rectify them. The statement that in every settlement there has been an increase of taxation is the reverse of the truth. If only my honourable friends will look into the Settlement Reports of the previous years they will find

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that in the case of the Cuddapah resettlement the result was not increase in the revenue but absolute declension as against the previous settlement. In the case of the resettlement of Bellary and Anantapur districts they will find that there are recommendations by which the last three classes of *pattadars* will not be affected, and the Government in their magnanimity have extended them still further. To say that the Government raise the revenue regardless of the facts of the case, that the Government are merely tax gatherers who only want to get something more than they were getting under the previous settlements by hook or by crook is not borne out by facts.

“Therefore, Sir, to sum up, all that I would contend at this juncture would be that I would ask, nay implore, the Council to halt. After all the country has waited from 1796 until 1921! India has progressed in spite of the non-existence of permanent settlement through this long period. We have throughout noticed growth of wealth; we have noticed growth of population; we have noticed growth of cities and we have noticed every other form of growth from 1796 to 1921 in spite of this incubus of periodical settlement. Am I asking this House too much when I ask that having waited for such an indefinite length of period they might kindly extend their patience for a month or two more until they see what our proposed legislative measure is likely to be; whether it will satisfy them, whether it is capable of further improvements from their own standpoint or whether they would throw it overboard as unsuitable. Until then I merely implore this House not to pass any judgment prematurely but to wait and see. I want them once more to keep in their mind the fact that the idea of permanent settlement on the lines suggested by individual members would involve a lot of investigation of all the moticulous details of the question. One member suggests that it should be permanent and absolute—no matter how the provincial revenue goes. Another member says that we cannot deprive the provincial government of its revenue and fixes a demarcation line in respect of those who shall have the benefit of permanent settlement while others paying higher tax shall always have the sword of Democles hanging over their heads unless the Legislative Council decides otherwise. A third suggestion is ‘to make the income of the zamindars and other landholders liable to income-tax. Let us therefore first examine and make it clear whether we shall tax alike all incomes whether of landlord, lawyer, professor or doctor.’ I simply mention these complications for the purpose of showing that the path is beset with so many difficulties and that so many details require minute examination. Until then are you going to allow the country to continue under that admittedly baneful system of no law? Are you not going to benefit it by adopting the recommendation of the Joint Parliamentary Committee and secure some law or other which certainly is better than no law? When you come to decide definitely later, it will be time for you to scotch this law from the Statute Book and replace it by another. That would be the correct procedure for the House to pursue. I leave the resolution entirely to the good sense of the House.”

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—“Sir, the Hon'ble the Revenue Member, in concluding his eloquent address to this House in defence of the position taken by the Government, asks this Council to wait and see the purports of the impending legislation. Well, Sir, the expression ‘wait and see’, is a famous one in English politics. Mr. Asquith is the author of that expression. People in England waited to see what was coming, and in the end they found that it was a matter of profound disappointment to follow Mr. Asquith's advice.

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I do not know whether that is going to be the experience of this House in the near future when this Bill comes to be actually published. Be that as it may, the Hon'ble the Revenue Member went on to say that by the terms of the recommendations of the Joint Parliamentary Committee this Government is at any rate precluded from considering the permanent settlement of ryotwari holdings. I think, Sir, the Honourable Member has made some mistake about this matter. May I, as one of the witnesses that appeared before that august body, say that the point before the Joint Committee was in relation to the question of taxation? The Government of India Bill, as originally framed, contained no provisions enabling the Councils to consider the question of revenues. The present clause, relating to the question of budget procedure, limited the powers of the assembly to questions of expenditure and I and several others who appeared before that august assembly pointed out to that body that what the Council should have is not only the powers of scrutinising and sanctioning expenditure but also the power to impose taxation and generally to raising the rates. In that connexion it was pointed out that the system by which the provincial governments and the Government of India raised the rates and placed the whole power in the hands of the executive government and that that power ought to be transferred to the legislative bodies in India. For example, take the case of the irrigation rates. It is the Governor-General that has to impose it. With regard to the abkari rates the Hon'ble Sir Charles Todhunter opposed it the other day. Then take the case of the land revenue; it is the Governor in Council that has to impose it. If as a matter of fact we want to have an effective control over the finances of the province, the council should have the power not only to sanction the rates but to undertake the necessary legislation. The recommendations of the Joint Committee were to the effect that this power of raising the rates should be transferred to the Councils. If on the other hand the Hon'ble Mr. Habib-ul-lah contends that the Joint Committee applied its mind to the respective merits of the periodical settlement as against permanent settlement, I am afraid, Sir, that he is mistaken. He will find absolutely no justification at all for that contention and all that the recommendation means is that the proposal of resettlement should be embodied in a legislation to be undertaken by the Legislative Councils. Therefore when my honourable friend says that the Joint Committee sat with the object of seeing that the assessment and other particulars relating to land revenue were embodied in a legislative enactment and when he says that witnesses before the Joint Committee argued the case for permanent settlement as against the periodical settlements, I am afraid, Sir, that he is entirely mistaken. That point was not at all before the Joint Committee and the point that was before the Joint Committee was as to whether the Councils in India should have the power of imposing taxation or whether it is the executive Government that should have such power. I should like my honourable friend to lay his finger on any single statement before the Joint Committee, any statement by any witness arguing the particular question of permanent settlement as against periodical settlement.”

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*):—“The report uses the very words, ‘the purpose of revision’.”

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—“I am perfectly aware of the term. All that we have to see is not to construe the exact words, but to see what happened and from what it arose.”

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur (*interrupting*):—“I was never indulging in any attempt at a criticism of the

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evidence of the witnesses that appeared before the Joint Parliamentary Committee. I was merely reading, Sir, from information recorded by the Committee and I drew my own conclusion. If my honourable colleague wishes to draw a different conclusion he is at liberty to do so."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"We should not be merely carried away by the words neglecting the considerations on which that conclusion was based. I say this that not a single witness before that Committee argued this case of the permanent settlement of ryotwari holdings as against their periodical settlement. The only point that was put before that Committee was as to whether a provincial council should have the power of raising taxation or whether the executive Government in its executive capacity should continue, after the constitution of these representative bodies, to exercise the power of imposing taxation. On that matter we are perfectly clear that this power of raising revenue should be transferred to these Legislative Councils and should not continue to be vested in the executive Government. Certainly it will not be a responsible government if the executive Government were to continue to impose taxation on the people. That is the first point which my honourable friend has made. If he has any doubt, I trust he will send the legislation he wishes to be undertaken by this Council along with the debate of to-day to that Committee of Parliament which is still sitting though with some slight change. I am certain that many members of the old Committee are still members of the new Committee. I am certain that the view put forward here is the correct view of what took place before the Joint Committee."

"The next point related to the question of the zamindari settlement in Bengal. My honourable friend quoted from Sir Thomas Munro and various other authorities. I do not think anybody in this Council would suggest the extension of the zamindari system in this province. What is being asked for here is that the incidence of land revenue should once for all be fixed and that there should be no periodical resettlement whether at the end of thirty years or otherwise. That is the contention that is put forward in this resolution. I have no doubt, Sir, and I agree with the Hon'ble Mr. Habib-ul-lah, that it is a fundamental change in the system of taxation prevailing in this country. I should have been surprised if such a resolution had not been brought forward in this House. The question of the incidence of taxation has hitherto been a matter for the executive Government and it has been stated more than once that it is the Finance Member who is responsible for it. What has happened immediately after the introduction of the reforms? The Indian Legislative Assembly is considering the whole question of taxation. I think that every Council will exactly do the same thing. If we are taking up this fundamental principle of taxation it is because we are the representatives of the people. Therefore it is really a fundamental change. The whole question hinges upon two important considerations. We are not going to decide at this time of the day by what Sir Thomas Munro said or even by what Colonel Reed said or by what the various authorities in 1780 or 1830 had said."

"What should be the system of taxation consistent with the present day requirements and what should be the system of taxation which we should adopt in view of the concession of responsible government and in view of the progressive system of administration? Looking into the past history of the subject I have no doubt, Sir, that the change which is advocated would be a sound change. My reasons are these. In the first place the

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expenditure incurred by the Government year after year for raising the revenues by resettlements more or less balances the revenue so raised. If that is a fact, and if you can fully establish that fact—and it is a fact which is very often discussed by Sir Charles Todhunter—there is no justification for resettlement to-day. I do not think the Hon'ble Mr. Habib-ul-lah questioned the accuracy of any of the figures quoted by my friend Mr. Krishna Rao. The position seems to be this. We have been incurring a good deal of expenditure on settlement parties, we have been incurring a good deal of expenditure on survey parties. If you make a statement of the growth of revenue entirely due only to resettlement,—you must not mix up with it the question of miscellaneous other revenues,—if the Honourable Member makes a statement of the growth of revenue entirely due to resettlement and debits against it the cost of raising this revenue, which in this case is the cost incurred on resettlement and survey parties, and convinces this House that there is a substantial margin by which the State is benefited, there would be some case. Such a case the Honourable Member cannot present to the House and even if he did, the amount would be comparatively very small. I have obtained some figures from my friend Sir Charles Todhunter, but there are other figures which I have not got here. There are other figures which are quoted in the Administration Report of Settlement and Land Records in 1920. But I submit these figures are very inconclusive. They show that seventeen districts have already been resettled, and six have still to be resettled. But in relation to the seventeen districts which have been resettled the amount that has already been expended on resettlement operations is 91 lakhs for survey and about 61 lakhs for settlement operations. Now I ask my honourable friend what is the growth of revenue from these districts which have been resettled? That is the main question on which this House has to decide and I trust the Honourable Member himself and the Government which he represents will also have to decide on that. Unless he satisfies the House and satisfies himself that the position is quite clear, I submit there is no case at all. I do not want to waste the time of the House with a discussion of the details. We have argued the question here before in its many aspects. We have argued the question of cultivating expenses; we have argued the question of the indebtedness of the ryots; we have also argued on the question of the poverty of the ryots. The Hon'ble Mr. Patro, who was in a different capacity some time ago, was flooding the papers with the details of the Ganjam district, and I am sure honourable members, whether on this side or on the Government side, are keenly alive to this question. We have considered the question of exact schemes and then the principles of resettlement. All these questions have been examined in this House and the ultimate point which appealed to most of us was the enormous expenditure which has been incurred in raising this particular item of revenue by resettlement. We came to the conclusion then that the game was not worth the candle. This question of incurring expenditure for resettlement purposes as against resettlement revenue is one which requires considerable examination. Mr. Krishna Rao has quoted certain figures and I do think that that amount represents practically the only growth of revenue. I do think that is the correct figure. Here the total revenue by resettlement has been given as 61 lakhs per annum in all the districts. One has to take the whole range of twenty years and then arrive at that figure."

"Finally, Sir, I am not at all convinced that there is any use year after year in holding discussions of settlement schemes. I wish that in the beginning of the

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new year we could introduce some system of uniform taxation which would be applicable throughout the Presidency and which would be much more to be desired than a system which works differently in different provinces. If the Honourable Member will go into the question, I am certain he will see that the settlement rates in the course of resettlement have not been uniform but have varied from taluk to taluk from district to district. And taking the result, it seems to be a question of the views of the settlement officer that is appointed to do the work. If he fixes $12\frac{1}{2}$ per cent, it is approved by the Board and the Government. If he says $22\frac{1}{2}$ or $32\frac{1}{2}$ per cent that also is approved."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur (*interrupting*):—"I do not accept that statement at all."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"I do not know whether the present Government will not adopt the same procedure. But I am confident of this, that if my honourable friend examines the resettlement schemes that have been submitted and examines also the figures recommended by the settlement officer, the figures recommended to the Board of Revenue and the figures finally adopted by the Government when passing the orders, I am perfectly certain that my statement will be found to be correct. By this I do not at all mean that the Board does not take pains to go through and study all the papers before passing orders."

"I have only one other word to say. My honourable friend stated that he was going to bring in a Bill in a month or two. I am quite aware of the fact that this is an all-India question and this being a reserved subject this Council has not the last word in the matter. The Government of India and the Secretary of State will have to sanction the introduction of this measure, and the uniform principles applicable not only to Madras but to the other provinces also will have to be evolved. There are various points which all these various authorities have to consider. I trust that my friend will inform those authorities of the views of this Council. Finally I have to say this. I had occasion, Sir, sometime ago, to go into the whole question of taxation, Indian taxation. Look at the growth of revenue during the last ten years. Taking the question as an all-India question you will see that land revenue is the least of our sources of revenue. The growth of this revenue is only £1½ millions. Other sources which grow rapidly are the income-tax, customs and all the central sources which have been reserved to the Central Government. I am not at all now raising a complaint that more growing sources of revenue have not been allotted to this province. That is entirely a different question. All I submit to this House is that if in ten years the growth of land revenue in the whole of India cannot be more than £1½ millions, I think there is absolutely no doubt that the whole question will have to be looked at from the standpoint which has been urged by me. I am sorry I have taken up more time than allotted to me and I am very grateful to the President for having allowed me this concession."

Mr. T. ARUMAINATHA PILLAI:—"Sir, I rise to support the resolution now being discussed. The Hon'ble the Revenue Member based his strongest argument upon the report of the Joint Select Committee and stated that according to that report it might not be possible for this Government or even for the Government of India without very much consideration to introduce any permanent settlement. If I understood the Hon'ble the Revenue Member correctly I believe he stated that according to the Joint Select Committee's report, it is

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only the principles of resettlement—the dates on which periodical revision is to be made and the principles upon which enhancement of revenue is to be assessed—it is only these principles that may be allowed to be codified, and as there was no intention on the part of the members of the Joint Select Committee for introducing permanent settlement, it would be impossible for this Government to do anything in that matter. I would, in supporting my case, rely very strongly upon the very report of the Joint Select Committee and say that the Joint Select Committee gave ample power to this Legislative Council to come to any conclusion which we like. The Hon'ble the Revenue Member read the following passage: 'The Committee are of opinion that the time has come to embody in the law the main principles by which the land revenue is determined.' I would just put this question to the Hon'ble the Revenue Member and expect from him an answer as to what are the main principles upon which the land revenue is to be determined. It must be either the permanent settlement or the present state of things. First that thing has to be settled. It is the Legislative Council that has to settle upon what basis we have got to proceed in settling the land revenue policy, and if this Legislative Council unfortunately at any time comes to the conclusion that permanent settlement ought not to be accepted and it is only the present existing state of circumstances that should continue, then, Sir, I go further and say that the principles about the methods of valuation, the pitch of assessment, the periods of revision and the gradation of enhancement and other things necessarily connected with the periodical settlement and consequent assessment of land revenue should be embodied in the proposals in the Bill. Therefore, Sir, I would submit that so far as the Joint Select Committee Report goes, it entirely gives ample power to us, members of this Council, to decide upon which basis in the first instance we are going to have our land revenue law passed, whether it is on the basis of permanent settlement or on any other thing, and if the discussion, as it has gone up till now, is to be correctly gauged, I think this Council will unanimously come to the conclusion, leaving aside the official members, that permanent settlement is the principle upon which the land revenue policy of the Presidency ought to be based. When that is settled then the other things may be necessary or may not be necessary. Therefore I submit that the elaborate and eloquent argument addressed by the Hon'ble the Revenue Member based upon 3-45 p.m. this Joint Select Committee's report would not stand a minute's consideration.

"One other thing. The Hon'ble the Revenue Member was insisting upon the words 'periods of revision' so many times as if to tell us openly that we are not entitled to go any further than our present methods. But I would inform the Honourable Member that in every Presidency there are three classes of districts or lands. In the land tenures of this Presidency it has been found that there were estates which were not well developed, secondly estates that were fairly cultivated and resources fully developed, and thirdly districts which contain estates which are fairly cultivated and also estates with resources imperfectly developed. This division was not made in 1921 but it was made so far back as 1865. This division having been made in 1865, it was recommended that the districts in which estates were fairly cultivated and resources well developed should be brought under the permanent settlement. So far as the third class of districts is concerned, they propose another form of permanent settlement. If we take the three divisions and also the report of the Joint Committee, we can very well reconcile both these things. As the Joint Committee referred to periods of revision, etc., they naturally had all these things in their minds. That is why the Joint Select Committee said

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that the main principles by which the land revenue was to be determined should be considered. So far as the districts in which estates have been fully developed are concerned, we may say that the principle upon which the land revenue shall be assessed upon such districts is the permanent settlement. So far as the other two kinds of districts are concerned we may, in our law, place them under periodical assessments, etc. That is why the Joint Select Committee did not put in the words 'periods of revision' only but also go further and say that 'the principles by which the land revenue is determined should be codified.'

"Then, Sir, the further argument which was advanced by the Hon'ble the Revenue Member was that in February of this year my friend Mr. Siva Rao brought forward a resolution, and that this resolution is contradictory to the resolution that was brought forward at that time. The Hon'ble the Revenue Member was good enough to read that resolution, but he would pardon me if I read it again. It reads: 'That this Council recommends to the Government that the adoption of resettlement proposals in the Presidency may be postponed till the principles of land revenue settlement are embodied in legislation.' It has been admitted by the Hon'ble the Revenue Member and I believe by every member of this House that we never wanted that the settlement parties should be stopped. We wanted the settlement parties to go on. Why? We know that permanent settlement cannot be introduced at once. When we are going to introduce permanent settlement, we must have the basis upon which various districts will have to be assessed. Take for instance Tanjore or Trichinopoly. If you are going to determine that Tanjore should be brought under permanent settlement, you must be able to know what is the recent assessment which it would be entitled to pay."

The Hon'ble Khan Bahadur MUHAMMAD HANIF-UL-LAH SAHIB Bahadur (*interrupting*):—"I wish to point out, Sir, that the Honourable Member is reading too much into the speeches which were delivered on the last occasion. I would beg of him to read the speeches carefully a second time and then say if that was the intention."

Mr. T. ARUMAINATHA PILLAI (*continuing*):—"I did, Sir, and I am still of the same opinion. If the Hon'ble the Revenue Member would only refer to the speech of Mr. Siva Rao he would find that Mr. Siva Rao referred to the Decentralization Commission. Why should Mr. Siva Rao refer to the Decentralization Commission except for the fact that permanent settlement ought to be introduced. The Decentralization Commission, as the Hon'ble the Revenue Member said, recommended permanent settlement. Most probably, except the speeches of the Hon'ble the Revenue Member and the Finance Member, the thing that ran through all the speeches was that we did not want these things to be stopped for this reason, that when we wanted to introduce permanent settlement there must be some basis upon which these lands would have to be taxed. It was only for that purpose, Sir, that we wanted these things (settlement parties) to go on, but not for the purpose of saying that till the Bill is introduced, all other reforms in respect of land revenue should be stopped. What the nature of that Bill is God alone knows and perhaps the committee members. Therefore I submit that the charge of inconsistency brought by the Hon'ble the Revenue Member against this Council is not at all sustainable."

"Then he said, 'After all you have waited from 1796 to 1921. Why not wait for a couple of months more?' If the Hon'ble the Revenue Member has already given us any sort of assurance that the principles which are passed in and

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approved of by this Council would be embodied in that Bill which is to be introduced into this Legislative Council, then most probably we may wait. But on the other hand one is sorry to find that instead of any hopes being entertained in that direction all the hopes have been dashed to the ground. Therefore, Sir, it is impossible to wait any more. The country has waited from 1796 to 1921 and we shall not wait any more. If the Government is going to say 'We will give you permanent settlement', well and good. If the Government is not prepared to say so, but says 'We will not give it, but force down your throat this thing', we will only throw out the challenge to the Government, 'By all means, do your worst, but the payment of taxes is in our hands.' (Laughter.)

"Then, Sir, after hearing the Hon'ble the Revenue Member's speech, I believe it must be granted, and the Hon'ble the Revenue Member himself must grant, that from the very beginning when Bengal was granted permanent settlement, it was the intention of the East India Company to grant permanent settlement to this Presidency as well."

The Hon'ble the PRESIDENT:—"I think it would be convenient if I inform honourable members that, in view of the fact that this Debate has gone on for over four hours, the time limit will be rigorously enforced for the balance of the discussion on the subject."

Mr. T. A. RAMALINGA CHETTIYAR:—"Mr. President, the Hon'ble the Revenue Member laid great stress both at the beginning and at the end of his speech on the fact that this discussion was going to be only an academic discussion. I was not able at first to find out for what reason he made that statement. It struck me as rather curious that a discussion on a matter like this should be considered as an academic discussion. He concluded his speech by saying that a Bill was prepared and was going to be introduced in one month or two months and so this discussion was academic. He himself admitted that the Bill has not been prepared in such a way as to decide in this Council whether permanent settlement ought to be introduced in the Madras Presidency but that it runs on the basis of continuing the present policy of revision or periodical settlements. He said clearly enough that he has prepared the Bill on the lines of periodical revision, and in all probability there will be no chance whatever for the discussion of the question of permanent settlement when the Bill is introduced. So, Sir, this is the only opportunity for us, the representatives of the people, especially on account of the imminence of that Bill which he says is almost ready, to express our opinion as regards the necessity for the permanent settlement. He has also said that we have waited for a long time, that he would bring forward the Bill soon, and if we discuss this matter and press this resolution there is a chance of its being delayed and our losing whatever we can get by way of revision of assessment. I do not think that there is any such fear at all that need be entertained in this matter. The Bill will be considered on its merits. We are told that for years the members of this Council and of its predecessor have moved resolutions to fix the principles of resettlement and so we have agreed to move the principles of periodical revision. If at this moment we do not raise this question it may be said that we are estopped altogether when the Bill is introduced and we cannot suggest improvements to it. So, Sir, this is the opportunity for us to say that what we do want is permanent settlement. If we cannot get it at once or cannot get it at all, we may go on settling the principles to be adopted in the periodical revisions. So, if next month we are going to consider this Bill and try to make improvements in it, it would not mean that we accept the principles of

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periodical settlement and that we are committed to that idea. So, Sir, it seems to me this is the opportune moment for bringing this matter before this Council. The Honourable Member says that this is an all-India question. It is also a provincial question, land revenue being a provincial matter. Even in all-India matters the opinion of a Presidency can be made known only by assemblies like this expressing their opinions. It is the opinions of assemblies like this that weigh with the authorities that have to decide on this matter. This is a very important matter and whatever opinion we may express thereon will have to be transmitted to the Viceroy and the Secretary of State. Probably other presidencies may move in the same way. If they want permanent settlement, they would say that they want it. If they do not, they would say that they would be satisfied with periodical settlements. All these questions must be considered before they finally pass orders on this matter.

"The Hon'ble the Revenue Member said that the Joint Select Committee did not refer to this question at all but that it referred to the question of embodying the principles of periodical revision of revenue in a Code, and so we are precluded from considering this. He has not told us that this question of permanent settlement was considered specifically by the Joint Committee and decided against. The Committee did not say that they came to the conclusion that the periodical revision should be continued. All that they said was that the process of revision should be based on the principles embodied in legislation. What they say is that if there is going to be a revision, the principles upon which that revision ought to be made should be embodied in the Code. That is all that they say. If, for instance, Madras is going to have permanent settlement, then the principles relating to periodical revision need not be embodied in a Code here. In Bengal there is no periodical settlement at all and it cannot be argued that in Bengal they should introduce legislation for periodical revision and have a Code to settle the principles upon which such revision is to be based. So, the objections that have been raised by the Honourable the Revenue Member cannot hold water and his plea that we may wait seems to me to be a plea which cannot stand. It seems to me that this is the proper opportunity for us to express our view and it is a matter in which we ought to address the Government of India and the Secretary of State without any further delay.

"As I said, the Bill which is got ready need not wait on account of this resolution. This resolution will have to be considered separately on its merits, and pending the decision on this resolution the Bill may go on. If, finally, we do not succeed in getting our resolution accepted or it takes time, in the interval the principles that are going to be embodied in the Bill may be followed. With these few words, I support this resolution very heartily."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, the Hon'ble the Revenue Member was pleased to remind us of our duties in this Council when questions of important nature are discussed. I do not think he need remind us of our duties. We are fully conscious of our duties and we have always been faithfully discharging them.

"Sir, he was pleased to remind us of the financial difficulties in which the Government is placed at present. When we propose any change in the existing system of taxation, we do it with the full consciousness that the Government must be enabled to carry on the administration. The proposal is simply to change the existing system of taxation, and if need be, every member will be willing to accept any other reasonable system of taxation that may be necessary.

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The main difficulty in the periodical settlement is the evergrowing burden imposed upon the ordinary cultivating ryot. If we take the great number of pattadars who pay assessments below Rs. 10 a year, we see that on account of any increase of price in foodstuffs the margin left to them is very little, and the principle on which the permanent settlement of land assessment is advocated is on account of considerations of pity for the poor cultivator. Sir, it is quite natural that as long as the subject of land revenue is a reserved subject and as long as it is handled by bureaucrats—whether white or brown is immaterial—they cannot at all be responsible to us. Member after member of this Council gets up and says that the existing system is bad, and yet the Executive Government cannot be made responsible to the representatives of the people.

"If we simply calculate or take into consideration the resettlements that have been effected during the past 20 or 30 years, we see that there is not even a single district in which the resettlement process did not result in an enhancement on an average of at least 20 or 25 per cent. The real difficulty is the growth of assessment on land in the course of every resettlement. If the land assessment is to-day Rs. 1, it grows by process of this resettlement in the course of three or four resettlements to twice the amount. That is the really growing burden on the people. If the land assessment is Rs. 6 crores in 1920-21, and the same process is to go on, it will be Rs. 12 crores and odd after a few resettlements.

"Of course some mistake or mathematical fallacy was committed by the mover of this resolution and also by Mr. Ramachandra Rao in comparing the growth of revenue with the growth of expenditure. The expenditure during a period of twenty years on land settlement and survey is only the accumulated amount for a number of years, but if we take the average growth of land revenue per year, i.e., if the growth of land revenue this year is by Rs. 4 lakhs, it will be Rs. 8 lakhs next year, Rs. 12 lakhs in the third year, Rs. 16 lakhs in the fourth year—"

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*interrupting*):—"I was perfectly aware, Sir, of that fact, that there is a yearly arithmetical progression."

Rao Bahadur C. V. S. NARASIMHA RAJU (*continuing*):—"But if we take the sum total of all these yearly increases into consideration—for which he has compared the figures during the period taking the land assessment and the settlement and survey expenditure—I am sure the sum total of the growth of revenue during the period will be more than 50 per cent or 60 per cent or it will even perhaps be some enormous amount.

"The Hon'ble the Revenue Member was pleased to remark that the country waited from 1796 to this day and asked why it should not wait for some time more. I wish to point out that the country was under the belief till 1869 that the land settlement effected since 1796 was a permanent settlement. It was only in 1869 that it was stated that land assessment was not on a permanent settlement but it was subject to revision. But having seen the pressure and the results of resettlement for nearly almost two periods, we the representatives of the people say that it is a most inequitable system of taxation. Of course, when we say all these things, we are fully conscious that the Government cannot be run without taxes gathered from the people. But we condemn the system, and the proposition 'which is the better system' is not before the House and let us not therefore discuss that point.

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should be granted at once, even if it is necessary to get the Viceroy's permission, Joint Committee's permission, or even the Secretary of State's permission. The Government may very well report to the higher authorities concerned at once that the proposition has been brought here at the very moment there was some difference of opinion in the committee appointed by the Government, that the resolution for a permanent settlement was unanimously—I hope the Ministers will be neutral—carried in this Council, that therefore permanent settlement should be given, and that the consequences of rejecting it will be very serious both inside the House and outside the House. These are the reasons, Sir, why I heartily support the resolution."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I am extremely disappointed at the attitude taken by the Government in opposing this resolution. I had hoped that after the inauguration of the new policy, there would have been a definite change in the attitude of the Government on motions affecting the well-being of large sections of the people. It has been said very often that the new Government would pay considerable respect to the wishes of the people and the Hon'ble the Revenue Member has told us to-day that they have shown due deference to the wishes of the people in various measures taken, probably in the matter of the appointment of committees of which we hear so many. Sir, while a question has been raised, not about the appointment of committees, but about effecting radical changes in the method of levying assessment which is only thing which would affect the well-being of the agriculturists, we have met with a different attitude altogether. To obtain proof about the unanimous wish of the people, the Hon'ble the Revenue Member has not to go beyond the fact that all sections of this House representing all shades of opinion have unanimously given their approval in the matter of the permanent settlement. Sir, I was rather disappointed when he started by saying that this momentous question had only raised an academic discussion. I fear that he has not realized the importance of this problem affecting the well-being of the people. Again he stated, either that it has some old history behind it, or that the views are belated. I am not so very pessimistic as he is as to the utility of historical comparisons. Sometimes they are very valuable, and what strikes me most is that even after an interval of 125 years or more, it has not been possible for the Government to exhibit the same anxiety in adopting such useful measures as are calculated to benefit the people. Notwithstanding his views about the utility of historical comparisons, may I remind this House that early in 1793 the predecessors of the present Government, the Court of Directors, themselves expressed greater anxiety for the interest of the land-owning classes. I would only refer, Sir, to what they themselves said in that regulation regarding permanent settlement as to their desire to help landholders; and now the successors of the Court of Directors, now represented through the Hon'ble the Revenue Member, do not meet the question from the proper standard. They said—

"The Hon'ble the Court of Directors considering these usages and measures to be detrimental to the prosperity of the country, have with view to promote the future ease and happiness of the people, authorized the foregoing declarations"

and again they said:—

"The Governor-General in Council trusts that the proprietors of land sensible of the benefits conferred upon them by the public assessment being fixed for ever, will exert themselves in the cultivation of their lands under the certainty that they would enjoy exclusively the fruits of their own management and industry and that no demand will ever be made upon them or their heirs or successors by the present or any future Government for an augmentation of the assessment in consequence of the improvement of their respective estates."

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"Now, Sir, we have been treated to a different story altogether as to the principle which ought to guide Government in matters affecting revenue administration.

"Referring again to the effect of the recent re-settlement the Hon'ble the Revenue Member stated that it is not always the case that there is enhancement of assessment, and he instanced the case of Cuddapah and Anantapur. But may I point out that even if we confine our attention to the re-settlements within the last ten years, we will find that the enhancement has been very marked and appreciable. In the case of the Madras district where there has been re-settlement recently, we find that it went up in some cases to 36 and 38 per cent. Again, in the case of the North Arcot district, we find that in some tracts the enhancement realized was 26 and 30 and odd per cent, and in the case of the South Arcot, where it is more moderate, there are cases where it went nearly up to 26 per cent. Therefore, it is of no use referring to one or two stray cases as Cuddapah or Anantapur; but taking things generally, it is fairly clear that there has been an abnormal enhancement of assessment at every re-settlement. While referring to the figures relating to the enhancement of revenue, I pointed out clearly that out of a total enhancement of revenue amounting to 70 lakhs realized in the course of ten years, a sum of 35 and odd lakhs was due to enhancement of assessment and a sum of nine lakhs and odd due to charges for water, etc. That is the average increase of revenue in the course of ten years. But coming again to the increase of expenditure under Survey and Settlement, let me remind the Hon'ble the Revenue Member that I took the most favourable years from the standpoint of the Government. I took the ten years up to 1919-1920 and stated that the total expenditure was 14 lakhs per year. May I point out with reference to the budget estimate presented last year that when we come to the total expenditure under Survey and Settlement in 1920 it was 16.80 lakhs, but in 1921 it came up to 24.85 lakhs. Excluding the case of Survey altogether, I find that even under the head of Settlement parties alone (not to speak of the controlling office under the head Settlement) we provided under Settlement last year 6.07 lakhs and again 7.12 lakhs this year. I am only bringing these figures to the notice of the Council to show that there is ample scope for retrenchment of expenditure under Survey and Settlement, to counterbalance the loss of revenue.

"The only other point that I need deal with is the reference made by the Hon'ble the Revenue Member to the fact that a Bill is under preparation and that we will do well to wait and see what that Bill is about. He says you have already waited a hundred years; why not wait for a month or two more. I shall be most happy to accept that suggestion if the Hon'ble the Revenue Member had been in a position to tell us that the Government are going to consider this question of permanent settlement. If he had only told us that the question of permanent settlement is going to be taken up by the Government in right earnest, I would certainly not be in a hurry to push on with this resolution. But, so far as I know, he has told us that it is only the rules framed by the Settlement officers that are being tried to be codified in the Statute, and he has told us that some improvements are contemplated in the matter of these rules. That is a different thing altogether. When we are raising the vital question as to the termination of these periodical settlements, any proposal which either the Government or the committee may make regarding rules and regulations for the purpose of carrying on settlement operations will not be of any use whatever. If he had advised us caution and patience saying that the questions of permanent settlement is a matter which will take some time to consider, but that they would take it up

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shortly, I could understand his position, as I do not want this House to be impatient in the matter. But he has said nothing of that sort. He has rather told us that His Excellency the Viceroy has given his last word, in replying to a deputation, in regard to the question of permanent settlement. Of course it reflects the opinion of Government, but that is not the last word so far as the people are concerned. (Hear, hear). I would say, Sir, that neither the word of His Excellency the Viceroy, or of the Right Hon'ble the Secretary of State, could be considered as the last word in questions affecting the administration of this country. (Hear, hear). When you recognize, as was recognized by the Joint Parliamentary Committee, that the people must have a voice in determining the policy in such questions I would state that this is a question in which the voice of the people has to be given greater weight than the declarations of either the Viceroy or the Secretary of State.

"With these remarks, I would appeal to this House that without any difference whatever, they would give their unanimous vote to this resolution. In requesting this, I am not asking for too much. We ought not to be guided by the fact that the Government may or may not accept the resolution. We must not be guided by the fact that either a previous Secretary of State has expressed his opinion, or that the present Viceroy has expressed his opinion against it. It is our duty to give clear expression to our own intention. If after these intentions are clearly expressed, the Executive Government will not respect those wishes and give effect to those wishes, we know how to agitate further and get the reform we want. We must not hesitate till we get the permanent settlement in this province."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Sir, I do not think that I need say much in the shape of reply inasmuch as not more than three honourable members have spoken after I had the opportunity of placing my views before the House. Of course I am not going to analyse once more my past life either as a very successful lawyer, or as a spirited speaker on the Congress platform, or agree to the opinion which my good friend on the other side has expressed on my behalf that I was now in the predicament of defending a bad case. I felt, Sir, that I was defending a case which I thought I had good materials for so doing and I may therefore assure him that I have not behaved like a hypocrite in this matter.

"As regards the observations of my friend Mr. Krishna Rao, who in a way asks whether in my previous remarks I have held out any sort of hope as to the possible attitude which Government would take in case this resolution was passed by the House, I am not quite sure, Sir, if I made my remarks sufficiently clear, nor am I quite certain whether my honourable friend followed me up to the very end. However, all that I can repeat at the present moment would be that the views that have been expressed by member after member in this House are of course intended for the information of the Government as a whole; and when Government are in possession of the full speeches that have been delivered by the members of the House, they will certainly consider them in the light of the attitude which they will have to adopt in regard to the Bill that has been put into their hands by the committee which they appointed the other day.

"I should certainly think that the Government while deciding their attitude in regard to that matter, will either be influenced by certain suggestions which have been placed by the members before the House now, or if they consider that course impossible, they may probably

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submit the speeches to proper quarters. Beyond that it will not be possible for me to say anything definite. I may also say one word more. I have no doubt, Sir, that when the speeches of the honourable members are available, Government will certainly consider the conditions under which permanent settlement could be introduced in this province. I note that opinion has been very definitely expressed that it will be quite possible to secure permanent settlement in this province if to it were added the addition of an income-tax on incomes from landed properties. That of course I take as a definite recommendation that has been made. That recommendation also will be considered by the Government. Beyond promising consideration, I think it will not be possible for me to commit Government to a resolution which suggests or asks the Government to bring forward a legislation before this Council providing for a permanent settlement. That, I think, I cannot pledge myself to. My friend Mr. Ramachandra Rao laid some stress on the financial aspect of the expenditure involved by the Survey and Settlement parties and he asked me, rather challenged me I should say, to supply myself with the necessary figures which would reveal the fact that the Survey and Settlement Department is more or less a white elephant. I took up his challenge immediately and asked my Secretary to collect the figures from official statistics and I find, Sir, that during the last ten years for which I had asked figures, the annual increment from all sources works up to 48.16 lakhs and this annual increment of 48.16 lakhs has been secured by an expenditure of 140 lakhs.

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"May I point out, Sir, with due deference to the Hon'ble the Member for Revenue that in giving figures I do not depend on any Secretary; but I verified the figures myself with the help of the land revenue reports year after year for the ten years and satisfied myself that they were correct."

THE Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"It were better if the honourable member, before he corrected me, had asked me for which ten years I quoted the figures. My figures relate to the period from 1911 to 1921, whereas he quoted figures up to 1920. I suppose it has been realised that the Survey Department is not intended merely for the purpose of carrying on survey of such tracts of the country where there is a re-settlement in operation. If the duties which are now being performed by all the eight survey parties in the Presidency are taken into account, honourable members will notice that barring one or two survey parties which are now at work where re-settlement operations are going on, the other parties are functioning in different places for different purposes. To hope that the permanent settlement will absolutely do away with the survey parties is, I think, hoping against hope. For, if figures are examined, it will be seen that during the last ten years the expenditure on account of settlement parties has not been as great as the expenditure on the survey parties. The survey party is functioning not merely for the purpose of achieving the particular object of securing a re-survey of places but it is also functioning for the purpose of more or less daily administrative necessities.

"As I have already said, I shall not take up much of the time of the House, as you have already remarked, Sir, that nearly five hours have been taken up for the discussion of this matter and I may repeat again, Sir, that all that has been said in this Council hall to-day will certainly be carefully considered by the Government in connexion with the Bill that is now in their hands. Let me once more assure my friend from Coimbatore in front of me that Government

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still retain the same respect for non-official opinion to which I made reference and which actuated them when they appointed the committee to consider the question."

The resolution was put and carried.

A poll was then taken with the following result :—

Ayes, 65.

- | | |
|---|--|
| 1. Mr. K. Adinarayana Reddi. | 34. Rai Bahadur A. S. Krishna Rao Pantulu. |
| 2. " Dr. C. Appalarasavva Nayudu. | 35. Mr. Siva Rao. |
| 3. " R. Appaswami Nayudu. | 36. " S. Muttumanikkachari. |
| 4. Diwan Bahadur C. Arunachala Mudaliyar. | 37. Rao Bahadur T. M. Narasimha-charlu. |
| 5. Rai Bahadur T. Balaji Rao Nayudu. | 38. " Dr. C. B. Rama Rao. |
| 6. Rao Sahib P. C. Ethirajulu Nayudu. | 39. Rao Sahib U. Rama Rao. |
| 7. Mr. K. Gopalakrishnayya. | 40. Mr. A. Ranganatha Mudaliyar. |
| 8. " J. Kuppuswami. | 41. Mr. K. Sadasiva Bhat. |
| 9. Diwan Bahadur Sir P. Tyagaraya Chettiyyar. | 42. Sriman Sasibhushana Rath. |
| 10. " R. Venkataratnam Nayudu. | 43. Diwan Bahadur D. Seshagiri Rao Pantulu. |
| 11. Mr. T. A. Ramalinga Chettiyyar. | 44. Mr. R. Srinivasa Ayyangar. |
| 12. " O. Tanikachala Chettiyyar. | 45. " M. Suryanarayana Pantulu. |
| 13. " B. Muniswami Nayudu. | 46. " C. V. Venkataramana Ayyangar. |
| 14. " A. T. Mattukumaraswami Chettiyyar. | 47. " S. Arpudawami Udaiyar. |
| 15. " M. Narayanaswami Reddi. | 48. " T. Arumainatha Pillai. |
| 16. " C. Natesa Mudaliyar. | 49. Rai Sahib E. B. M. Mascarenhas. |
| 17. " V. Paakkiriswami Pillai. | 50. Mr. A. T. Palmer. |
| 18. " C. Ponnuswami Nayudu. | 51. " G. Vandanam. |
| 19. Rai Bahadur A. Ramayya Punja. | 52. " K. Prabhakaran Tampan. |
| 20. Mr. W. P. A. Saundara Pandia Nadar. | 53. Abbas Ali Khan Bahadur. |
| 21. " R. K. Shanmukham Chettiyyar. | 54. Saiyid Diwan Abdul-Razzaq Sahib Bahadur. |
| 22. " T. Somasundara Mudaliyar. | 55. Khan Sahib Muhammad Abdur Rabiin Khan Sahib. |
| 23. " N. A. V. Somasundaram Pillai. | 56. Munshi Muhammad Abdur Rahman Sahib. |
| 24. " S. Somasundaram Pillai. | 57. Mr. Bavotti Sahib. |
| 25. " A. Subbarayudu. | 58. Mr. Kunhamad Koya Sahib. |
| 26. Diwan Bahadur K. Suryanarayanamarti Nayudu. | 59. Mr. V. Humid Sultan Marakkayar Sahib. |
| 27. Mr. A. S. Tangavelu Nayar. | 60. Khan Bahadur Muhammad Sadullah Badsha Sahib. |
| 28. " T. C. Tangavelu Pillai. | 61. Khan Bahadur Muhammad Usman Sahib. |
| 29. " V. C. Vellingiri Goundar. | 62. Mr. M. C. Raja. |
| 30. " W. Vijayaraghava Mudaliyar. | 63. " R. T. Kesavalu Pillai. |
| 31. Diwan Bahadur M. Ramachandra Rao Pantulu. | 64. " M. C. Madurai Pillai. |
| 32. Diwan Bahadur L. A. Govindaraghava Ayyar. | 65. " P. Venkatarangayya. |
| 33. " M. Krishnan Nayar. | |

Noes, 10.

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|--|---|
| 1. The Hon'ble Sir Lionel Davidson. | 6. Mr. E. Perivanayakam. |
| 2. " Sir C. G. Tothunter. | 7. " C. W. E. Cotton. |
| 3. " Khan Bahadur Muhammad Habib-ul-lah Sahib Bahadur. | 8. The Rev. W. Weston. |
| 4. " Mr. K. Srinivasa Ayyangar. | 9. Mr. M. M. MacDougall. |
| 5. Mr. E. Littlehills. | 10. Rao Bahadur T. Namburumal Chettiyyar. |

Neutral, 6.

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|---|------------------------------|
| 1. The Hon'ble Mr. P. Ramarayanagar. | 4. Mr. P. Subbarayan. |
| 2. The Hon'ble Rai Bahadur K. Venkata Reddi Nayudu. | 5. " T. Sivasankaram Pillai. |
| 3. The Hon'ble Rao Bahadur A. P. Patro. | 6. Zamindar of Mandasi. |

Sixty-five voted for the resolution, ten against and six remained neutral.

[14th December 1921] [Mr. V. C. Vellingiri Goundar]

The following resolutions Nos. 171, 172 and 173 standing in the names of members under whose names they are given were not moved and were therefore deemed to have been withdrawn—

Distribution of water to ryots in consultation with village panchayats.

Mr. A. T. PALMER :—

'171. That this Council recommends to the Government that the work of distributing water to ryots for agricultural purposes, which is now in the hands of the Public Works Department, be done in consultation with the village panchayats of the villages concerned.'

Scheme of studies for secondary school-leaving certificate to include training in industrial and technical subjects.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—

'172. That this Council recommends to the Government that the scheme of studies for the secondary school-leaving certificate be so modified as to afford training in industrial and technical subjects.'

Curtailment of salaries of appointments on Rs. 500 and above.

Mr. O. TANIKACHALA CHETTIYAR :—

'173. That this Council recommends to the Governor in Council that the Government should address the Government of India and the Secretary of State that, with a view to effect retrenchment in public expenditure, the salaries of appointments on Rs. 500 and above should be fixed at two-thirds of the present rates, the European members of the services employed in India being paid an oversea allowance of one-third the present rates of salary for their respective appointmen's.'

Hand-spinning and hand-weaving as cottage industries.

Mr. V. C. VELLINGIRI GOUNDAR :—" Sir, the resolution that stands in my name reads as follows :—

'174. That this Council recommends to the Government that early steps be taken to introduce improved patterns of spinning wheels and to encourage and stimulate hand-spinning and hand-weaving as cottage industries.'

"Sir, since my resolution relates to the spinning wheel, I think I had better tell the House at the outset, that the resolution is not the outcome of any article of faith on my part that the introduction of spinning wheel will usher in a new millenium, the Swaraj.

"I am purely and solely actuated by a desire that the old cottage industry of hand-spinning and hand loom weaving, which have been crushed out of existence, may be revived, so as to afford additional means of livelihood to thousands of the village agricultural folks during the slack seasons; and I believe that Government can do much in this direction by the introduction of improved patterns of spinning wheels. I beg of the Government, therefore, not to feel nervous at the mere reference to spinning wheels.

"To the question that was asked relating to the introduction by Government of improved spinning wheels, the Hon'ble the Minister for Development replied that no steps would be taken by Government for the reason that hand-spun yarn is unlikely to compete successfully with mill-spun yarn. This is a

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HAND-SPINNING AND HAND-WEAVING AS COTTAGE INDUSTRIES

[Mr. V. C. Vellingiri Goundar] [14th December 1921]

most unsatisfactory and incomplete solution of a question which, I shall show to the House, is of far reaching importance to the country.

"It is, I believe, a matter of common knowledge that spinning with the old spinning wheel formed, not long ago, a very important cottage industry in cotton-growing areas like Coimbatore, Salem, Bellary, Gundur, Kurnool, Anantapur and Tinnevely districts and that owing to the manufacture of yarn by mills and importation of cheap foreign yarn and cloth, this industry gradually died out. During the last four or five years the price of yarn has gone up enormously and the price of mill-made cloth has become prohibitive to the lower classes. Furthermore, the quality of mill-spun and imported coarse yarn and cloth is far inferior to hand-spun yarn and cloth woven from hand-spun yarn.

"There is a growing discontent among the masses against Government, and I say with confidence that apart from the high prices of foodstuffs, not a little of strong feeling is due to the crushing prices of cloth, and Government should take prompt measures to allay the discontent and alleviate the misery of the people.

"I may here mention my own personal experience in the matter. During the last three years I have induced and given work to people in my village and in the surrounding villages, spinning with the old country spinning wheels, and the cloths woven and intended for the use of the poor, out of that hand-spun yarn are much stronger and more durable than any mill-woven cloth and stands rough use and daily washing much better.

"During those seasons in which these classes of people are not engaged in agriculture and do not get good wages, the hand-spinning affords a valuable means of livelihood for them.

"There is another indisputable fact: that is in these very regions where labour is cheap and does not command good wages the price of the mill-made and foreign cloth is higher in proportion; because to reach these regions the cloth has to travel long distances and has to sell consequently for higher prices and the labouring classes suffer all the more. In these regions particularly will the spinning wheel prove a boon.

"Not long ago, a missionary lady visited me and on a conversation I found that she was being hard put to it to find clothing for the orphan girls in her charge at cheap prices and she was convinced that if only the spinning wheels could be introduced the problem of cheap clothing would be solved to a large extent.

"This experience of mind leads me into the belief that if steps are taken to diffuse the knowledge of spinning wheel, people will take to it in large numbers. I only ask that if the old country spinning wheel is improved upon by the Department of Industries, which department, I believe, has the welfare at heart of all cottage industries, and if improved patterns are introduced, the agricultural and labouring classes will be benefited all the more and at the present juncture when the price of cloth is so prohibitive, the poor classes will spin their own yarn and weave their own cloths. The same argument applies with equal force to the introduction of improved patterns of hand-looms. Improved patterns have already come into existence and it is the paramount duty of the Government to introduce those improved patterns into villages. At present the improved hand-looms are confined to towns and have not penetrated the interior where they will be a blessing. A new pattern of improved *charka* is kept for exhibition by the Department of

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[Mr. V. C. Vellingiri Goundar]

Industries.. It ought to be advertised largely and demonstrations made as to its suitability. As matters stand at present the public have no means of testing its superiority to the ordinary *charka*. On my enquiry recently into the usefulness of this improved pattern of *charka* I found an elaborate description of its uselessness by the Director of Industries. Why it was brought and kept for exhibition and why the Publicity Bureau should waste its energy and the tax-payers' money on useless things by giving this news to the press and thus demonstrating labouriously the uselessness of the object advertised, it is impossible to conceive.

"I will now show a concrete instance. Raw cotton can be had in the cotton-growing districts for almost next to nothing during picking season and the hand-spun yarn will not cost much to the classes to whom it will be useful. The argument that hand-spun yarn is not likely to compete successfully with the mill-spun yarn has no force or validity to-day. I know as a matter of fact that in the cotton-growing districts hand-spun yarn is far cheaper than mill-spun yarn; there prices run so high as everyone knows.

"Another point I wish to lay emphasis upon is this: this argument about competition with mill-spun yarn is absolutely immaterial, when it is borne in mind that the sole determining factor is whether the hand-spinning and hand-weaving do not form useful, important and additional occupation for the agricultural classes, depending solely on agriculture during slack seasons. Moreover hand-spinning can be done by womenfolk at all times and to the poor ryot hand-spinning will never cease to be an additional means of livelihood whatever the prices of mill-yarn may be.

"The exact manner and method by which Government can stimulate the important cottage industry of hand-spinning and hand-weaving are not difficult of solution, especially when the Government have now the important department of Industries and its highly-paid staff and also the valuable Publicity Bureau, I firmly believe Government can do substantial work in the matter of encouraging and stimulating these important cottage industries.

"It is indeed regrettable that Government, as shown by their answer to questions relating to these matters have disclosed their insufficient appreciation of the practical importance of hand-spinning and hand-loom weaving, and their own apathy in the matter. I may in this connexion refer to an article that appeared in the Calcutta journal, *Industry*, to the effect that at the Ministerial Conference held there, this hand-spinning industry was much appreciated and spoken of well as being one of important benefit to poor people.

"It is refreshing to find from the answer given by Government to my honourable friend Mr. Banganatha Mudaliyar (Question No. 502), the importance of hand-loom as a cottage industry has been recognised, and the Department of Industry is fostering that industry. But side by side the encouragement of hand-spinning industry must go on. It is this that would be of greater benefit to the agricultural classes.

"The acceptance of my resolution does not involve Government one pie of additional expenditure, as the existing staff and apparatus for the purpose are more than ample and as the Government has merely to issue instructions in this all-important matter to a staff which apparently exists for no other purpose.

"Apart from any political significance that may be attached to more widespread hand-spinning and larger introduction of the *charka*, forgetting for a moment the effect that it may have on the importation of foreign yarn and cloth

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Mr. V. C. VELLIGIRI GOUNDAR (*interrupting*):—"I wish to know, Sir, whether the honourable member was in order in saying that the clue was taken from the non-co-operators."

Mr. S. SOMASUNDARAM PILLAI (*continuing*):—"The honourable mover might not have taken it. I was saying that it was the tendency of the country now. I have read some of the speeches of Mr. Gandhi. He says: 'I depend upon the masses of the people and women;' because these are the ignorant people on whom he can sow the seeds of discord. Further he says 'I want to revive the old civilization.' If philosophical speculations alone can be called civilization, which I very much doubt, our ancestors can be called civilized. In all aspects they were most uncivilized savages living in the forests. In this twentieth century to revive the customs of barbarous men is rather objectionable. I hope the members of this House who are advanced in education and civilization will look at the resolution twice before they give their vote and I oppose the resolution as strongly as I can."

Mr. A. SUBBARAYUDU:—"Sir, though I fully sympathize with the object of the resolution, I feel sorry to oppose it. The *charka* has been in existence for a very long time and the present promoters of the *charka* have not been able to find out improved patterns in spite of their enthusiasm. I find that there is no necessity for the Government to spend their time for this purpose when people themselves are trying their best for this enterprise. The honourable mover said that the Industries department exhibited a useless hand *charka*. I do not know if the Government without the intention of introducing *charkas*, could even accept this resolution, and by accepting it, could find any useful purpose served. As regards the fly-shuttles, I believe the Government have already been taking interest and they are trying their best to produce improved hand-loom and I therefore see no reason why a resolution of this kind should be introduced in this House, and I oppose it."

Sir P. TYAGARAYA CHETTIYAR:—"Mr. President, I quite sympathize with Mr. Vellingiri Goundar in the resolution that he moved. It is a fact well-known to all India and the world, that India produced the best kind of cloth for centuries. And the best kinds of yarn and the famous Dacca muslins had been the outcome of these *charkas*. I suppose fifty years back every house had a *charka* and there were a number of *charkas* that made the finest yarn possible. When machinery came in, it was found to be economically a failure. And so it was given up. To revive it is a question useless to think of. Of late *charkas* are being introduced in many places in Madras. I have seen hundreds of them sold. But what use is made of them, I cannot guess. Because it requires cotton which we cannot produce now except perhaps as two or three plants in our backyards called *jadapathi* or the *Poonool punju*. From what I learn, the *charkas* that are being sold in hundreds are being worshipped and not touched by the hand. It is becoming rather the fashion to say 'I purchased a *charka*'. However it is a fact well known that it is perfectly useless to do anything in the way of improving the *charkas*. The *charkas* that are now being sold are bad imitations of the old ones. There will be some use in improving these *charkas* if only human hand can produce so much as machinery. I do not suppose, Sir, that we are all so patriotic as to say:—"We will rather wear the home-made and hand-woven cloth however inferior it may be and however costly it may be than cloth-made by machines." It will take several centuries to

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[Sir P. Tyagaraya Chettiyar]

become such patriots and hence I suppose there will be no use by attempting to improve the *charkas* I think it will be of much more use to improve the weaving industry. I may say that the department is doing something in that direction. If I remember right, last year or the year before, the Government sanctioned Rs. 20,000 or Rs. 25,000 for improving accessories for weaving such as machines for sizing yarn. Now I think the department is trying to find out proper machinery for that. It may take some years for them to find proper machinery.

"I may also say that I had a hand in this business for the last fifteen years and I may say that improved hand-weaving has tended to lower the high price to a large extent and supplied cloth in the war time. If weaving is developed, it might produce better results; but merely to ask the Development Department to find out the means of improving *charkas* is beyond its power.

"To carry out the improvements it will require a large amount of money and I am sure the department will carry out any improvements possible in due course. I think there is no necessity for a resolution of this kind."

Sriman Sasi BUSHAN RATH Mahasaya:—"Sir, I am not a non-co-operator nor do I wear *khadhar* and yet I heartily support the resolution moved by my honourable friend. I take it, Sir, that the introduction of the spinning-wheel in this country is a welcome sign of the times. In speaking of the spinning-wheel, I will confine my remarks to my own district and to the experiences which I have had with regard to the spinning-wheels that have been newly introduced by me. I know that this spinning-wheel was in vogue in our country long ago either in this form or in some other form and that was given up for some time but again introduced largely by a political impetus recently given. Apart from its political significance, it can be recommended for several of our people who spend their time idly from the standpoint of economic usefulness. In my own district I find the ryots idling away their time for nearly six months in the year. They do absolutely nothing during that period and it will be a very great advantage if the spinning-wheel is introduced. After this non-co-operation movement had set in, I myself went in for a few of these spinning-wheels and asked some of the people over whom I have control to take to spinning. They have taken to it. Of course the results are not very encouraging. All the same, I have found that they can make something out of it. I will give you an instance. After training these people for two months I purchased one anna worth of cotton from the Swaraj *ashram* and gave it to one person who was working at the spinning-wheel. After two months' experience, the poor man was not able to spin yarn which would fetch more than two annas at the Swaraj *ashram*. If eight hours are spent over spinning, it yields only a return of one anna. I think in course of time two annas can be realized by spinning for the same number of hours. That is my experience. All the same one anna or two annas is a very great thing for the peasant population in the mufassal who have absolutely no other work to do.

"Again we have the opinion of men like Sir P. C. Ray who have been working in the famine-affected areas of Khulna and they say that these spinning-wheels are welcome in the famine-affected areas as giving the ryot population some source of income which they do not have at present. We should not shun the spinning-wheel because it has got some political significance. This resolution does not also ask the Government to do much. The Development Department has got experts under it and this resolution asks that they should try and find out

[Sriman Sasibushan Rath Mahasayo] [14th December 1921]

improved patterns of spinning-wheels. I understand that not only in this country but also in other civilized countries such as England lots of respectable people especially ladies take to spinning. I do not understand why in our country improved patterns of spinning-wheels could not be devised and introduced in the homes, with a view to utilize the capacity and energy of people that are otherwise idle.

"In Bengal we have got Dacca, where very fine muslins are woven. We, from home-spun yarn in the northern districts, are accustomed to wear Dacca clothes and muslins. It is stated by some who oppose the introduction of the spinning-wheel that uniformity cannot be secured in the yarn. I admit it may be so for a certain time but I am sure uniformity will be secured as in the case of yarn out of which Dacca muslins are made. Even in my own district, I have found people producing very fine yarn after a training of about six months or eight months. If the spinning-wheel in the present form cannot lead to an economic success it is all the more reasonable that the Government should come to our rescue and introduce better patterns, if that be possible. With regard to weaving the Government have been doing something in the matter. I do not see why the Government should not accept the resolution as it stands at least with regard to that portion which relates to weaving. It is time, Sir, that something should be done to relieve the ryot population of the economic distress and to improve their lot by whatever means possible. From that standpoint, Sir, I urge that this resolution should be accepted by the House."

The Council then adjourned at 5-26 p.m. to meet at 11 a.m. on Thursday the 15th day of December 1921.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 15th day of December 1921, the Hon'ble Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E., President, presiding.

I

QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

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

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

Dismissal of students for wearing Khader caps.

1154 Q.—Rao Bahadur A. S. KRISHNA RAO : Will the Hon'ble the Minister for Local Self-Government be pleased to state the circumstances under which certain students of the Vizagapatam Medical School were first suspended and then dismissed for wearing Khader caps ?

A.—On the 24th September last the Surgeon-General reported to the Government that the Superintendent of the Vizagapatam Medical School had suspended about 100 students for wearing Swadeshi (Gandhi) caps in the hospital and the school in contravention of the prescribed dress regulations and in disobedience of his orders directing them to discontinue wearing such caps, and that the Surgeon-General had upheld the Superintendent's action.

The Government while approving of the action of the Superintendent and the Surgeon-General decided to give the students an opportunity of apologising for their misbehaviour. On the 27th September the Superintendent was asked by telegram to notify in the hospital and the school that if the students did not express regret either personally or in writing by the 3rd October, they would be dismissed. As a result of this, 97 out of 142 students who had been suspended apologised; 36 students refused to apologise, and put in a most objectionable petition demanding among other things free unconditional permission to attend the school and hospital in their Swadeshi white caps. The Government however decided to give them one more chance, and the Superintendent was asked to inform the 36 students that unless they apologised within 24 hours of the receipt of this order, they would be summarily dismissed. Thirty-two students have till now been dismissed for failure to apologise within the time allowed. Even now if any of the 32 dismissed students apologise, the Government may reconsider the order of dismissal.

BHASKARA RAJA RAJESWARA SETUPATI, the RAJA OF RAMNAD :—"May I just ask the Hon'ble the Minister for Education whether it is the intention of the Government to issue a circular prohibiting the use of such caps in Government and aided schools and colleges ?"

The Hon'ble Mr. P. RAMADEVANINGAR :—"It does not arise from the question."

[15th Decemb.]

- (e) whether the District Collector has reported any abnormal rain or in these areas; if so, to lay on the table the said reports;
 (f) whether it is a fact that the said bridge was certified by the Ra authorities as being safe and strong enough to bear any but abnormal floods;
 (g) when the bridge showed signs of collapse; and
 (h) who inspected the bridge after the collapse and when he inspected and what his report was?

- A.—(a) Yes.
 (b) 6½ days.
 (c) Yes.
 (d) Scouring of temporary piers due to abnormal floods.
 (e) No.
 (f) Yes.
 (g) & (h) The Government have no information.

APPENDIX.

[Vide answer to question No. 1159 asked by Mr. R. Srinivasa Ayyangar at the meeting of the Legislative Council held on the 15th December 1921, page 1793 supra.]

G.O. Mis. No. 2364, Revenue, dated 27th October 1921.

Read—the following paper:—

G.O. No. 848, Revenue, dated 13th April 1921.

Order—Mis. No. 2364, Revenue, dated 27th October 1921.

The following orders are issued in partial modification of the terms of G.O. No. 848, Revenue, dated 13th April 1921:—

(1) In future a deputy collector will on confirmation be entitled to draw incremental pay on the time-scale without further sanction unless a specific order is passed to the contrary.

(2) A report upon each deputy collector who has not passed the efficiency bar will be submitted annually through the Board to the Government by the officer under whom he is serving.

(3) No deputy collector shall pass the efficiency bar without the specific order of the Government.

(By order of the Governor in Council)

E. W. LECH,
 Acting Secretary to Government.

To the Finance Department.
 „ the Public Department.
 „ the Development Department.
 „ the Local Self-Government Department.
 „ the Accountant-General.
 „ the Board of Revenue (Land Revenue).
 „ „ (Revenue Settlement).
 „ the Agency Commissioner.
 „ the Commissioner of Labour.
 „ the Director of Agriculture.
 „ the Chief Conservator of Forests.
 „ the Registrar of Co-operative Societies.
 „ all Collectors.
 „ the Chief Presidency Magistrate.
 „ the Hon'ble the Resident in Mysore (with C.L.).
 „ the Commissioner, Madras Corporation.

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II

MOTION FOR THE ADJOURNMENT OF THE BUSINESS OF THE HOUSE.

The Hon'ble the PRESIDENT:—“I have to inform the House that I have received under Standing Order No. 21 from the Honourable Member, Mr. Ramachandra Rao, a statement of a matter, in regard to which he wants to move the adjournment of the business of the House. The definite matter of urgent public interest is the extension to the Madras Presidency of Part II of the Indian Criminal Law Amendment Act of 1908.

“The question before the House is whether the Honourable Member, Mr. Ramachandra Rao, has leave to make that motion. Does any honourable member object?”

The grant of leave was opposed by Mr. Palmer. Twenty members not having risen in support of the motion, the Honourable Member was declared not to have obtained the leave of the House.

III

COMMITTEE ON PUBLIC ACCOUNTS.

The Hon'ble the PRESIDENT:—“With reference to the election of two members to the Committee on Public Accounts I have to inform the House that only two honourable members have been nominated, namely, Messrs. A. T. Palmer and T. C. Tangavelu Pillai. As this number is equal to the number of vacancies, I hereby declare both the members to be duly elected under Regulation II (4) of the Regulations framed for the holding of elections by means of the single transferable vote.”

IV

ANNOUNCEMENT REGARDING MEETINGS IN JANUARY 1922.

The Hon'ble the PRESIDENT:—“I propose to close this month's sitting of the House to-morrow evening and to adjourn to Saturday the 14th * January. His Royal Highness the Prince of Wales will visit the House at 12 noon on that day. Honourable members should be in their places not later than 11-30 a.m. The ceremonial to be observed on the occasion is being printed and copies will be furnished to honourable members. After His Royal Highness leaves, I shall formally adjourn the House to Thursday the 19th January, and the House will sit for three days, i.e., till the evening of the 21st idem, for the purpose of attending to ordinary business.

“I wish to invite the attention of the House to the pendency of resolutions. Of the 57 resolutions printed in the agenda of the 13th December, only 7 have been disposed of till yesterday evening, 50 being left over for consideration. There are, besides, 53 resolutions balloted for on the 7th November and 5th December. So many as 103 resolutions are thus on hand, arranged in order of priority. We have further about 20 resolutions yet to be balloted for. The present session will probably be prorogued by His Excellency the Governor about the end of March 1922. During that month the House may not be able to attend to anything but the budget. If the House will have only the January and February meetings available for dealing with resolutions, along with legislative work, it is very doubtful whether it will be able to take up, before the end of the session, any more resolutions than those which have been already admitted. All resolutions tabled but not moved before the end of the session will lapse by prorogation. While it is of

* Under instructions received from the Government of India the date of His Royal Highness's visit was subsequently changed to 13th January 1922.

[The Hon'ble Mr. Habib-ul-lah Sahib] [15th December 1921]

Rs. 34,000 under LOANS AND ADVANCES by Provincial Government—Class III—Loans to Landholders and Notabilities—Zamindar of Kangundi—Survey of Kangundi Zamindari.

"At the request of the Zamindar of Kangundi Government undertook to survey his estate. At the time he sent his application he made a deposit of Rs. 58,000 into the local treasury under the impression that that was the sum that was necessary for the purpose of effecting a survey. But subsequent events have shown that that was not more than about a third of the total expenditure required for the conduct of the entire survey. We have already given him a loan of 64,000 rupees and we now propose to give an additional loan of Rs. 34,000 for the purpose of completing his liabilities to Government in the matter of the total expenditure involved by the survey. He has agreed to repay this sum in four equal instalments. I therefore move the house for the grant of a further loan."

The motion was put and carried and the grant was made.

VII

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

Encouragement of hand-spinning and hand-weaving as cottage industries—cont.

The discussion on the resolution relating to the encouragement of hand-spinning and hand-weaving as cottage industries was then resumed.

Dr. C. NATESA MUDALIYAR :—"Sir, Mr. President, I quite sympathise with the honourable mover for his attempt to encourage the cottage industries. Especially when crops fail people should have some occupation to maintain themselves. But I strongly oppose the resolution as far as the spinning wheels are concerned. After the recent strikes charkas were tried to give a livelihood to the labourers who were out of work. After eight hours of hard labour they were not able to make up even two annas per day. It will be a waste of public money, time and energy to encourage the spinning wheel industry. If my honourable friend from Ganjam wants to find work for idle hands, it is better that he devises some means much better paying than this. Yarn from the spinning wheels can never favourably compare with the yarn from the mills. It is better now that we encourage the weaving industry getting yarn either from the mills or getting the foreign yarn. If they are not willing to take foreign yarn it is better that they go in for yarn either from the local mills or from those in Nagpur. Even this weaving industry is to be protected now by levying a heavy tax of 11½ per cent on foreign imported cotton goods and five per cent on the local mills. So, Sir, I strongly oppose the resolution as far as the spinning wheels are concerned and request the Government to do their best for the hand weaving as a cottage industry."

Rao Sahib U. RAMA RAO :—"Mr. President, Sir, I beg to support this resolution moved by my friend Mr. V. C. Vellingiri Goundar entirely on economic grounds. It is with no other idea at all. Sir, no sane man will say that the machinery must be replaced by hand-spinning. One must be an insane man to say so. But what I want to say is that hand-spinning will be an additional income to a poor family. To quote an example, I have got an attender under me whom I am paying Rs. 15 per month. His business is to attend to my work in my consulting room. In the intervals when I go away and when he has no other work—I have purchased a spinning wheel for him—he utilises the spinning wheel every day and makes yarn worth four annas. Every day he goes to the place where yarn is purchased and earns four annas. From that you might understand that if you introduce the spinning wheel in your homes as a cottage industry our

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[Mr. U. Rama Rao]

ryots and our poor boys will get some additional income. Boys and children spin 2 oz. a day merely as a matter of play; and not as a matter of business. Though the yarn is not 200 or 250 counts it is of 20 counts. Such being the case a large number of the members of the joint family system could be utilised to spin these hand-wheels. Especially a labourer during the rainy season, when he has finished his agricultural work, can utilise the members of the family for this purpose. Though not four annas, yet each member can earn at least two annas a day. Cotton is available in every place for which he need not pay any tax. If you introduce spinning wheels in the different parts of this presidency cotton could be grown and spun into yarn without cost. Further there will be no fight or trouble between the capitalists and the labourers. If a labourer does not like his master he can go home and spin and earn six annas a day if not more. As for my friend Mr. Natesa Mudaliyar saying that the mill-made yarn is superior to the hand-made yarn, I disagree with him. Men who know of yarns are of opinion that the hand-made yarns are much more stronger than the machine-made yarns. As far as my personal experience goes, the hand-made yarns last much longer than the machine-made ones. Then, Sir, I am surprised to hear that the leader of the democratic party, Sir P. Tyagaraya Chettiyar, does not approve this. This is a scheme which will bring in four annas or two annas to every member of the family especially in these days when it is so very difficult to live from hand to mouth. Here is a remarkable suggestion that this Government should encourage cottage industry. Why should you oppose it and say that it is no good whatever? I want to know what other means he has got to suggest for those people who have no work to do and who are simply loafing about and unemployed. They may very easily do this work. I learnt spinning in the course of two hours. It does not require much of energy or skill. When I learnt I was spinning ten counts, now I am able to spin 150 counts. It does not require any extraordinary talent. Our ladies are able to do it remarkably well. Our Brahman cooks prepare *Yagnopaveethams* which cost six pies each. They manage to prepare a dozen a day. A man is able to earn six annas a day in addition to his pay as a cook. This is an indication to show that hand-spinning has got a good prospect before it. A spinning-wheel costs two rupees and with that capital a man can earn Rs. 8 a month. In this way work may be found for a lot of idlers who could be more profitably employed. For these reasons I support the motion."

Diwan Bahadur D. SESHAGIRI RAO PANTULU :—"I support this resolution.

11-30 a.m.

The cottage industries form the main source of livelihood during the slack season of agriculture and many families who were working as coolies have now taken to this spinning and weaving and are well off. I know the spinning wheel has been given a political significance. I think it is all the more necessary for Government to encourage these things and show to the public that they are only too forward to promote any industry as long as it is sane and useful."

Mr. A. T. PALMER :—"I am very sorry I have to oppose the resolution of my friend Mr. Vellingiri Goundar. I think it will be a criminal act if Government encourage any industry that will make people go back to the primitive age. The spinning wheel reminds me of the people of Rome and of the ladies spinning in those days. That is all past history. We are living in an age of machinery, and I welcome every industry that would bring to the Indians more and more of machinery. Some here said that people are getting a good livelihood by this spinning business. It may be so, though I doubt it, as long as the non-co-operation movement is in this country, when people for the sake of patriotism are

[The Hon'ble the President] [15th December 1921]

course open to honourable members to table fresh resolutions at any time, they would probably find it convenient to have their attention drawn to the state of business, so far as resolutions are concerned, so that they may consider whether they should table any more resolutions for the current session."

The Hon'ble Sir LIONEL DAVIDSON :—" Sir, before you proceed to the next order of the day, may I, on behalf of the House, thank you for the intimation regarding the meetings in January and also inquire whether it is possible to give the House provisional intimation of the programme for February and March? This would be of great help to a large number of members of this House."

The Hon'ble the PRESIDENT :—" So far as February is concerned, I certainly can do it. In regard to March the Hon'ble the Finance Member should be able to say whether His Excellency the Governor has passed final orders in regard to the allocation of various days for financial business. If the Hon'ble the Finance Member will communicate that to the Secretary, I shall embody it in my statement which will be made to-morrow morning, and the House will then know the programme of work till the end of the session."

V

AMENDMENTS TO STANDING ORDERS.

The Hon'ble Sir CHARLES TODHUNTER :—" Sir, I beg to move the motion standing in my name as follows: that in Standing Order 53 there be substituted for the existing second proviso the following :—

' Provided also that in the case of the budget debate, motions for the omission or reduction of any grant or of any item in a grant shall be received up to 3 p.m. on the third day after the close of the general discussion of the budget.'

" And that there be added as the third proviso—

' Provided also that in the course of the discussion of demands for grants, the President shall have discretion to admit new motions of demands for grants and motions for the omission or reduction of such grants, subject to such shorter period of notice as he may think fit.'

" Having regard to what you have just said about the pendency of business I think it is best not to make any speech on the matter. The report of the Select Committee sufficiently explains the position. I need hardly say that if any further explanation is necessary I shall be glad to supply it."

Diwan Bahadur M. Ramachandra Rao Pantulu seconded the motion.

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Mr. President, the question that was referred to the Committee was regarding the time to be allowed for raising objections to the budget proposals. I fear the Committee has gone beyond the scope of the reference. The questions whether when the demands for additional grants are to be presented and when objection ought to be raised were not at all referred and the leave of the Council was not taken with regard to the matter. I think the sub-committee appointed has no jurisdiction to recommend any rules regarding this question. It is altogether beyond the scope of reference and it ought not to have been considered by the sub-committee at all."

The Hon'ble the PRESIDENT :—" Do I understand the Honourable Member to raise a point of order or a point of debate?"

Rao Bahadur C. V. S. NARASIMHA RAJU :—" I present it as a point of order: if it is disallowed you may take it as an objection."

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The Hon'ble the PRESIDENT :—" I am one of the signatories of the report."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Then I will put it as an objection."

The motion was then put and carried.

VI

SUPPLEMENTARY DEMANDS FOR GRANTS.

GRANT VIII.—22. General Administration.

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—" Mr. President, I move, 'that the Government be granted an additional sum of Rs. 15,000 under 22. GENERAL ADMINISTRATION for expenses in connexion with the elections and by-elections.'

" The circumstances which necessitate the asking of this grant were stated in a note placed before the Finance Committee. That states them quite succinctly. They are:

' The total expenditure in connexion with the elections under the reforms scheme was estimated last year, the budget allotment in 1920-21 was 4.5 lakhs. Details of actual expenditure were subsequently received from Collectors, local bodies, etc., and the total expenses in connexion with the elections (excluding by-election) came up to 2.85 lakhs. There was thus a saving of 1.20 lakhs which went into the opening balances of 1921-22.'

" No provision was made in the budget for 1921-22 for expenditure on elections.

" The Government have still to meet certain expenditure incurred by local bodies in connexion with the last elections and by-elections held this year. The amount that will have to be paid in the current year in this regard may be estimated at Rs. 4,000.

" There were also inquiries into election petitions expenditure in connexion with which was not foreseen and this has come up to nearly Rs. 5,000 during the current year.

" There are also other items of expenditure which have been or are likely to be incurred in the current year in connexion with the elections and by-elections which are estimated to amount approximately to Rs. 6,000.

" That is the reason why I am coming here for this grant."

The motion was put and carried and the grant was made.

GRANT XXXIII.—47. Miscellaneous.

The Hon'ble Sir LIONEL DAVIDSON :—" Sir, the motion which stands in my name is: 'that the Government be granted an additional sum of Rs. 30,000 under 47. MISCELLANEOUS for expenses in connexion with the visit of His Royal Highness the ' Prince of Wales '.

" The original grant passed by the Council was for 2.20 lakhs. I now ask for an additional sum of Rs. 30,000. I understand the details have passed the scrutiny of the Finance Committee, though I am not very familiar with them myself. The effect of sanctioning this grant will be to raise the aggregate allotment for expenditure from 2.20 to 2.50 lakhs."

The motion was put and carried and the grant was made.

GRANT XXXV.—Loans and Advances.

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :—" Sir, I beg to move 'that the Government be granted an additional sum of

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wearing the Khadder cloth which is nothing but canvaslike material. But I do not think that our people will stick to this cloth for five or six months more. Then what will become of those poor ladies who are earning their livelihood by this spinning business. I was speaking to a certain weaver on the question of the thread prepared by our indigenous wheels. I was told that it is quite useless as cloth-making yarn. It seems it has to be mixed with the other one, the machine-made yarn, to produce anything like good cloth. He showed me the cloth that he himself was wearing, and he said that the warp was machine-made thread but the woof was the country-made yarn. If both are country-made yarn, he said, the cloth did not wear long. I bought some Khadder cloth, not because I wanted to be a non-co-operator, but to see whether this cloth is of any real value. I found it could not bear more than three washes. I am not exaggerating. I am telling what I actually experimented on.

"There is another objection that I have, as an educationist, against the spinning wheel. I am afraid that this hand-spinning charka might create a generation of hunchbacks. If you have seen those people who sit at the spinning wheel you might have noticed the posture they assume in spinning which will, I am sure, will effect the spine; and I would certainly object to any industry that would produce deformities of shape in the human body."

Mr. V. PAKKIRISWAMI PILLAI:—"I have great sympathy with the spinning and weaving industries. As for hand-spinning, I do not think it is possible to encourage it now. Of course there are an army of non-co-operators working at the charkas and spinning. But I do not think many people will be able to find profit in it. We cannot ask the Government to encourage this hand-spinning, for it is only a waste of energy and money. Now, of course, many are wearing khadder cloths. Most of them are only warp made of mill-spun ones. Hand-spun ones would not be very strong. So I think we cannot ask the Government to encourage that industry. But hand-weaving may to a certain extent be encouraged. It will be a profitable industry. As it is, they cannot turn out hand-spun thread of more than 8 or 10 counts. The cloths woven by these threads are all like canvas and it is hard to wash them. As for hand-weaving it may to a certain extent be encouraged."

Mr. N. A. V. SOMASUNDARAM PILLAI:—"Sir, I heartily support the resolution. It is certainly no sin for the Government or the Ministers or the members of this House to encourage the hand-spinning and hand-weaving industries. Honourable members of this House who have opposed the resolution, I fear, are under a misapprehension and their vision is very short-sighted. They do not understand the misery that prevails amongst a number of families in the mufassal. Their caste system prevents the ladies from going to work in a public-house or in a factory or mill. According to the caste regulations and rules, matured unmarried girls are not allowed to go out of their homes. They have to confine themselves to their homes and live upon the earnings of the male members. But these earnings are not sufficient for their maintenance. Therefore the practice was in olden days that girls, widows and others who have leisure time, engaged themselves in hand-spinning industry. No doubt it is a very tiresome process. But they were applying themselves to it very rigorously and studiously, and they were able to turn out a rupee or two worth of yarn every week. On market days the yarn spun by them would be taken out and sold. This amount would go a great way to supplement the income earned by the male members, and thus they were able to live above want. The noise of the spinning wheels would begin regularly every morning at 3 or 4. Now-a-days the mills and machinery have superseded them, and the

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poor ladies in the household cannot turn their hand to any other kind of profitable work, and misery and want is the result. Of course people living in towns and cities and rolling in wealth may not know the value of these industries. Now we want to find out some improvement by which people may spin more and earn more. Simply because the non-co-operators advise charkas, that is no reason why Government should not encourage them. We must think for ourselves and decide whether this hand-spinning will not confer any benefit upon the poorer people, upon people living in villages who cannot go and work in public houses. We may not ask very much from the Government. We only want them to find some means of improving the charkas or the spinning wheels, whereby more outturn may be secured. Of course as some honourable members said, the cloth woven with these hand-spinning wheels may not be nice. But how many people are there in the presidency who can go in for costly or fine cloths? Many have to be content with the hard and rough wear. I would request each and every member of this House to support the resolution. If they find that it is in any way dangerous to improve these industries, or that it would drive the British Government from the land, I would not ask them to do it. But when they find that the cost of the improvement is not much, that a number of women who on account of caste restrictions are unable to go out and earn and can by taking to this spinning earn enough to support themselves, why should they not try to do something to improve these industries? I do not object to the use of the machinery. But side by side with it, we can find some employment for these poor ladies, for those poor people who cannot go out to earn but who can profitably do some spinning work inside their homes and thus earn something during their leisure hours. With these words, Mr. President, I beg to support the resolution."

The Hon'ble Bai Bahadur K. VENKATA REDDI NAYUDU:—"Mr. President, at the very outset, I may be permitted to say that so far as the spirit and the object of the resolution are concerned, Government have every sympathy. In fact, so far as the second portion of the resolution is concerned, that about assisting the hand-loom weaving industry, several members of the House have already borne testimony to the work that has been done by the department of Industries in this province. I may be permitted to take this opportunity to say that, if there is any province in this country which has done something really substantial, this province can claim to be that province. At the last All-India Industrial Exhibition held at Patna prizes were awarded to this province for having exhibited four things, namely, improved handlooms, multiple shuttle boxes, warping mills and hand sizing machines, every one of which has contributed to the income of those persons whose doleful existence has been so picturesquely portrayed by my Honourable Friend from Tinnevely. Our endeavours did not stop there. The Government have at present under their consideration several schemes which are intended to assist the weaver in this land. During my tours within the last six or seven months, it has been brought to my notice that the greatest difficulty of the weaver to-day is to obtain sufficient yarn for his looms (hear, hear), because the yarn that is prepared in the mills is either used in the weaving sheds of those mills or is dyed and sent to foreign countries where it fetches higher price. What, then, is the remedy? Mere hearing will not do. Some action based on reason, based on established principles of economy is necessary to be followed ('Hear, hear' from Mr. C. V. Venkatarama Ayyangar). To expect that the hand could compete with machinery—my friend may here again say 'hear'—to expect that the hand could compete with machinery might be compared by a familiar simile, namely that of a bullock bandy trying to compete with a motor-car ('Hear, hear' from the right side of the House).

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Well, Sir, in order to remedy this, the Government are arranging in their Co-operative Department to form co-operative societies and unions of Co-operative societies, so that these unions might arrange with big mills to furnish yarn to these weavers. Then again, we are organizing what is known as the central warp and woof distributing factory, and it has recently been proposed to us that a demonstration textile institute should be established at Madras to afford instruction to weavers, mechanics, apprentices and even to capitalists. To add to these, Sir, the Government have agreed to appoint a committee to enquire into the question of industrial and technical education, and a reference has been drawn up which will shortly be published, a reference to the committee in which the members there are requested to see how education can best be imparted in order that it may be of help in the cottage industries. It will therefore be seen, Sir, that so far as the hand-loom weaving is concerned, I do not think even our opponents can say that the Government have not been doing their level best.

"So far as the spinning industry is concerned, Sir, if there is any economic method by which spinning can be carried on apart from the mills, certainly in this matter also my honourable friends who support this resolution will have my support. But, Sir, the spinning wheel, whatever may be its other virtues, has been found to be economically unsound. My friend Mr. U. Rama Rao was telling us that his attender had been earning four annas a day after attending to his legitimate duties. He must be a miraculous man indeed. For, on the same bench with Mr. Rama Rao coming from far off Ganjam where I take it this industry of spinning and weaving can claim to have so many adherents—in spite of the doleful picture drawn by my friend far down in the south—and where there are a very large number of looms and a large number of weavers working, we have heard our friend speaking and the figure that he was able to give us was one anna per day, a day of eight hours work. Now, I seriously ask, is it an economic proposition to bestow public funds, to bestow the energies of public officers, upon encouraging anything which does not fetch more than a single anna or two for a day's work of eight hours?

"Now, Sir, several theories have been propounded and we are told that it is intended only for the women at home in their leisure hours, who with the music of the spinning wheel in the early hours of the morning would wake up children and boys and girls to make them read their books. It is all very nice indeed. But there is this fundamental proposition that nothing which is uneconomical will ever succeed in the industrial world. What is it that would enable a man to earn a living wage? It is that, that can ever induce any person to take to any art or industry whether it is in leisure hours or any other hours (Hear, hear). What is the reason that the industry itself has died out in this country? How comes it that the hand-loom has practically disappeared during all these years? Is it not because of the competition with machinery? Now, Sir, during this year, after collecting a crore of rupees and spending perhaps a fourth of that sum or more over this charka, trumpeted throughout the country by a regular army of followers, the prize of which is said to be nothing short of immediate Swaraj, how far has it (charka) succeeded? If not, why did it not succeed? The fact is that no man or woman will ever take to anything which does not pay. That is the reason why the spinning wheel has died out and it will not be possible to revive it unless something is devised which by its own virtue is capable of fetching something like a living wage for those that work with it.

"In this connexion, Sir, I may draw the attention of the House to one important circumstance, that during those days when the partition of Bengal

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created such a great stir and storm, when there was a movement for Swadeshi goods and boycott of foreign goods, industrial conferences were held presided over by well known industrialists of this country from Bombay to Bengal, and from the Punjab to Madras. If you just examine the resolutions passed in those conferences, you will notice this singular feature, namely, that while they advocated mills for spinning as well as weaving, while they advocated improved methods in hand loom weaving, they never suggested that the dying or the dead spinning wheel should be revived. I oppose the wheel, Sir, not because it is the work of Mr. Gandhi. The question of non-co-operation does not enter here. What effect the acceptance of a resolution of this kind, the acceptance of the charka in this House would have, it is not for me to say. I do not know and it is not for me to state whether Mr. Gandhi has taken up this charka to serve as a symbol of revolution, or whether it happens to be the instrument of the Great Lord Vishnu, the instrument of offence and defence, that instrument which was thrown at the crocodile that was almost tearing to death His devoted elephant king, Gajendra."

Mr. T. C. SRINIVASA AYYANGAR (*interrupting*):—"That, I think, Sir, is chakra and not charka."

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU (*continuing*):—"My dear Sir, chakra is the same as charka. In the north we find that words like 'prasad' are pronounced as 'pershad' and 'prakash' as 'percash' and so chakra is the same as charka. Chakra means wheel and that shows that I am right there (laughter). I was telling you, Sir, that I did not know whether it was the intention of Mr. Gandhi to utilise that instrument of offence and defence, an instrument which God sent out to kill the crocodile—"

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*interrupting*):—"I beg to rise to a point of order, Sir. I should like to know whether Mr. Gandhi and the crocodile are relevant to this issue."

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU (*continuing*):—"That is perfectly relevant, Sir. I am speaking of the political aspect of the question. I was just going to say that political considerations might enter into the discussion of this resolution. It is quite possible that my friend might defend it either as a follower of Mr. Gandhi or as a devotee of Sri Maha Vishnu, but it is immaterial to me. My point is this. It may be that this instrument of the Lord Himself might have its own effect upon the religious susceptibilities of an ignorant and religious people. But to those who are assembled in this House, the representatives of the people, educated gentlemen, to them I appeal that those considerations ought not to prevail here. I simply oppose it on this ground, namely, that it is economically unsound. Perhaps Mr. Gandhi may be a Prophet, Mr. Gandhi may be admired by some gentlemen in this House or outside, but to me it is immaterial. If it is shown that the charka is economically sane and sound, that it can be economically encouraged in this country, and that it can be made useful for the purpose of earning what is called a living wage in this country, certainly it will have my support. But my purpose now is to show that it is economically unsound and that it is useless and even dangerous to attempt to introduce anything into the industrial world which would not be economically paying. That, Sir, is my objection to this resolution.

"Now, Sir, we are told that it is true that it cannot compete with the machine, that it is true that we do want machinery to be introduced in this country for purposes of spinning but there are certain women whose social customs do not permit them to go out and that consequently we should try to introduce the

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spinning wheel for their use. My answer has already been given but I may add another answer to it. If our women want work, we must devise something which would pay them. What is the use of troubling these poor women and gosha ladies with uneconomical wheels? It may be that a spinning wheel may be used quite as a toy or as an instrument of worship. I have no objection for that, and I have no quarrel at all with those that worship it or play with it as a toy. My friend Mr. Rama Rao was telling us that he spins, his ladies are spinning, that his son is spinning. For my part, I have no objection for all that. Do not think for a moment that I object to it at all on political grounds or otherwise. It is not my purpose. But I only say that when you ask public funds to be utilised and spent, and public officers' services should be utilised for this purpose, we must be sure that it is economically possible and paying to introduce it in this country.

"Now, Sir, as regards these women, my suggestion is that we have got so many other cottage industries. I know of some cases in my own district where a few Panchama females have taught themselves lace work. This lace industry and hosiery may be introduced with profit and we can make women work on it. In fact it must be the purpose of every one in this House to see that our women should find some work for their hands and that the country gives something thereby.

12 noon. "There is another difficulty which I must mention. There is the fact that hand-spun yarn is not fit for weaving cloth. At any rate, in these days when the fine art of spinning very nice thread has been forgotten in the country, hand-spinning has to be taught afresh. It is found that the yarn now spun in the wheel is only useful for weft and not for warp. At any rate, this has been corroborated in many instances in my own enquiries that it can be used only for the weft and that if it is used for both weft and warp the cloth will not last long. My friend Mr. Rama Rao was telling us that he had tried one cloth like that and found it very sound and lasting. May I remind him, Sir, of what happened a few years ago in connexion with the Bengal partition and Swadeshi? Several goods marked with the picture of Hanuman and with the inscription "Made in India", all called swadeshi goods, were brought into this country and purchased largely. After a few months of importation, it was easily discovered that these were made either in Japan or in Manchester with the mark 'Made in India', and how it was that the cloth that he used was found to be lasting unless it was made of machine-made yarn, is a question which I must leave to him to consider for himself.

"There is only one other point which I wish to mention before I sit down, and that is to point out how Government themselves have been striving hard for the industrial development of this province. I have already mentioned the case of supplying ready-made warp and sized material for the weavers. So far as this industry is concerned, it has been the endeavour of Government to do all in their power by way of rendering aid, and recently, just three days ago, a proposal was placed before the Standing Committee for Industries, in which the question of assisting a spinning and weaving mill in this province by Government aid by way of loan was raised. Of course the Government feel as much as any one else in this House that State must assist private enterprise in industries and in fact we have got the sanction of the Secretary of State for India in the Joint Report of himself and Lord Chelmsford—a great support for that position. We have it stated there that it is the duty of the State to come to the assistance of industries in this country in all possible ways, and you may rest assured that

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as far as it lies in my power, it shall be my earnest and honest endeavour to do all I can and to see that Government aid is given for the development of industries. But Sir, we cannot fritter away public moneys and public energies upon industries which would not pay and cannot compete in the world's competition. In order that we might compete with Manchester or Japan, it is essential that we must fight them with their own weapons and we must have machinery and factories in this country which could produce goods which could be sold as cheaply as those countries could. So far as weaving is concerned, we have the best of opportunities. We produce immense quantities of cotton, but we unfortunately export them to foreign countries including Japan which takes a large share of what is exported at present. If we could only convert that into yarn and cloth in our own country we would have achieved much, and certainly, Sir, it needs no saying from any one, no persuasion from any one, that we will have to do it, and I may tell you that as far as it lies in my power it shall be my endeavour to undertake that work. Now, Sir, as regards the resolution itself, as I said, I shall do all that lies in my power for the development of this hand loom weaving industry and shall give due consideration even for spinning, to anything in the nature of an economic proposition coming before the Government. Let me assure you, Sir, that Government will not be wanting. What we want is an economic proposition which would benefit the people for whom it is intended and which would benefit the country at the same time. The wheel cannot achieve it, but machinery can."

MR. C. V. VENKATARAMANA AYYANGAR:—"I have very great pleasure in supporting this resolution in spite of the very enthusiastic speech made by the Hon'ble the Minister. I think there is some confusion of ideas on the other side when they say this proposition will mean competition with machine-made goods. That is exactly I think what has been made clear to be a wrong view. The cries of 'hear, hear' were made when a comparison was made between motor-car and bullock cart. Well, will the same cry continue if I say that the analogy helps our side and not the other side? Immediately after the introduction of the motor-car, have the bullock-carts been sent away or is there any chance of the bullock cart going away for even decades and centuries, even though you may have very cheap motor-cars everywhere? In the same way, for the benefit of the industrial advancement of this country, both machine-made and hand-made cloths as well as yarn are necessary. I may say, Sir, that I have invested a large portion of my property upon textile machinery and mills. But at the same time, I know it will be impossible for this country to live only upon machine-made yarn. To those who have stated that the Government and the party in power have been helping and will be helping hand-weaving, I put the question, 'have they got or is it possible to get machine-made yarn for all the handlooms in the presidency?' I quote the Hon'ble the Minister himself against himself. He said that much of the mill-made yarn was utilised for the mill-made cloths or it was dyed and sent out of the country. I am sorry that Sir Tragaraya Chetti is not here. But I know a large number of his caste-men in Coimbatore who generally lived by weaving had to give up this hand-loom weaving three years ago and to take to coolie work, several ladies, gentlemen, and children, simply because yarn three years ago went up very much in price and there was no corresponding increase in the price of cloth. Because, the Chinese nation who had plenty of looms, but who did not produce sufficient yarn and who were getting yarn from Japan before and were using that yarn for their looms wanted to boycott Japanese yarn, and therefore they in large numbers came to India for Indian yarn with the result that all the mills here reaped a very big harvest at the time, and the owners of mill shares were

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very much profited. The price of every pound of yarn rose four times and five times, because the Chinese were in the market to purchase Indian yarn at any cost so as to boycott Japan yarn. The result was that a very large quantity of yarn had to go away to China and our poor weavers could not get cheap yarn to run their looms and a large number of weavers had to take up cooly work. Even now, I know of mills who were only spinning a few years ago now taking up weaving. The spinning and weaving mills have increased their looms and are increasing spindles also to avoid the trouble of having to rely on foreign yarn for their weaving. Therefore, so far as Indian mill-made yarn is concerned, very little may be available for all the hand-loom weaving. It may be said, why not get foreign yarn? The same cry is raised everywhere. We hear from England that many spinning mills are adding looms and they do not want to send yarn here. They want to send only cloths. Therefore there is a great risk of English yarn or foreign yarn not coming into this country. Well, if there is no mill-yarn coming into India, what is the fate of your so-called hand-loom weavers whom the Government in its parental considerations is going to teach advanced methods of weaving? We may very well have advanced methods of weaving, but what is to be done if there is no yarn? If so far as weaving is concerned our end is to successfully compete with machine-loom, where is the way to show that our yarn also can be easily manufactured? I do not go into political considerations at all. For if a Brahman says two and two make four, then it is said that there is something wrong in it, and perhaps it will be said (two and two make five)! If non-co-operators say that charka is good, we will say 'no'. If the non-co-operators say to-morrow that man should walk on his legs, we will say there is something wrong in the non-co-operator's head and, therefore, we must oppose it. It has come to that, because the non-co-operators say it. They can now say 'don't use foreign sugar: we are importing a large quantity of foreign sugar while we can have much local sugar from our own jaggery'. We will say 'don't do anything like that? Let not the Government improve the local sugar industry'! Sir, we have only to see whether this is good or bad economically. It is only a wrong impression, as I said, to think that hand spinning will meet with the competition of machine spinning. It is not at all so.

"The only other point is that we have to see, so far as Mr. Vellingiri Gounder's motion is concerned, whether it will reduce the difficulties of a very large number of the Vellala community in the Coimbatore district who have in time and out of time declared themselves that they are not at all non-co-operators. In all their meetings and in all seasons, it was stated that they were using their charkas for a very long time and that therefore they should do it hereafter also, not with a view to earn livelihood alone but to employ their women—many of them are of respectable families, who are wasting their time in chit-chatting and gossiping, in scandalising others, nay, Sir, in gambling, and shall I say, sometimes and in a few rare cases, Sir, in going out of the way, committing a more serious mistake. Should they not be given some work? I may say, Sir, you have to spend only a few rupees to improve this hand-spinning. Let it not be by round charkas, if you please let it be an oblong or a circle or some other instrument; only we should see that the quantity of yarn is increased, and it will be a source of additional income to the people.

"Many of our ryots do mere cooly work because they have no work for six months or three months on their fields, and they have even to go to foreign places outside their district or taluk for work. Sometimes they do not even get cooly work, because at the time of heavy rain they cannot get out of their houses, and they have necessarily to sit idle.

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"Now, the Hon'ble the Minister suggested some industries, toys, lace, x, y, and z. Supposing all the people are engaged in making toys, where can you find people in our poor country to buy all our toys? As for lace, it may be some people in Madras and some fashionable people in Coimbatore and other big places may make use of some lace for their children. Is there any real demand for lace at all? So far as the population is concerned, is it not a waste of time to use national energy in making toys or lace? I beg, Sir, to do something to improve some useful industry. The easiest industry you can think of is hand-spinning. The cotton is there, the weaver is there, the loom is there. Therefore why not we have yarn and use the charka, whatever it may symbolise—it may or may not symbolise Vishnu and let us all if necessary be small gods.

"After all, what does this resolution say? It does not ask the Government to spend lakhs and lakhs over this matter, or to have big mills where hand-spinning should be carried on. All that my friend, Mr. Vellingiri Gounder, wants is to spend a few rupees, a few annas or a few pies to improve hand-spinning. Let the Government make an attempt. Government is wasting lakhs and crores on various experiments, and now they grudge to spend some tens or some units to improve this spinning simply because non-co-operators say, 'take to hand-spinning' and therefore, it may have a political significance if this House gives its support to the charka!"

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU (*interrupting*):—"I denied it, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"But it was said to that effect. In our public conversations, in our private conversations, it is generally said so; because Mr. Ghandi says so, it is something political."

"The resolution is very simple. It is one of those omnibus resolutions, which no sooner it was proposed and supported than it should have been accepted. But I was surprised to see that the general of the army itself, the head of the non-Brahman party, should open fire and warrior after warrior on that side should add to that fire.

"We must attach no political significance to this question. We have the fact that the hand-spinning is going on; but we must do something to improve it. It may be as Mr. Sasibushana Rath said that a man gets only one anna or two annas a day by hand-spinning. But Mr. Rama Rao says that from his experience he found four annas a day can be earned by this work. I know of a lady who gets six annas a day. I know it because she had been engaged to teach my children. There is absolutely nothing wrong in introducing this among the people.

"(Only one word more, Sir. As for people becoming hunchbacks I think Mr. Palmer has not seen the actual working of the charka. I do not think that a man working at the charka has any occasion to become a hunchback. As this is a question affecting non-Brahmans mostly and intended to improve their condition, I hope this will be accepted by all the members. With these words I strongly support the resolution."

Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Mr. President, Sir, at the outset I had great sympathy with the objects of the resolution as, according to some of the honourable members, it was going to solve the question of poverty in India. But the Hon'ble the Minister for Development in his usual style of reasonableness and paretical good sense has very clearly stated that the honourable mover has not made out a case for the acceptance of the resolution. The question must be viewed not from the point of view of the enthusiasm of the

[Mr. Muhammad Usman Sahib]

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non-co-operator, as stated by Mr. Venkataramana Ayyangar, but from the practical point of view whether this industry will pay those who are engaged in it. The Hon'ble the Minister has clearly told us that he has examined this question and found that this industry will not thrive since it does not provide those who are engaged in it with a living wage. As has been stated, eight hours' labour on this business brings only one anna a day. Perhaps this industry may thrive for some time, as has been stated by Mr. Palmer, simply because there is the support of the non-co-operation movement behind it. But the Government have to consider this question not from the point of view of the enthusiasm of the non-co-operator but from the point of view of a practical man. Does the House expect them to go before the country and ask the people to take up to hand-spinning instead of trying to introduce the modern machinery?

"Reference has been made to the General of the non-Brahman party. I may say that the opinion of that General should be received by this House with great respect for he is closely connected with this industry and is not a Vakil of the High Court.

"As the Hon'ble the Minister for Development has stated that he is in entire sympathy with the second part of the resolution and as the first part is not going to bring any economic advantage to the country, I think it is better that the honourable mover should withdraw this resolution, especially on the assurance given by the Hon'ble the Minister that he will do all that he can to carry out the recommendation contained in the second part of the resolution. I may say, Sir, that I am going to oppose the resolution if it is going to be pressed to a division."

Mr. M. C. MADURAI PILLAI :—" இந்த சட்டசபையில் இருக்கும் எல்லோருக்கும் என் வந்தனத்துடன் தெரிவிப்பது யாதெனில் நான் சொல்வது போகும் விஷயத்தில் ஏதேனும் குற்றமிருந்தால் மன்னிக்கவேண்டியது. இந்த சட்டசபையில் நாம் பேசுகிற வார்த்தைகளெல்லாம் ஒரு கண்மையைக் குறித்தே பேசுகிறோம். சர்க்கா என்னும் தூல் சுற்றும் சர்க்கார தூல் நெய்யும்படியான தொழிலும் நமக்கு தெரியுமா? நெசவுத்தொழில் யாருக்குடையது? தெரியாத வேலையை நாம் செய்வதென்றால் சப்படி செய்யக்கூடும்? இதில் நாம் பிழைக்கும் மார்க்கம் எப்படி? ஐயா சபையோர்களே, நீங்களே இதைக்கவனிக்கவேண்டியது. நேற்றைய தினம் யான் இதனைக்குறித்து யோசனை செய்தேன். நாட்டுத் தேசங்களில் உள்ள பெண்டுகளும் பட்டணங்களில் உள்ள பெண்டுகளும் ஏழை ஜனங்களும் எப்படி தொழில்செய்து ஜீவிப்பார்கள். ஷை கைத்தரி தூலால் ஒரு தினம் முழுமையும் கஷ்டத்தை எடுத்தால் என்ன லாபம் கிடைக்கும். அப்படி கிடைத்தபோதிலும், நான்கு அல்லது ஐந்து அணு கிடைக்குமா? தெரியாத தொழிலை செய்தால் என்ன லாபம் கிடைக்கும். சாதாரணமாக பட்டணத்தில் ஏழைகளுக்கு என்ன லாபம் தென்று உங்கள் எல்லோருக்கும் தெரிந்த விஷயமே. பட்டணங்களில், ஒரு சித்து ஆளுக்கு 6 அல்லது 7 அணுவுக்கு குறையாமல் கிடைக்கிறது. ஒரு பெரிய ஆளுக்கு 12 அணு முதல் 1 ரூபாய் வரையில் கூலி கிடைக்கிறது. இவ்வளவு சவுகரியமாக இருக்கிறபோழுது இது மத்தியில் அனுபோகமில்லாத குருடர்களை கொண்டுவந்துபோட்டு ஷை தரியில் காலையும் கைகளையும் மாட்டிக் கொள்ளவேண்டுமா? அல்லது தலையை கொடுக்கவேண்டுமா? புலிபைப் பார்த்து பூனை குடுபோட்டுக்கொண்டதுபோல இருக்கிறது. 'காஞ்சனம் காரிய பந்தனம்' என்பதுபோல மேற்கூறிய தரியானது ஏழைகளுக்கு பிரயோஜனமில்லை. கையில் பொருள் இல்லாதவர்கள் என்ன தொழில் செய்யலாம்? பொருள் உடையவர்கள் என்ன தொழில் செய்யலாம்? பொருளுடையவர்கள்

[15th December 1921]

[Mr. M. C. Madurai Pillai]

ஏராளமாக பணம் சிலவுசெய்து ஏழைகளுக்கு சர்க்காவையும், பஞ்சையும், வாங்கிக்கொடுத்து உதவிபுரிந்தால் நவமே தவிர பக்கிங்க்ஹாம், கர்னாடிக் மில் தொழிலாளர்களைப்போல வீண்வார்த்தைகள் பேசினால் என்ன உபயோகம்? அதன்மீயில் பிரபுக்களின் வீடுகளில் சமையல்காரன் சமையல் செய்து அன்னம் இட்டவுடன் வீண்காலம் கழிக்கும் பெண்டுகளுக்கு இந்த சர்க்காவை கொடுத்தால் உபயோகமே தவிர ஏழைகளுக்கு உபயோகமில்லை. ஸ்ரீமந்தாராயணமூர்த்தி ஈருடவாகனத்தின்மீது பறக்கிறதுபோல நாமும் பறக்க உத்தேசித்தால் சாத்தியப்படுமா?"

Rao Bahadur T. NAMBERUMAL CHETTI :—" Mr. President, Sir, I rise to support the resolution. The Hon'ble the Minister for Development has said that the introduction of the spinning wheel is economically unsound and therefore he urged the abandonment of the spinning wheel altogether. But the present resolution 'recommends to the Government that early steps be taken to introduce improved patterns of spinning wheels.' If the pattern is not good, then let the Department of Industries try to find out an improved pattern which would be economically sound. I may also say that during the last half a century the country is passing through an industrial revolution. A large number of people are leaving villages and flocking to towns for employment in factories. People who were masters in their own humble capacity have now become wage-earners and are working for other masters under conditions over which they have no control. There is legislation in India depriving the working classes of this country of the ordinary rights of citizenship. They are regarded as different from the ordinary citizens. Witness the Workmen's Breach of Contract Act, the Assam Labour and Emigration Act and the Madras Planters' Act. In all these Acts the working classes are placed in a disadvantageous position. In spite of disabilities they seek factories for want of facilities in their own homes. The development of cottage industries will remove many such disabilities and place them in a better position. They will be a source of income to these people who are unable to earn a decent living. It is incumbent on the Government to afford assistance to such persons by introducing these cottage industries. With these words I support the resolution."

Dr. GILBERT SLATER :—" Mr. President, I am inclined to think that if the existing political constitution had been in existence ten years ago and if the question of hand-spinning and hand-weaving had been discussed then, the Minister for Development would have said that it was impossible for either hand-weaving or spinning to compete with machinery and that therefore attempts to develop handicraft textile industries would not be successful. But to-day that attitude has changed, and now the conventional and orthodox opinion is that there is no reason to despair of hand-weaving, but that hand-spinning is a perfectly hopeless matter. I should like the House to consider how it is that the change of attitude to which I refer has taken place with regard to hand-weaving. I think we may attribute this to the work of Sir Alfred Chatterton who refused to despair of the handloom. And as a consequence he introduced or stimulated the introduction of the earliest invention in the whole series of English textile inventions by which hand industry has been superseded by machine industry, viz., the fly-shuttle which was originally invented by Kay in 1733. That invention of nearly two hundred years ago was introduced into India about the beginning of the twentieth century; and I believe many a handloom weaver finds that on certain sorts of work he can make a living by the fly-shuttle loom when he could not by the old loom."

[Dr. Gilbert Slater]

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"Now, I would like to suggest to the Minister for Development that he should consider whether on some similar lines investigation cannot be carried out with regard to hand-spinning. The first invention in spinning machinery was Hargreaves' spinning jenny invented in 1759. In its original form a boy turning a handle supplied the power for about a score of spindles. India has on the one hand the primitive charka and also the wonderful spinning machinery in such factories as the Buckingham and Carnatic Mills. Is it not possible therefore that India can also find room for some intermediate type of spinning apparatus, more suitable to the special conditions of Indian life than the power factory which develops great industrial towns? I think it is impossible to visit a great textile city like Bombay without feeling that factory industry in India is subject to very great drawbacks. Recently in the Bombay Legislative Council it was stated that 90 per cent of the population living in the mill area in Bombay are suffering from venereal disease. The quarterly health returns from Bombay show deaths sometimes twice and sometimes three times, or more than three times, as many as the births. On the other hand we have a great agricultural population in India which in normal seasons has no work to do during several months of the year, and when rains fail perhaps hardly any work for the whole year. Is it not possible that some comparatively simple type of spinning machinery, something that can be worked by the power of oxen, more or less resembling the spinning jenny, can be found to give the agricultural population a subsidiary source of income for the idle months and an emergency occupation for famine years? Even the unimproved charka, it appears, will earn about three annas a day, and this, it is said, is more than the wages for famine-relief work.

"I have no doubt the Minister for Development will be glad to do anything that can be done effectively for hand-spinning as well as hand-weaving if it can be made helpful to the population; and I hope he will cause investigation to be made into the possibility of making comparatively cheap and simple spinning machinery available for the villages."

MR. O. TANIKACHALA CHETTIYAR:—"Mr. President, after the speeches that have been made and after listening to the one that proceeded from the Hon'ble the Minister for Development, I think my friend, Mr. Vellingiri Goundar, will be well advised to withdraw the resolution. These are my reasons for so saying. The resolution asks Government, at public expenditure I take it, to introduce improved patterns of spinning wheels and to encourage and stimulate not merely hand-weaving, but hand-spinning.

"So far as the question of hand-spinning and hand-weaving are concerned we have the advantage of the practical experience of Sir P. Tyagaraya Chettiyar. Himself born of the weaver caste, with the highest education which was available being given him, he has applied himself to the promotion of this great industry. Hand-spinning and hand-weaving have had the best attention of himself and his family as a business concern and when he, with his practical experience, comes before us and says that hand-spinning will do no good, I think we must accept it in preference to any dictum of doctrinaire politicians. I do not however want to discount recommendation about this hand-spinning on the ground that it proceeds from Mr. Gandhi. I welcome the application of the money which has been collected in the name of Mr. Gandhi's movement for the improvement of hand-spinning. While discussing educational problems as to whether voluntary effort or State management should be preferred we have heard it stated that voluntary effort should be left to itself and State management need not compete with it. Applying that principle, when there is so much money collected in the name of Mr. Gandhi—however much some portion of it may have been misapplied—still

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[Mr. O. Tanikachala Chettiyar]

some portion of that money may very well be applied towards the improvement of hand-spinning and Government itself need not spend money upon what is considered to be of doubtful utility. Let Gandhian crore be spent for its improvement. That is the position taken up by the Hon'ble the Minister. Under the circumstances, Sir, no doubt I would, if I had not the experience of Sir P. Tyagaraya Chettiyar placed at our disposal, have acceded to the recommendation of Dr. Gilbert Slater who has no idea as to how things might be done. If it is only a question of experiments being made and against the possibility of these experiments being crowned with success, we have the experience of one who has made the experiment and found it to be a failure. At the same time, Doctor Slater has said that hand-weaving industry has received a great impetus at the hands of Sir Alfred Chatterton. Apparently he has not lived long in this presidency. It is not due to the efforts of Sir Alfred Chatterton but it is due to the efforts of Sir P. Tyagaraya Chettiyar. So, I think we might leave this effort at improving the spinning-wheel to those who make it a passionate desire of theirs to improve it rather than utilize State-monies for the purpose.

"So far as the Hon'ble the Minister is prepared to do and has been doing a good deal towards hand-weaving, but that he has not spent money on hand-spinning is not a matter upon which any complaint ought to be made. In fact he would not be right if he bucked a horse which would not win the race."

RAI BAHADUR T. M. NARASIMHACHARLU:—"Mr. President, Sir, I have very great pleasure in supporting this resolution. I think, Sir, it is not desirable, in a matter purely economical like this, to attach any political motive to it. And I am quite sure that no one in this House will bring forward any resolution which has got a political motive behind it. I look on this question from a purely economical point of view. As regards the hand-weaving, it appears there seems to be not much objection at all. The only objection seems to be with reference to the hand-spinning. With regard to that matter, I think the real question that is involved in this proposition seems to have been forgotten. I take it that this resolution aims at improving the present existing pattern of spinning wheels which are employed by the people in their household as part of their household duties. I take it in this light and there should be absolutely no objection for the Government to improve the lot of those who are using the spinning wheels in their house. I am appealing to this House and I may refer to my experience of Kapus in Cuddapah and others in the Ceded districts. Ceded districts produce cotton. Among the Kapus and the depressed classes this hand-spinning and hand-weaving are the present-day industries. Hand-spinning exists throughout the Ceded districts and whenever a woman has got the misfortune to become a widow among the Kapus, we find in the maintenance documents that are executed provision is made for her maintenance in this manner: a charka is given to her, a she-buffalo is given to her, a cot is given to her and a few acres of land are given to her. You will find this, Sir, to-day prevailing in the Ceded districts and I may only add that these people add this to their cultivation and agriculture as work in their leisure hours. Not only the Kapu but also his family, his wife, his sister and his children, all of them do this industry to this very day. As soon as they turn out the necessary quantity of yarn for the purpose of clothing the household, this is handed over to the depressed classes who are engaged in weaving. These depressed classes prepare their cloth out of it and take wages at the rate of so many annas per yard.

12-45 p.m. These are manufactured by the depressed classes and handed over to the Kapus. The depressed classes help the Kapus and the Kapus help the depressed classes. There is mutual helping going on and this is for the purpose of not only cultivating each other's lands but also for clothing each

[Mr. T. M. Narasimbachari]

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other. This industry is going on *to-day*, and I appeal to the House and to the Minister in charge: Sir, please do not examine the conditions of those in the villages who are living by the spinning-wheel not in the sense that they eke out any profit out of it but use it for clothing themselves. If you go to the Cuddapah district you will be surprised perhaps to learn that several families have not known using foreign yarn yet. Therefore, I say in such places where people are living by that industry for the purpose of their household necessities, I request three-fourths, and this resolution aims at nothing more than that—that in the case of those families which are engaged in hand-spinning and hand-weaving, as the existing spinning-wheels are not the proper ones, please try to improve these wheels. I ask: 'What is the harm in that?' Mr. Tanikachalam Chettiyar has appealed to the experience of the revered leader, Sir P. Tyagaraya Chettiyar. Has he got experience of one village in the Ceded districts? One village, Sir? The Kapus have not till now used the foreign yarn-made cloth. They are using spinning-wheels to-day, and they are not only helping themselves but they are helping the depressed classes of the Ceded districts. Is it not the bounden duty of the Government to help the Kapus and to help the depressed classes in trying to improve their spinning-wheels where they are used for the purpose of their household clothing? If that is not the object, I fail to see why. Why should the Government see a bear in every bush? Why should they see behind it any political motive at all. It is better we are cool, that we look at things as they are and not confuse issues. With these words, Sir, I strongly support the resolution."

MR. T. SIVASANKARAM PILLAI:—"Sir, I beg to support this resolution. I have heard very patiently to what all that has been urged against its acceptance. Admitting all that, accepting all that, there is yet a residue which is enough to justify the aim that is sought by this resolution. Let me examine the wording of the resolution carefully. It reads: 'That this Council recommends to the Government that early steps be taken to introduce improved patterns of spinning-wheels'—I emphasise the words 'improved patterns'—and to encourage and stimulate hand-spinning and hand-weaving as cottage industries'. It is an accepted principle of Governments all over the world that cottage industries should be encouraged as far as possible in the present economic condition not only of India but of the world. Now, supposing the House appoints a small committee to go into the question of what cottage industries would easily admit of being encouraged in this country. Cannot we imagine that hand-spinning and hand-weaving industries will be among them? If you once concede that these two industries must go into that list then the next question will be, in what order they should be placed. I will state without fear of contradiction that they will perhaps be ranked as the topmost ones. So far as hand-weaving industry is concerned, the Development Minister has promised, and it has been the policy of the Government to improve it. Much has been done in that direction, and we all feel thankful for it. Now he says that he would do nothing for spinning-wheel industry. It is hopeless, in his opinion, to do anything for this industry. I would place one or two circumstances, statements which the Development Minister has himself made in this direction. He says that there is any amount of demand for yarn in this country, that there is not enough yarn available for all the hand-weaving looms, and that much of the yarn that is produced is dyed and sent away to foreign countries. And in the face of these facts can anybody doubt that there will be an ever-increasing demand for country-made yarn? Can we not exploit this growing demand so that we may give some honest work to the majority of people that live

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[Mr. T. Sivasankaram Pillai]

in this country. How to do it is the question. I will again refer to the wording of the resolution. What it seeks to do is to introduce improved patterns of spinning wheels. We are having many kinds of machines introduced in this country. We are seeing motor-cars. There is the popular sewing machine that has spread all over the country. Every village, even the smallest village, has one. If it is possible to devise sewing machines, could it not likewise be possible, as Dr. Slater pointed out, to improvise or devise an improved spinning-wheel? What has this Government done in this direction till now? This resolution only asks that something might be done. I may make one or two practical suggestions which may be adopted in accomplishing the object which this resolution aims at. Let the Government set apart a few prizes of the value of five or six thousand rupees a year—that is a very small sum—for some 10 or 15 prizes for the best improved spinning wheel. That may not be much. It will set many an idle brain at work, and after all, very useful work. There could be absolutely no objection to it. Exhibitions are the order of the day, and there is greater need for industrial exhibitions, and if only the Government set apart such prizes they may gather the best talents in the country. It is also open to Government to offer prizes, at the International exhibitions, for the best spinning-wheel available. It is also open to Government to advertise for improved spinning-wheels from other countries, get them from there, hold demonstrations, and show the people their usefulness in the cottage industries. All this can be done. What my honourable friend asks is no more than this. I cannot conceive that there could be any possible objection to this kind of experiment being made. With regard to the objection that it is a hopeless failure economically, I heard about half-a-dozen members on the other side to say that it is so. Here on this side we have friends who speak from personal knowledge that a man or woman is able to earn at the rate of six annas a day out of this spinning work. In the face of these conflicting statements, does it not mean that the fact has to be demonstrated? What have the Government done till now to demonstrate it? Are there any experiments being carried in the direction? No. What I would suggest in connexion with this is this: Probably the People's Park Exhibition is going to take place. Let us have then a spinning race; let us invite a number of spinners, non-co-operators, if you like; it is their interest also to demonstrate the success of what they claim to be their spinning wheel. Then set the highest prize for the man who turns out the largest quantity of yarn. Cannot the Government do it? Cannot the Government during the visit of His Royal Highness the Prince of Wales hold an exhibition and give him a delectation in this direction? That is quite easy, quite possible. We are spending so much money in connexion with the Prince of Wales' visit, and to-day we have made an additional grant of Rs. 30,000. Is it likely that the Prince will object to this kind of amusement—for the moment take it as an amusement. In this way cannot we demonstrate? What objection is there? So far as I can see there is none. I am connected with the Committee to revise the Famine Code. We have been hearing evidence from witnesses day after day; 'we are tired of the monotony of the stone-breaking as the famine relief work'. Suggestions came from one or two quarters that spinning-wheels might be introduced. As some member on the other side pointed out, it will give a lot of work to those people who are now entitled only to gratuitous relief. Many of the people to whom we have to distribute relief for nothing may be asked to do something in this way. It is easy to deliver large quantities of cotton to each inmate of a house on condition that she or he will return the same in the shape of yarn. That will be very easy. But what seems to scare away some of the friends who have been opposing it, is that all this yarn may not go to cloths but for making ropes."

[Mr. B. P. Devarajulu Nayudu] [15th December 1921]

Mr. B. P. DEVARAJULU NAYUDU :—“ Mr. President, I wish to support this resolution for the simple reason that I know something about this matter in the Ceded districts from which I come. I want to add also my own experience to the experience that was narrated very graphically by my hon'ble friend, Mr. Narasimhacharlu. I have been in the Ceded districts for about 17 or 18 years, and I have been also moving from village to village on professional and other business. If at all there is one thing which is prominent in a Kapu house, it is this spinning wheel. It is very unfortunate that this circumstance is not known to many honourable friends here. Whether the spinning-wheel is economically sound or not, whether it is giving a living wage or not, it stares us to this day in spite of the civilization, in spite of the weaving and spinning factories is doing its own share of work in substantially and economically clothing the ryot population who find in the cloth made of such yarn more durability and suitability for the work which they are called upon to do as ryots.

“ Now, if we just make a surprise visit to any village and call over the inmates
1 p.m. of the houses there, we will find that almost all the people there, men and women are dressed in cloth which is generally woven by the depressed classes men, from yarn spun out of the spinning-wheel. They are not purchasing the cloths manufactured in Manchester or for the matter of that, even factory-made cloths of India. Even to-day the ropes of the cots on which the people sleep, the cloths they wear and the ‘dupatti’ with which they cover their body are all being woven by yarn which is made out of the spinning-wheel. While that is so, and while the spinning-wheels are there, what the resolution requires is that some improved patterns of the spinning-wheels should be introduced. If it is, that there are no spinning wheels at all in existence and we are going to introduce the spinning-wheel for the first time, or if it is for giving a full living wage to those who depend upon it solely, then I think it is reasonable and proper that the economic side of the question should arrest our attention. When it is about a matter which is already there, and when we are only asked to see whether we can improve it and make it more paying, so as to come in as a substantial supplement, I think this House cannot have any objection to accept a resolution of this nature. I do not think this resolution has anything to do with the present-day politics, and therefore it is better that this resolution is accepted by this House.”

Rao Bahadur T. BALAJI RAO NAYUDU :—“ Though I am quite in favour of swadesi and cottage industries, I must say that I oppose this resolution for the simple reason that in the eloquent speeches made by my honourable friends, I do not find that the point as to the cost of the working of the spinning-wheels has been considered. In my own district, i.e., Kistna district, there are spinning-wheels in every house, and I do not see the necessity of the Government undergoing any expense for improving them. The Honourable the Minister for Development stated that he accepted that portion of the resolution about the hand-weaving which requires no doubt improvement. In my district, Kistna, cotton is produced on a large scale. I know that at one time the spinning-wheel entirely disappeared but after the advent of the non-co-operation movement, the spinning-wheel has been revived, and I may say that it is almost in every house to-day, and the spinning business is now carried on, on a very large scale. The spinning-wheel cost only Rs. 1-2-0, as one of the leaders of non-co-operation estimated the other day, and I suppose the working charges cost some 10 or 12 annas. When people themselves can quite conveniently manage the business by laying out a couple of rupees, I do not see the fun of asking the Government to take

15th December 1921] [Mr. T. Balaji Rao Nayudu]

up the question of making elaborate improvements to the spinning-wheel by spending large sums of money. As Dr. Slater suggested, if we find improved spinning-wheels, they may probably cost much more money like the sewing machines and I think each village cannot afford to have such costly wheels, wheels which will probably cost as much as sewing machines—Rs. 70 or Rs. 80. If, by the intervention of the Hon'ble the Minister for Development, the value of the spinning-wheel is raised to Rs. 70 or Rs. 80, the spinning-wheel business will be wound up altogether. I do not see any reason for this item of the programme of swadeshi industries being interfered with by the Government, because it is quite within the reach of every ordinary man. It is carried on on the largest possible scale even now without the intervention of the State. One thing more, Sir, and that is: It is all very well to say that we must put aside all political views when we are dealing with spinning-wheels and swadeshi industries. Of course the sober-minded of the leading men of the non-co-operators may view that there is no political significance; but 98 per cent of the ordinary folk, who run after the leaders, would directly turn round to-morrow and say: ‘because we started the agitation, the Government yielded and took up the charka business.’ That is a point, Sir, which will have to be considered by persons who are sitting here as responsible legislators. It is no doubt true that the responsible leaders will not attach any significance but the ordinary mob who are doing all the mischief and the masses who are being mislead by the non-co-operators will say: ‘that because we started the agitation, the Council and the Government were compelled to accept the resolution’. To be candid, Sir, I must say that we must oppose everything that is advocated by Mr. Gandhi at the present juncture.”

Mr. S. T. SHANMUKHAM PILLAI :—“ I wish to say a few words in respect of this resolution. Hand-spinning and hand-weaving are cottage industries and they were indeed in a very prosperous condition in good old days. It died out after the introduction of machinery in this country. Many of my honourable friends have pointed out that it is not paying. Now there are many spinning mills, though the weaving mills are but few. These mills and the importation of foreign piece-goods were the real cause of the decay of the indigenous industries. They are likely to increase on year after year. There is no use of asking the Government to spend money on these unsatisfactory methods of our cottage industries. Instead of that we may ask the Government to help those who would help themselves in the matter of establishing more mills for spinning and weaving. Better if we ask the Government to spend money on the introduction of more spinning and weaving mills in this country. This will do immense good to the people of this country. The Government will help only those who earnestly seek to improve their own condition, and it cannot go and help those who cannot help themselves. With these few words, I strongly oppose this resolution.”

Mr. T. C. TANGAVELU PILLAI :—“ Mr. President, the resolution as it stands does not require so much discussion. When we consider the financial condition of our province, I think no State aid can be given to this industry. The honourable the mover of this resolution does not wish that this subject should be taken by the Government. All that he wants is that the Development Department should go into the methods of improving this spinning-wheel. Of late this spinning-wheel has been troubling this country a little too much. At present there is a wrong impression prevailing in the minds of the public that the yarn produced by these spinning-wheels are taken by the Government and under this false impression many charkas have been sold to the poor people. I know instances of men who have been earning eight annas and more a day taking to

[Mr. T. C. Tangavelu Pillai]

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charkas under this false notion only to find eventually that they cannot earn even two or three annas a day. Similarly ladies who have been given special charkas to make yarn found that they were not able to earn enough a day. It is inconceivable that the spinning-wheels, as they exist at present, can go in relief of poor families to any extent. I am sure all that the honourable the mover of this resolution wants is that the Hon'ble the Minister for Development should, as suggested by Dr. Slater, go into the question of seeing whether there cannot be improved patterns of spinning-wheels which will bring in something to the poor families."

SAIYID MUHAMMAD PADSHA SAHIB Bahadur:—"Sir, I rise to give my whole-hearted support to this resolution. My Hon'ble friend, Mr. Balaji Rao Nayudu, states that the spinning-wheel is now universally used in India and finds place in almost all homes and therefore it is unnecessary for the Development Department to try to spend any money over it. I believe, Sir, that is precisely the reason which should induce the Development Department to direct its attention to the development of these spinning-wheels. For, in my opinion, instead of frittering away our energies and wasting our monies on industries of doubtful utility and on industries which fail to appeal to the masses, it is better that we try to effect improvement in an industry which has already become popular and which is taken up by the bulk of the people of India. I am sorry to note that most of my honourable friends here in this House who levelled their attacks against this resolution were labouring under a mistaken impression that the spinning wheel and the hand-loom which are recommended for the special protection of the Development Department in this resolution are recommended solely for the purpose of furnishing a weapon with which to wage war against the power-looms and the machineries. Far from it, Sir. The sole object of this resolution is to try to find out some sort of occupation for the people who are not in a position or at least who are not willing to turn their hands to anything else. The spinning-wheel and the hand-loom are meant for the purpose of enabling the agriculturists in India who form the bulk of the population in this country to eke out their livelihood rather than to furnish an industry for the whole of this country.

"The utter indigence of the agricultural population is very well known. Added to it there is the frequency of droughts and failure of the monsoon. This will show the predicament of the agricultural population in India. Most of the agriculturists are unwilling to leave their homes in times of distress to make a living in other parts of the country. They can earn something by doing work at home when they have nothing to do in the fields. They stand very badly in need of some occupation wherewith to eke out their livelihood and earn something during the period when they have nothing else to do. In times like this it is only the cottage industries of the sort recommended in this resolution that will come to the rescue of the agricultural population. Now, Sir, as regards the experiences of people who are competent to pronounce an opinion on this matter, I will refer the House to the emphatic pronouncements on this subject in the course of the evidence of Mr. Harlal Khama and Professor Shahani before the Fiscal Commission which is now holding its sittings in this country. Both these gentlemen are really competent to speak authoritatively on the subject as they have devoted the best part of their lives to subjects of this sort; they have brought out in unmistakable terms the utility of cottage industries; and they have championed in particular the case of the *charka* and *kargha* as the only sources of occupation to the agriculturists in times of scarcity and famine."

1-15 p.m.

[15th December 1921]

Rao Sahib P. C. ETHIRAJULU NAYUDU:—"If it is on political grounds that charka is to be introduced, I should support this resolution. If through charka we can get swaraj I should be glad to welcome it and would request everybody in this House to support it also. But if it is on economic grounds, I find it cannot be supported. Sir, ever since this movement was inaugurated, my district of Guntur has taken to charka on a very large scale. Carpenters are very much benefited, as more than five thousand charkas have been sold. Those who have taken to charka are able to earn only two or three annas a day. No doubt for the last two or three months they are making something like four annas a day on account of the fact that even educated men are using cloth made of yarn spun out of the charkas; even their ladies, on account of the wave of patriotic feeling prevailing now, prefer khadar. I do not think that this sort of patriotism will continue for a long time.

"When we find foreign goods of far better finish can be bought for half the price, I do not know how long our patriotism is going to keep up this enthusiasm for a forlorn cause.

"Further, cotton available for charka is very scanty, almost all the cotton produced being exported to foreign countries—those firms which export cotton to foreign countries have redoubled their energies to secure cotton in order to deprive the weaver of his yarn. Where is the cotton to come from for our charkas and will it ever pay at all, these are the questions we must consider. Are we justified in spending a sum, large or small, on these charkas when we know it for certain that it is not possible to compete with the mill products? Can we honestly say that this will benefit the masses? Every house in Guntur has a charka. Old ladies and widows work with their charkas in their leisure hours. In one or two months they may be able to spin enough for themselves as their needs are few. Here they stop and depend upon the Panchama weaver to weave into cloth for them. What does he get in his turn for his labour? Only his usual low wages. So we find even this is also not paying.

"While labour is dear in my district and each man and woman can get four annas and eight annas otherwise, can people take to charka when it pays only three or four annas—and generally it is said to pay only two annas?

"It is said that idlers and those who do not work may find work with the charkas. I am certain an idler never takes to any work. He tries to get on as easily as possible without doing any work. So, this charka will be of no use to these either. As I said before, cotton available in the district is carried away by the exporters and only a little is left for the labourer. I think that no good will result by trying to improve this charka."

The RAJA OF RAMNAD:—"I move that the question be now put."

The closure was put and carried. The resolution was then put to vote and lost. A poll was then taken and the Council divided as follows:—

Ayes—24.

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| 1. Mr. K. Adinarayana Reddi. | 13. Rao Bahadur C. B. Rama Rao. |
| 2. " B. P. Devarajulu Nayudu. | 14. Rao Sahib U. Rama Rao. |
| 3. " A. Ramayya Punja. | 15. Mr. A. Ranganatha Mudaliyar. |
| 4. " N. A. V. Somanudaram Pillai. | 16. " K. Sadasiva Bhat. |
| 5. " R. K. Shanmukham Chettiyar. | 17. Sriman Sasibushan Rath Mahasayo. |
| 6. " V. C. Vellingiri Kavandar. | 18. Diwan Bahadur D. Seshagiri Rao Pantulu. |
| 7. Diwan Bahadur M. Ramachandra Rao Pantulu. | 19. Mr. T. Sivasankaram Pillai. |
| 8. Diwan Bahadur L. A. Govindaraghava Ayyar. | 20. " T. C. Srinivasa Ayyangar. |
| 9. Rao Bahadur A. S. Krishna Rao. | 21. " M. Suryanarayana Pantulu. |
| 10. Mr. P. Siva Rao. | 22. " C. V. Venkataramana Ayyangar. |
| 11. Rai Bahadur T. M. Narasimhachari. | 23. Saiyid Muhammad Padsha Sahib. |
| 12. Rao Bahadur C. V. S. Narasimha Raju. | 24. Rao Bahadur T. Namburumal Chettiyar. |

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Nos.—59.

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| 1. The Hon'ble Sir Lionel Davidson. | 31. Mr. S. Somasundaram Pillai. |
| 2. " Sir Charles Todhunter. | 32. " A. Subbarayudu. |
| 3. " Khan Bahadur Muhammad Habib-ul-lah Sahib Bahadur. | 33. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 4. " Mr. K. Srinivasa Ayyangar. | 34. Mr. T. C. Tangavelu Pillai. |
| 5. " Mr. P. Ramarayaningar. | 35. " W. Vijayaraghava Mudaliyar. |
| 6. " Rai Bahadur K. Venkata Reddi Nayudu. | 36. Diwan Bahadur R. Venkataratnam Nayudu. |
| 7. " Rao Bahadur A. P. Patro. | 37. " T. Desika Aohariyar. |
| 8. Mr. R. Littlehales | 38. Mr. Muttumanikka Aohariyar. |
| 9. " E. Periyannayagam. | 39. " S. Arpudawami Udayar. |
| 10. Dr. P. Subbarayan. | 40. " T. Arumainatha Pillai. |
| 11. Mr. A. Ramaswami Mudaliyar. | 41. Rai Sahib E. C. M. Mascarenhas. |
| 12. " C. W. E. Cotton. | 42. Mr. A. T. Palmer. |
| 13. Dr. Appalanarasayya Nayudu. | 43. " G. Vandanam. |
| 14. Diwan Bahadur C. Arunachala Mudaliyar. | 44. The Raja of Ramnad. |
| 15. Rao Bahadur T. Balaji Rao Nayudu. | 45. Mr. K. Prabhakaran Tampam. |
| 16. Rao Sahib S. Ellappa Chettiyyar. | 46. " Qadir Nawaz Khan Sahib. |
| 17. " P. C. Ethirajulu Nayudu. | 47. " Abbas Ali Khan Bahadur. |
| 18. Mr. K. Gopalakrishnayya. | 48. Saiyid Diwan Abdul-Raszaq Sahib Bahadur. |
| 19. " Kandaswami Kandar. | 49. Khan Bahadur Abdur Rahim Khan. |
| 20. " J. Kuppuswami. | 50. Munshi Muhammad Abdur Rahman Sahib. |
| 21. " O. Tanizachala Chettiyyar. | 51. Mr. A. D. M. Bavotti Sahib. |
| 22. " B. Munuswami Nayudu. | 52. Hamid Sultan Marakkayar. |
| 23. " A. T. Muttukumaraswami Chettiyyar. | 53. Saiyid Ibrahim Ravuttar. |
| 24. " M. Narayanaswami Reddi. | 54. Khan Bahadur Muhammad Sadulla Badsha Sahib. |
| 25. " C. Natesa Mudaliyar. | 55. Khan Bahadur Muhammad Usman Sahib. |
| 26. " V. P. Pakkiriswami Pillai. | 56. Mr. M. C. Raja. |
| 27. " P. T. Kajan. | 57. " R. T. Kesavulu Pillai. |
| 28. " K. Sarabha Reddi. | 58. " M. C. Madurai Pillai. |
| 29. " S. T. Shanmukham Pillai. | 59. Rao Sahib P. Venkatarangayya. |
| 30. " W. P. A. Soundara Pandya Nadar. | |

VIII

STATEMENT REGARDING THE MAPPILLA RAID AT PANDALUR, THE NILGIRI DISTRICT.

The Hon'ble Sir LIONEL DAVIDSON:—"Sir, I wish to let the House know at the earliest possible opportunity a piece of, what I can only call distinctly, bad news which has just been received from the District Magistrate of the Nilgiris. This is contained in the following telegram from Mr. McFarland which was received here to-day:—

'Information just received Pandalur raided last night. Three police killed including inspector, five wounded. Furness missing. Wellington sending platoon Suffolks. Coningham and myself leaving now for Gudalur.'

"I should explain, Sir, that the Pandalur referred to must, from the source of the telegram, be the Nilgiri village of that name in the South-east Wynad, a few miles to the west of Devala. It is not to be confused with Pandalur in the heart of the disturbed area in Malabar. Mr. Furness is the District Superintendent of Police, the Nilgiris, a young officer who, to my knowledge, is possessed of much daring and personal courage. I can only hope that later news will show that he is safe and that the telegraphic intimation that he is missing will be transmitted into something which will render us assured that he is in no danger."

VII—cont.

RESOLUTIONS ON MATTEES OF GENERAL PUBLIC INTEREST—cont.

The following resolution, standing in the name of Mr. M. R. Seturatnam Ayyar, was deemed to have been withdrawn, the honourable member not being present.

1.30 p.m.

15th December 1921] [Sriman Sasibushan Rath Mahasayo]

'175. That this Council recommends to the Government that rule 23 of the Madras Educational Rules be modified so that the minimum general educational qualification for the headmaster of a secondary middle school shall be a pass in the old F.A. or the present Intermediate examination.'

Committee to advise on the question of the amalgamation of the Oriya-speaking tracts.

Sriman SASIBUSHAN RATH Mahasayo:—"Sir, the resolution that stands against my name is this—

'176. That this Council recommends to the Government that a committee of officials and non-officials be appointed to advise the Government to formulate a reply to the reference of the Government of India on the subject of the amalgamation of the Oriya-speaking tracts under one administration.'

"Sir, the House may be aware that last year in the Imperial Legislative Council Mr. Satchidananda Sinha, now a Member of the Executive Council of Bihar and Orissa, moved a resolution for the amalgamation of the Oriya tracts, now under four different administrations. The resolution was withdrawn after the Government of India held out a promise that they will consult the local Governments concerned and do the needful later on. On that assurance, Sir, the resolution was withdrawn and the local Governments concerned were asked to submit reports about this question. The House is aware that the Oriyas are under four different administrations, viz., Bengal, Bihar and Orissa, Central Provinces and Madras. The attitude taken by the Bihar and Orissa Government has been recently made known by a resolution of the Council which was unanimously passed by the House and accepted by the Government. The Government there had promised to do everything in their power in spite of all difficulties to see to the unification of the Oriya-speaking tracts. Well, this Government have not done anything in the matter and they have so far been against the proposal. From the time of Sir Murray Hammiok up to the present time we have been seeing that the Government has only one attitude, that of opposition to the Oriya cause. A resolution was tabled by me last month in this Council. It was allowed by you, Sir, and balloted also; but at the last moment His Excellency the Governor vetoed the resolution and disallowed it on the ground probably that it was not the primary concern of the local government. I understand from the letter of the Secretary of the Legislative Council that it is disallowed under 21 (1) of the Standing Orders. Well, I think it is a primary concern of the local government. I am not discussing about the disallowance question here but only what the attitude of the Government is and why a committee of officials and non-officials should be appointed. The Government of India Act is plain in the matter. The local government affected should be consulted in the ordinary course and the opinion of the local Legislative Council tested before any report is submitted. The Government of India Act section 52 (a) says that 'an expression of opinion from the local government and the local legislature affected' has to be taken. The Government of India have asked for the opinion of the Government of Madras and under the new dispensation we have to take it that the opinion of the local Legislative Council ought also to be taken. The provision in the Government of India Act says that even if there is an opposition by a majority of the House against such a proposal, yet, if three-fourths of the representatives of the people representing a definite racial or linguistic unit desire it an inquiry should be instituted. That is the provision in the Government of India Act and that is

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what the Joint Parliamentary Committee have said plainly and in unmistakable terms. The Government of Madras have done nothing that way. Last year they received this communication from the Government of India and they have asked the Agency Commissioner to make a report on the question. This fact has been elicited by questions in this Council. Probably on the Agency Commissioner's report and the report of the Collector of Ganjam a report will be submitted to the Government of India and we do not know what the attitude of the Government of Madras is on the matter. During the last budget debate this question of Oriya amalgamation was incidentally brought forward and both Sir Lionel Davidson and Sir Charles Todhunter expressed views that were disconcerting to us, the members of the Oriya community here. This resolution of mine has been brought forward only on that account. We fear that the members of this Government are not very sympathetic to our cause and it is therefore that we want that the local opinion of the Oriyas should be taken and consulted before any report is submitted to the Government of India. It is on this account that I have brought forward this resolution and I hope that the Government will see no difficulty in accepting this resolution of mine."

Mr. M. SURYANARAYANA PANTULU:—"I have the greatest pleasure, Sir, Mr. President, in seconding this resolution which has been moved by my honourable friend. People of the Oriya-speaking tracts of the Ganjam district have been expressing a desire from a very long time to amalgamate their tracts with the other Oriya-speaking tracts of the Orissa district which, as we all know, are under a separate administration. We are not here concerned with the question as to whether the Ganjam district is likely to fare better under the administration of the Orissa Government and whether they cannot secure an equally advantageous position by remaining in the Madras Presidency. That is not a point which ought to be decided by us in this House. The question is whether the desire of the Oriya-speaking country ought or ought not to be materialized. All that is wanted is to ascertain by appointing a committee of officials and non-officials as to what ought to be done in the matter. The mover desires a committee of officials and non-officials because that would be far better than the report of a single individual however much he may be informed in regard to the matters of detail with regard to the Ganjam district. It is better that the non-official opinion of the Oriya people is taken in regard to the question as to whether they desire to go to the Orissa district or whether they desire to continue in the Madras Presidency. With these words, Sir, I have great pleasure in seconding this resolution."

The Hon'ble Sir LIONEL DAVIDSON:—"Sir, I think there is some misconception as to the present position of this question of constituting an Oriya province. It is perfectly true that at one stage of the proceedings consultation of the local Legislatures affected, is by statute necessary—under section 52 of the Government of India Act. In this case it will not be one local Legislature; but at least three Legislatures, viz., the Central Provinces, Bihar and Orissa and Madras, possibly four including Bengal. But that stage, Sir, has not yet been reached. Nor is it possible for any one of the four Governments to cover the whole field of issues raised in the creation of such a new province, or to appoint a committee which could adequately deal with these issues. I presume from the terms of the reference which was made to us by the Government of India, that it is their intention, should necessity arise, to create a Royal Commission or some such body for the purpose of investigating the issues. At the present moment all that we have been asked to do by the Government of India is to furnish them with definite

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answers to definite questions. There is no item which they have sent to us for answer in regard to which any advisory committee we could appoint locally is likely to be helpful. What they have asked us to do is 'to ascertain the wishes of the people affected by the proposal, to prepare maps showing within what areas the Oriya-speaking inhabitants are confined, to collect up-to-date census statistics showing the various races inhabiting the tracts affected and to furnish information showing the existing arrangements for the education of Oriya children and the extent to which Oriya is used as a court language and such other information as will enable the Government of India and Local Governments as they will be constituted when the Reforms Scheme comes into operation to consider the question.' These are the terms, Sir, of the reference which was issued in April 1920 just after the debate in the Indian Legislative Assembly. We are very nearly ready with the answers to these questions except the item which refers to census statistics, the figures relating to which have only just reached the Government office. I need hardly say that these census figures play perhaps a larger part in the discussion than anything else. Now most of the information called for merely relates to matters of fact, and there is only one item, I think, with regard to which difference of opinion may arise and an advisory committee might conceivably be of assistance, and that is the enquiry what are the wishes of the people affected by the proposal. But, Sir, I would ask the mover and seconder of the resolution how they would propose that an advisory committee should be constituted. Our experience is that numbers of memorials have been received; many from the Telugu inhabitants of that part of the country and a few from the Oriyas and these memorials often state diametrically opposite views which no advisory committee could hope to reconcile. I am quite ready to send any expression of opinion of this Council or of any individual member of this Council, whether he be an Oriya or an Andhra, to the Government of India and I dare say the debate of to-day may furnish various expressions of opinion. But what we have been asked to do is to give the views of the Local Government on this matter, and not the views of the local Legislature. So far as the terms of reference from the Government of India are concerned what is required is the opinion of the Government of Madras and that opinion we must form for ourselves. But we are perfectly ready, Sir, to hear and to consider any opinions which gentlemen of this House wish to put forward. We are equally ready to place at the disposal of this House practically the whole of the information we have received up to the present moment. But we cannot risk further delay in our reply to the Government of India, for that would proportionately delay the practical consideration of this question. Don't be

1.45 p.m.

misled into thinking that the preliminary reply from the Government of Madras is going in any way to prevent the local Legislature from having a full opportunity of discussing the matter. They will be in a much better position to appreciate all the *pros* and *cons* in the light of the information which the Government of India are now collecting from all the Local Governments concerned. Here in Madras the information we can give is mainly what concerns the Telugus and the Oriyas of Ganjam. We can say, for instance, how many memorials we have received, what the terms of those memorials are, and so forth. But we do not know what the facts are in regard to the Oriya-speaking tracts in other provinces and we cannot therefore present to this Council the whole material which is really necessary for the decision of the issue. The local Legislature has a right to be consulted and will have later an ample opportunity of placing on record their opinion. But the final decision is far more the concern of the Indian Legislative Assembly than of any single provincial Legislative Council.

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Here, of course, Andhra feeling and Oriya feeling are not likely to run in the same channel. But if, Sir, there is any desire that the information we have received should be published at this stage for criticism, I shall be quite ready to arrange that either the actual reports received or a précis of them shall be laid on the table. It would however be a pity in that way to hold up a reply to the letter from the Government of India which we have already delayed from month after month until the census figures were available. We have told the Government of India once or twice that we were only waiting for the census figures. They originally asked for the information by the 1st December 1921; we may now be able to reply by 1st January 1922, a whole year later. But if this matter is first to be discussed in this Council after the publication of papers, there will be a further period of delay. I am quite ready to communicate to the Government of India a full record of any debate to-day, but I would urge that the exact terms of the resolution should not be pressed, for we could not accept the proposal to appoint an advisory committee to guide us in formulating our views."

At this stage the Council adjourned for lunch at 1-50 p.m.

The Council re-assembled after lunch at 2-30 p.m.

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"The question of the constitution of an Oriya province is one which has been engaging the attention of the Oriya-speaking people for a good long time. There is no doubt, as pointed out by the Hon'ble the Home Member, that the Oriyas are now distributed over four provinces, namely, Bengal, Madras, Bihar and the Central Provinces. Each of these administrations has its own set of laws and the question now is whether the Oriyas inhabiting all those tracts should be brought under one administration. On the general question of linguistic provinces, I have no doubt whatever in my mind, whether it comes to-day or in the near or remote future; it is a reform which will quicken the growth of national life, and I do not think that at present we need argue the merits or demerits of the constitution of linguistic provinces. The only proposition now for our consideration is as to whether there should be an advisory committee such as that suggested in the resolution, and on that matter the Hon'ble Sir Lionel Davidson has pointed out many difficulties. A question on which he is quite clear, and in that conclusion I am in entire agreement with him, is the difficulty of settling the boundaries between the Oriya-speaking tracts and the tracts inhabited by the Telugu-speaking people in the Ganjam district. I do not think that if this question is to be satisfactorily settled it can be settled by an advisory committee. The best thing would be to call for a round table conference of persons interested in the problem in the Ganjam district and to talk over what should be the proper boundary. For the delimitation of that boundary it would be necessary to take certain steps, but I do not know whether this is the proper occasion for such a conference. Therefore it is a question which is beset with many difficulties. Many of the taluks in the Ganjam district are bi-lingual. That is really the essential question for determination. But for the present it would appear that the Government of India have asked the Local Government to ascertain the wishes of the people inhabiting those tracts. On that question the Hon'ble Sir Lionel Davidson stated that the local officers concerned have been instructed to ascertain the wishes of those people. On the broad question of statistics and other information which the Government of India had called for, Sir Lionel Davidson has promised to make all the information which has been gathered by the Madras Government available to the public."

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The Hon'ble SIR LIONEL DAVIDSON (*interrupting*):—"If it is so desirable."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"It would be to the satisfaction of the people in the district to know how the whole matter is situated at present, and that could be only by the publication of these papers or a précis of them. That would be the correct thing to satisfy the honourable the mover of this resolution, and when the proper time comes, I have no doubt the only way in which this question can be settled will be by talking it over with the people concerned. Whether this is or is not the proper occasion I am not quite sure. As the Honourable Member pointed out, this Council will have an opportunity under the statutory provisions of the Government of India Act to discuss that question. Very probably that will be the proper occasion."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, when the idea of forming provinces on linguistic basis is materialising, I think the most difficult problem would be as to which particular area is to be so constituted. In the ordinary course of things, the most important thing that has now to be settled is which particular area is to be declared to be Oriya speaking. The controversy has already been in existence and the Vernacular press, both Telugu and Oriya, has been agitating in the Ganjam district as to which area should be considered to be Oriya-speaking area and which as Telugu-speaking area; and there is a great divergence of opinion as to how it should be classified. Of course all area beyond the north of Kallikota is generally conceded to be Oriya and all area below Ichhapur or Beruva is conceded to be Telugu. The difficulty is in settling and separating the country that lies between these two limits. Of course the question of population has also to be taken into consideration. If the Oriya-speaking population is above 50 per cent it should be declared Oriya; and where it is below 50 per cent it should be declared as Telugu. When the proportion is almost equal the question will present a serious difficulty. And I am sure all the area round Ichhapur presents a very difficult question for solution. Of course there the question of interests has also to be taken into consideration and the wishes of the people have to be ascertained. For that, I think, local opinion has to be taken and leaders of those parts should be consulted before any definite answer is given by the Madras Government. Of course there has already been some delay and a reference of this kind would give rise to still further delay. But a satisfactory solution of the question, time shall not weigh much and Government will do well first of all to publish all the available information and then call for fresh information, and if need be, appoint a small committee and ask them to submit their report as early as possible."

"In this connexion I wish to add some more information regarding the zamindari of Jeypore, which forms the major portion of the newly constituted Agency district. In the new Agency district the divisions are named having regard to the opinion prevailing in those areas. "We have got the Khond division, the Savara division, the Oriya division, the Koya division and so on, on the whole six divisions. Of these six divisions the Oriya division is one which is in the neighbourhood of Jeypore, the capital of the Jeypore Raja. This division is bounded on one side by the Central Provinces and on all the other sides by the other divisions I have already enumerated. The majority of the population of these other divisions do not consist of Oriyas and the language which they speak is said by an eminent man to consist of dialects of the Dravidian languages. Therefore when the principle of the formation of provinces on a linguistic basis is applied to the Oriya division and the Jeypore estate, I think

[Mr. C. V. S. Narasimha Raju] [15th December 1921]

great disintegration would be effected and it would give room to much difficulty, because it will have the Telugu districts on one side and on the other side it will have an independent state known as the Bastar state, and it cannot at all be formed into one contiguous area. Besides, honourable members are aware that the Jeypore zamindari is well connected with the plains by communications. On the other side the communications are not well developed and it will take a long time to develop that portion. Of course, we have to view the question of the Oriya division of the Agency tracts on a separate basis and see how far its interests will be served and the question is also closely connected with the management of a big area which is quite undeveloped. This Government has already got its own schemes for its development and it is undesirable that all this advantage should be cut off and left to the different provinces yet to be formed. These are all very difficult questions and I hope the Government will give their best consideration as far as the Oriya portion of the Agency district is concerned, and in recommending the case to the Government of India, will present all the difficulties of constituting it into a definite province. I hope the Government will agree with me in thinking that it is not at all to the interest of this Agency district or other parts of the Jeypore zamindari that it should be tacked on to the Oriya province yet to be formed."

Sriman SASIBUSHAN RATH Mahasayo :—"Sir, this question of the delimitation of the boundaries will come up later on, because the Bihar and Orissa Council has very recently unanimously passed a resolution and the Government also accepted that resolution, that the Oriyas should be brought under one administration. The procedure will be that this question will be referred to the Government of India; and the Secretary of State will have to appoint a Royal Commission of inquiry. That is the procedure laid down in the Government of India Act and the report of the Joint Parliamentary Committee. It is not the intention of this resolution that the view of this Council should be placed before the Government of India just at present. Eventually on the recommendation of the Government of India this House will have to give an opinion, and the Royal Commission of inquiry will come in and that commission will settle the boundary and not the committee which I now propose to have in this resolution. This committee which I propose is only to give advice to the Government of Madras regarding the views of the people. The Government have got from the Government of India a reference on that matter namely to ascertain the views of the people. How are you going to ascertain the views of the people, if you are not going to take the opinion of the representatives of the people in this House and the opinions of the leading people affected? I ask again, how are you going to ascertain the view of those people? It is said that the Government is ascertaining the views of the people through their own officers. I already said and I say it now that this is not the right procedure. If you want really to ascertain the opinions of the people, you must consult their representatives, consult, may be, both sections of the people Telugu and Oriya in this Council, and outside and then come to a conclusion on the matter. The Hon'ble the Home Member has promised that he would publish all these connected papers, and since a committee as he says is likely to delay matters, I do not press my resolution and ask permission to withdraw it."

The Hon'ble Sir LIONEL DAVIDSON :—"I do not wish to interfere with the withdrawal of the resolution, Sir, but I want to make it quite plain that I have not given any undertaking to withhold our reply to the Government of India."

The resolution was by leave withdra

15th December 1921] [Mr. K. Sadasiva Bhat]

The following resolutions standing in the names of Khan Bahadur Muhammad Uaman Sahib Bahadur and Sriman Bisvanad Das Mahasayo respectively, were deemed to have been withdrawn, the honourable members not being in their places :—

Rules for regulating admission of students in arts colleges.

"177. That this Council recommends to the Government to frame rules to regulate the admission of students in all Arts colleges."

Proportion of Oriyas in Government service.

"178. That this Council recommends to the Government that, with a view to keep up a just and fair proportion of posts in Government offices held by the Oriyas, the principle prescribed by the Revenue Department and the Board's Standing Order No. 126 (2) be at once extended to all departments in the Oriya speaking tracts of Madras and be made applicable not only to principal appointments but to posts of all grades, and that the Government should issue orders accordingly and insist on their being enforced and that to this end half-yearly returns showing the progress made should be submitted by the head of each office and that periodical returns should be made available to the Members of the Legislative Council."

Transfer of public servants.

Mr. K. SADASIVA BHAT :—"Sir, I beg to move—

"179. That this Council recommends to the Government that for purposes of transfer of officials in the Provincial and Subordinate Public Services, the Presidency be divided as far as possible into convenient circles outside which a subordinate should not ordinarily be transferred."

"My first reason for urging this resolution is that I believe that it will lead to some economy in administration. When economy is preached from all sides of this House and the Government feels so much difficulty in cutting down expenditure, I believe, Sir, that a proposition of this nature will find ready acceptance. The resolution suggests that where exigencies of the service require that officials in the Provincial and Subordinate services should be transferred, they should not be transferred from one corner of the Presidency to another but within a limited area, thus saving a considerable sum in the shape of travelling allowances. With our centralized administration of the services from Madras, there is always the tendency to be constantly shifting these officers from place to place to suit individuals who find it convenient to obtain a special hearing at headquarters and this practice is likely to give room to abuses in the effecting of transfers. I do not wish to dilate at length on this aspect of the question but only appeal to the knowledge and experience of the members of this Council as to the pilgrimage which subordinate officers in some departments have to undertake from time to time to headquarters to arrange for the retention of their places or transfer to places of their choice. I prefer to put my resolution on the broader ground of saving in travelling allowances both for the provincial revenues and in some cases for those of the local bodies. It sometimes happens that a medical subordinate is transferred from South Kanara to Ganjam and a man from Ganjam sent to South Kanara, thus throwing an unforeseen burden on the depleted coffers of two poor taluk boards.

"The acceptance of the principle of my resolution will, I expect, afford some satisfaction to a large class of subordinates who may otherwise be liable to be transferred to any far away place in any season and without their personal difficulties being at all considered.

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"There is one other important consideration in favour of my suggestion. In most departments, a knowledge of the local vernaculars, of the habits of life of the local people and local conditions are necessary for a subordinate's efficient discharge of his duties, and this fact is often overlooked in the ordering of these transfers.

"I do not see any difficulties in the way of the Government accepting my resolution. I leave it to the Government to fix smaller or larger circles for the different departments as may appear desirable or convenient in each case. I have left out the higher and special services—in the case of whom experience of several districts may be an advantage. I have cautiously worded the resolution leaving it to the Government to give effect to it as far as possible and when it can conveniently be done and in all ordinary cases only.

"For all these reasons, Sir, I commend this resolution for the acceptance of the Council and the Government."

Rao Sahib U. RAMA RAO :—"Mr. President, Sir, I beg to second this resolution. I do so first of all to save travelling expenses. Take for instance, the subordinate medical service. As my friend the mover has stated, subordinates are transferred from Ganjam to South Kanara, from South Kanara to Tinnevely and from Tinnevely to Kurnool and other places. The Government not only lose money in the shape of travelling allowances, but the subordinates are also put to unnecessary inconveniences. We roughly group the whole Presidency into four parts, Tamil districts, Telugu districts, Kanarese districts and Malayalam districts. I shall only quote the instance of a medical subordinate. If he remains in a Telugu district for over five or six years and he is transferred to a Tamil district, what becomes of the education of his children? He just starts the child's education in the Telugu districts; in the course of four years he is transferred to a Tamil district. If the boy has to study again, he must either commence Tamil or remain without learning his vernacular. Then again, Sir, consider the position of a doctor in the Tamil districts who does not know anything about the Telugu language. If he is transferred to a Telugu district, or a Telugu man is transferred to a Tamil district, it will take several months or years to know the language of the place. By the time that a Telugu man picks up some Tamil, he may again be transferred from that place to a Kanarese district. So in that way he would not be of much use to the patients and at the same time he would not be able to get on with his practice. So, it is inconvenient not only to the subordinates but also to the people of the locality. In that way the particular medical institution of the locality may become unpopular. There is no time for the man to start a decent practice and at the same time people would not have the confidence to entrust him with cases, because he has not yet studied the conditions, language and nature of the particular locality. Apart from this there is another very important consideration and that is as regards the children. Their education is very much spoiled. I know not one but a number of instances where boys were left without any vernacular education, so much so that at the end of his career the boy was of no use. His education was entirely spoiled. So, with these remarks, Sir, I very gladly second this resolution."

3 p.m. Mr. M. SURYANARAYANA PANTULU :—"Sir, I have great pleasure in supporting this resolution which has been moved by my honourable friend. The reasons adduced by the honourable mover and by the honourable seconder in the interests of public finance are very good. But I would put this resolution on another ground, that is, in the interest of the public at large who have to utilize the services of these officers. I beg to give, Sir, a few cases, although they will be understood to be a little comic. But all the same, I have

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known two incidents where medical officers were transferred to a remote part of the Vizagapatam district, the Palakonda taluk. A gentleman belonging to the Kanara district, who knew Kanarese—of course he knew English—I was told, worked for a short time in Tinnevely. From Tinnevely he was posted to Palakonda. Palakonda is a Telugu-speaking taluk, and all the people were put to the greatest inconvenience possible. This gentleman came there as an Assistant Surgeon. Patients used to go to the hospital and the only manner in which the patients could make themselves understood by the medical officer was by making signs. If a man went there with fever, how could the medical officer understand that he was suffering from fever, as he could not understand Telugu? The patient had to make some sign to indicate his disease, and the medical officer put the thermometer in his mouth and if he wanted to know if his bowels were clear, how can he make the patient understand his question whether his bowels were clear? He used to pass his fingers twice or thrice over his stomach and make some sign. This is certainly the manner in which the medical officer and the patients were pulling on with each other. I submit, Sir, this is no exaggeration, for this is what happened during the time I was Vice-President of the Taluk Board of Vizianagram. More recently, during the last two or three years, a similar transfer has been made to the northernmost taluk of the Vizagapatam district. I have been told that such a transfer was a sort of punishment to these officers for some reason or other. I submit, Sir, that in the interest of the administration and in the interest of the public at large, it is absolutely necessary that transfers should be made to divisions or taluks the language of which is perfectly understood by these officers who are so transferred. Besides medical officers, we have got other officers, as those in the Education Department and also in the Revenue Department. But if such mistakes occur it is more often in the Medical Department than in the other two departments, namely, the Education and Revenue Departments. Even in the Revenue Department we have a certain number of people who although they can understand Telugu and can freely converse in Telugu are not able to record depositions in Telugu—I don't say that they are not completely able to do that, but they cannot do it with the ease with which Telugu-knowing people would do it. Things of this sort do arise, and therefore it is high time that a resolution of this sort ought to be passed by this House and accepted by the Government and enforced.

"With these few words, I support the resolution."

Rao Bahadur T. BALAJI RAO NAYUDU :—"Sir, I also beg to support this resolution. Previous speakers have said all that can be said in favour of the resolution. But I think they have omitted one thing, namely, the extra expenditure in travelling allowances that are paid on account of these transfers from one corner to another. That one point I suppose is sufficient to speak in favour of this resolution. Especially in the Medical and Judicial Departments, the transfers, I suppose, involve any amount of expenditure in travelling charges, because they are very often from one remote corner to another remote corner. I am of course very often from one remote corner to another remote corner. I don't like the idea that they should be retained for even five years. But whatever it may be, there can be smaller areas within which these officers can be transferred from one place to another, say one Telugu area within which Telugu-knowing officers may be transferred; so also for the Tamil districts and so on."

Mr. K. P. GOPALA MENON :—"Mr. President, Sir, I have great pleasure in supporting this resolution. In not a few instances the officers of the Provincial service have to maintain double establishments. I know of cases in which deputy

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collectors who were for some time in the Cuddapah district were suddenly transferred to Madura. They had their sons and daughters studying in the third form or in the Matriculation class, so much so that they had difficulty in taking their children to Madura. Therefore, so long as it was necessary to have their children in the same place, it was necessary for them to have a separate establishment in Cuddapah and an establishment of their own at Madura. That is one of the many reasons why these officers complain that even their present high rate of pay is not enough.

"Secondly, I have also come across cases where these transfers have involved much expenditure. There was an Assistant Surgeon in Palni; and he was expecting to give evidence in a murder case. For some reason or other he was transferred to Vizagapatam, while the preliminary inquiry was going on in the magistrate's court. When he was required for the case, he had to be paid batta as often as he was called. Then again, he was transferred to Cuddapah. So, such instances of heavy travelling allowance having to be paid are many. We should certainly realise that all of us ought to aim at spending money only in as legitimate a way as possible.

"As for the reason stated by my friend, Mr. Rama Rao, as to the necessity of confining officers to certain circles, it is also a very good reason. I cannot however support an attempt to transfer even a very highly paid officer after he has been long conversant with Malayalam to Telugu country. The ways of the Malayalees are quite different from those of the Telugus. Each community might glory in its own ways but to transfer a Malayalee to the Telugu districts is certainly like putting fish out of water, even their food is different. I hope the Government will readily accept a resolution of this nature which will give a lot of relief to officials superior and subordinate and therefore I have great pleasure in supporting it."

Mr. S. SOMASUNDARAM PILLAI:—"I say, Sir, that such transfers must take place and there is no reason why any complaints should be made against them. We must care more for the administration of the Government than for the personal conveniences of individual officers. What if an officer has children to educate and has established himself in one place? So long as he is not employed in his own village or in his own town, what does it matter where he is sent whether to the Himalyas or elsewhere? Every place other than his own village or town is a strange place to him. For instance, let us take one area, say the South Kanara district; are all the Kanarese officers to be sent there? Let us take the Telugu legal practitioners who have studied in the Law College, Madras; do they all settle themselves in the Telugu country? If a man is posted to a certain place and is stationed there long, he will become thoroughly acquainted with everything there, and perhaps he will be a master there over everybody and Government may be displaced by his personality. There is a policy underlying these transfers, and if you want to defeat that policy, I think it will be very difficult to carry on the administration. For instance, it is recognised that a district munsif should be transferred from one place after three years. He may say 'I have my children to be educated, I cannot shift my family just now' and so on. These considerations have nothing to do with Government; and his transfer may be necessary in the interests of the public and the Government. Government of course knows better in these things. In certain departments, no officer is transferred; for instance, the sarishtadar of the district court is not transferred to other districts so also other officials of the district court. But there are certainly important officers who must be very often shifted from place to place. Of course, my friend, Dr. Rama Rao,

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said that it was a very great inconvenience for doctors to be transferred. I think the names of medicines are not written in the language of the place to which doctors are transferred. To diagnose a disease a knowledge of the local language is not necessary, but of course it is necessary to some extent if you want to talk to the patient. There are local hospital assistants who will help in this matter. There are English doctors who come to India. What do they do? They cannot talk our languages. But suppose they say they must be sent to their own land, what will happen? From the point of view of the Government, I think this resolution should not be passed, and I ask this House to drop it. With these few words, I oppose the resolution."

Mr. A. RANGANATHA MUDALIYAR:—"I think, I must oppose this resolution. The resolution, as it stands, covers the cases of Provincial Public service as well as of subordinate public service, and if we apply our mind to the existing circumstances, we shall, I think, be able to appreciate the difficulties we should be subjected to if we accept this resolution. Nobody in this House would lay it down as a proposition that transfers are undesirable. I think that no officer should be allowed to remain for certainly more than three years, and perhaps I would even reduce it to two years. Any officer remaining for a long time in a place is bound to form likes and dislikes, and I think he should not be allowed to remain too long in any one place lest the prejudices he might form may consciously or unconsciously influence his administration in the place. Take the gazetted officers. In the Ceded districts, say Bellary for example, aspirants for gazetted appointments take Kanarese for a second language. Suppose an officer's turn comes for his transfer. If he is to go to a place where there is Kanarese, he has to be transferred to South Kanara. Well, how can we form a convenient circle with contiguous Kanarese districts? Take again Malabar. Suppose the officer there has, as his second language, Tamil; perhaps it may then be easy for him to be transferred to a near place. If he has taken Telugu, no circles will help him because you will have to transfer him to a distant district.

"Then, it has been said that medical subordinates were put to much inconvenience. There is a great deal of difficulty in avoiding such transfers. Here I must congratulate my honourable friend from Malabar on the number of students from Malabar that flock to the Medical college and schools. If this proposition is carried, they must be sent to districts where their mother tongue is spoken. That means all these people should be found a place in a district or districts where Malayalam is spoken and where they can converse in their own language. If that rule is introduced, we shall have to go further and lay it down that not more than so many Malayalee students should be accepted. Of course, I am also aware resolution, as it stands, cannot therefore be accepted. Of course, I am also aware of instances quoted by my honourable friends of very undesirable transfers effected for no conceivable reason and perhaps for reasons which cannot stand the light of day. That is a matter which I would urge on departmental heads to look into and take effective and necessary action. I do not think, Sir, any case has been made out for this House to accept this resolution."

Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, I beg leave to oppose this resolution. My honourable friend, Mr. Ranganatha Mudaliyar told us that officers have to take in addition to their vernacular another language which fits them for doing work in certain districts. This arrangement is certainly very good, because officers who are acquainted with the vernacular of the district to which they are transferred can carry on their duties successfully as they are already equipped with a practical working knowledge of it. They may therefore be

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expected to come in contact with the people of the district and understand their language. In this way some of the difficulties mentioned by the mover do not appear to be insurmountable.

"Again, Sir, if we were to adopt this resolution, namely, restricting those who are acquainted with a certain vernacular within certain areas, the result would be that the officers of the subordinate services and provincial services would have no opportunity of coming very often in contact with their fellow-workers in other districts, of studying conditions there, the improvements effected and the many schemes projected. They would have no occasions of exchanging their views, of having their angularities removed and of acquiring liberal ideas. Again, my friend spoke of the danger of their acquiring certain likes and dislikes and of their being influenced by certain prejudices which might stand in the way of their discharging their duties with fairness and strict impartiality. I will put the case more strongly. Sir, speculatively considered, with a view to avoid corruption, it is necessary, I think, for Government to transfer or have the power to transfer officers from one set of surroundings to another set of surroundings. When one is placed amid new surroundings there will be no temptation whatsoever for him there. To provide for such cases it is desirable to make no change in the existing rules, rules which, among other advantages possessed by them, go a great way to avoid this evil of corruption by effecting transfers from place to place.

"For these reasons, Sir, I have to oppose this resolution."

3-15 p.m. Mr. S. T. SHANMURHAM PILLAI :—"Mr. President, Sir, the resolution proposes to divide the presidency into convenient circles for the purpose of transfer of the provincial and subordinate officers. How to split the presidency into such circles and how to form those circles is a thing I cannot understand. There should be no sudden and reckless transfers of officers just as the heads of the departments please and there should be no transfers at all except on public grounds or on grounds of unpopularity or other good reason the Government may have. Especially in the Revenue Department officers of the grade of deputy collectors and tahsildars should not often be shifted. It takes them a very long time to acquire local experience and without any such experience they cannot properly do their executive duties. I know as well as the revenue officers here, that in the old Standing Orders it had been clearly laid down that generally the tahsildars should be retained, if possible, for ten years, in a taluk. For these reasons, I cannot support the resolution as it stands."

The Hon'ble Sir CHARLES TODHUNTER :—"Sir, this resolution is so openly worded that at first I wondered if I could not accept it on behalf of the Government. I thought it best, however, to wait and see what views were taken by the different members as regards the interpretation of the words 'as far as possible'. As I understand their views, practically every member draws the possibility line in a different place and therefore it seems to me that if I accepted the resolution under the impression that we are already carrying out the honourable mover's wishes 'as far as possible', I might find that that would not satisfy him at all inasmuch as he might think that it was possible to go very much further.

"In these circumstances I think the best thing I can do is to point out the difficulties that lie in the way of working any hard and fast rule in the matter.

"The honourable mover applies his proposal to two different classes of services, namely, the provincial and the subordinate. I propose in the first place to consider the case of the provincial service and I venture to think that in this case the mere examination of the numbers in the services will be sufficient to show

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the impracticability of the proposal. Let us take, for instance, the number of Assistant Commissioners of Salt or of District Registrars or of Assistant Directors of Agriculture which amount to 14, 32 and 9, respectively. I think that very little consideration will suffice to show that it would be practically impossible to confine each officer of these services for the whole of his service to a particular circle. There may be various reasons why a change is needed. A man may not get on well with a particular officer or with the other officers at a particular station. It may be impossible to promote him without transferring him, or he may have experience in a particular line of work which experience is specially needed in a particular district. If we are going in small cadres like these to say that each officer is to serve the whole of his time within a small restricted area, we shall produce the most extraordinary inequalities in promotion, and we shall be constantly fitting round men into square holes and doing injustice to them by promoting the juniors over the heads of the seniors.

"The same conclusions will, I think, be found to apply in the case of the subordinate services where the numbers are small. Take, for instance, the Jail Department, or the Agricultural or Industrial services. We should be tying our hands to a great extent if we adopted any hard-and-fast rule in these cases.

"We are next confronted with a group of departments in which provision is already made for carrying out the principle which is advocated by the honourable mover. For this I will cite as my authority the Hon'ble Mr. Siva Rao who on the 20th November 1917, asked a question as regards the Medical Department as follows: 'Whether the Government will be pleased to divide the Presidency into a number of subdivisions or circles as in the case of Salt, Police and Education.' In other words, I claim the authority of Mr. Siva Rao that in these three departments all that is required is being done. In each of these cases the transfer is practically confined to the range of the Deputy Commissioner, Deputy Inspector-General, and Inspector. To these departments, I would add the Public Works Department and the Forest Department. In the Public Works Department the transfers are ordinarily controlled by the Superintending Engineer, and in the Forest Department by the Conservator. I need hardly add that in the Revenue Department the transfer is confined, generally speaking, not only to a circle, but to a district.

"When we exclude all these departments in which arrangements on the lines asked for are already in force, we have really very little left. Perhaps the only one that remains is the Medical Department, which is really a very difficult case. It is a case which should properly be dealt with by my honourable colleague, the Hon'ble the Minister for Local Self-Government. But perhaps I may deal with it to the best of my ability to save time. As I understand the case then, there is an extraordinary variation in the case of the Medical Department between the different classes of work assigned to the officers of the grades of assistant surgeons and sub-assistant surgeons. These medical officers may be posted to plague, famine or cholera duty. They may be posted to the Agency tracts or to districts which send no candidates, or very few, for medical training. They may be sent to places where there are no facilities for educating children. They may be sent to remote stations in districts with which they are not familiar, or they may be sent to places near their homes where profitable private practice is available. And the distributing of men to these various classes of duties involves a great deal more than the mere distributing them to suitable districts. I believe, I may say that it is the policy of the present Surgeon-General to try and ensure that men in the earlier years of their service go through the stages represented by the most unpopular duties, like plague, cholera, etc., to less troublesome duties, and that as

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they make good in these, they are transferred to hospitals, and later towards the end of their service are given a chance of settling down at a place where they can establish a lucrative private practice. In carrying out this policy, however, he is very much hampered first by the power exercised by district boards to transfer men within their districts, and secondly by the fact that there are many districts which afford a very small quota of students for training. However, I hope that the Surgeon-General will try to see that so far as it is compatible with the object above indicated, the object of the mover is carried out.

"In short, Sir, we are in full sympathy with the idea of the honourable mover, and we are carrying it out as it appears to us 'as far as possible', and that is all what the resolution asks us to do."

Mr. K. SADASIVA BHAT :— "I think, Sir, I have served my purpose, and in view of the answer given by the Hon'ble the Finance Member, I beg leave to withdraw my resolution."

The resolution was by leave withdrawn.

The following resolution was not moved and was therefore deemed to have been withdrawn; the amendments too were therefore not moved :—

Revenue inspectors and deputy tahsildars to be selected from the depressed classes.

Mr. C. V. VENKATARAMANA AYYANGAR :—

"180. That this Council recommends to the Government that for the next five years not less than fifty per cent of the selections for the post of probationary revenue inspectors and probationary deputy tahsildars in the Revenue department be made from the members of the Hindu Adi Dravida and other depressed communities."

Amendments.

Notice has been received of the following amendments :—

Resolution No. 180 (253).

Mr. B. MUNISWAMI NAYUDU :—

- (1) Instead of 'fifty per cent' substitute '85 per cent.'
- (2) Omit the words 'and other depressed communities' and substitute therefor the following :—

'and other non-Brahman communities (including Muhammadans and Christians) provided that in the case of a candidate belonging to such communities, even the minimum qualification required by the rules relating to recruitment to public services be considered sufficient.'

Mr. O. TANIKACHALA CHETTIYAR :—

- (3) Substitute '15 per cent' for '50 per cent'.
- (4) Add at the end the words 'that the remaining 85 per cent be selected from other non-Brahman communities including Muhammadans and Christians.'

Cultivable lands in forest areas.

Mr. K. SADASIVA BHAT :— "Mr. President, Sir, I beg to move—

"181. That this Council recommends to the Government that cultivable lands in reserved forest areas should, as far as possible, be thrown open to cultivation by auction, wherever there is a demand for them."

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[Mr. K. Sadasiva Bhat]

"In commending this resolution to the Council, I do not think I need say much. I wish to say at the very outset that my acquaintance with forest conditions outside the South Kanara district does not extend beyond the published official papers. We, in South Kanara, have special grievances in forest matters and if I have worded the resolution generally, I have done so so as to give an occasion to elicit a discussion on the subject if similar relief is called for in other districts also. The hand of the Forest Department lies heavy on the South Kanara district. Extensive areas, larger than it is necessary for the needs of the district to reserve, have been reserved. I have been told that forests are protected in some districts, because the climatic conditions are suitable for natural development of high forest there as on the west coast; and in other districts, because climatic conditions are unfavourable there, it is necessary to grow them by protection. We have thus about 20,000 square miles of land reserved as forest. In South Kanara considerable portions of three taluks are reserved, and I have no doubt that within the boundaries is included land which is fit for cultivation. I have known of lands which were cultivated with two crops of paddy having been included in a reserved forest and patta refused to the owner as he had not objected within six months of the notification or on some such grounds. At the time that these forests were being reserved, the boundaries and extent were notified in the gazette in a very perfunctory manner, and I remember there were loud complaints in our interior taluks that some lands which were cultivated and much land which was cultivable had been included within the boundary of the reserve.

"Since I sent up the resolution, I have had the benefit of a conversation on the subject with the Chief Conservator of Forests; and he was good enough to come to Mangalore. He has assured me that he would willingly disafforest land which is fit for cultivation, and that practically answers my main purpose in moving this resolution.

"For the same reasons I think, Sir, that if in other districts land in reserved forests is fit for cotton or paddy cultivation, such land should be thrown open to cultivation. Forty years of forest administration is bringing in a net revenue of about one anna and three pies per acre. The assessment alone on that land is very much more. If such land can be put to good use by the ryots, that will extend the area under cultivation and relieve the pressure of population upon land. There is no justification whatsoever for the Forest Department for retaining it as reserve. That this point of view has not always been considered at reservation will be clear from the fact that the Forest Committee noted within the limits of forests in the few districts visited by them (e.g., in Guntur) lands which ought to have been thrown open to cultivation.

"I remember a passage in Mr. Bles' report on Forest Panchayats where he supports the desire of the ryots for throwing open some areas for cultivation.

"My friend, Mr. Venkataramana Ayyangar, moved the other day that certain portions of reserved forests in Coimbatore should be thrown open to cultivation, and I gather from all this that the demand is not confined to my district merely but is more or less general.

"I have put in the words 'by auction' only to indicate that the State should get what it can for these lands; but I have no objection if the Government will open up these lands and give facilities for their occupation in any reasonable manner. I therefore commend this resolution for the acceptance of the House and the Government."

[Dr. C. B. Rama Rao]

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By way of explanation I would just like to say a few words. First of all an adult is not a magnified child; in other words the child suffers from certain diseases which are not common among the adults. Therefore if it is necessary in the economy of public life to establish special hospitals for the treatment of women it is equally essential that there should be a special hospital for the treatment of children. It is because that we have not recognized this before that efforts have not been put forth in this direction. So much so that the infant mortality is abnormally high in the city and even in the districts, that it is being loudly talked about in the press and platform, of late. The child-welfare movement is of recent growth, but has very strong and influential advocates. The only thing is that if you let things slide, as it sometimes happens, you will find that there is nobody fit or specially trained to take office in children's hospitals when they come to be opened. I therefore ask this House to enable the Government to issue two scholarships each year, one to a gentleman graduate and another to a lady graduate in medicine selected on the score of merit to be sent to western countries where this movement has gained ground and special hospitals exist, so that they may study the diseases peculiar to children, and come here fully equipped for a children's hospital. I have nothing more to say. I hope there will be no opposition to this simple measure which must commend itself to the acceptance of the House."

Mr. T. SIVASANKARAM PILLAI :—" Sir, I second it."

The Hon'ble Mr. P. RAMA RAYANINGAR :—" Mr. President, the suggestion is that a lady graduate and a gentleman graduate should be sent on
3-45 p.m. deputation to England to study the subject of child-welfare so

that they may, after their return, be employed in the proposed Prince of Wales Children's Hospital in Madras. Sir, the idea at all events, so far as it relates to the deputation of a lady graduate, is not a bad one. But the proposal to establish a Children's Hospital in Madras in connexion with the visit of His Royal Highness the Prince of Wales is still in a nebulous stage. It is not yet decided what hold the Government propose to have in the management of the proposed hospital. The presumption naturally is that the hospital will be under the management of the non-officials and will be maintained out of subscriptions collected by the committee appointed, perhaps supplemented by grants from the provincial funds. Beyond rendering such financial help as may be deemed necessary it is doubtful whether the Government are going to have any connexion in the management of the hospital. Before we know exactly the conditions under which the hospital is to be conducted, it is too soon for the Government to commit themselves to a definite statement regarding the recommendation. On the merits of the case, Sir, as I have already stated, it is indeed desirable—of course funds permitting—to send particularly a lady graduate on a deputation to study the problem of child-welfare. I do not, however, mean that the deputation is indispensable. In Madras the child-welfare scheme has been working successfully for the last some time. Her Excellency Lady Willingdon is taking a keen interest in the matter. Indeed the problem of child-welfare has been engaging the attention of the people all over India. And the Chelmsford All-India League has been started to deal with the problems of maternity and child-welfare and that league has been issuing a quarterly journal. Sir, in the circumstances it is rather premature that Government should come to any definite decision regarding Dr. Rama Rao's recommendations, but when the question as to what part the Government are going to take in the management of the hospital is settled, it will be time to consider the question. I trust, Sir, in view of this, my friend will withdraw the resolution."

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Rao Sahib U. RAMA RAO :—" Mr. President, Sir, I am surprised to see the attitude taken by the Minister for Local Self-Government. I hope, Sir, that that scheme for establishing a Prince of Wales Hospital for Children will be an accomplished fact. Granting that it will not, it is absolutely necessary that we must have not one lady graduate, but a dozen or half that number trained up in this particular department. Sir, the infantile mortality in this Presidency is very high. In this city 20,000 children are borne every year and before they attain the age of one year, five to six thousand children die. That is due to poverty, want of feeding from the mother—the mother is so much emaciated, so much degenerated in health that she is not able to feed her child and hence she has recourse to artificial food and generally she does not know how to feed the child in a proper way. That is one of the chief causes of infantile mortality in Madras. To overcome that a movement has been started in this city as also all over India. But in the city the amount of work is confined to one or two ladies. It is not Lady Willingdon alone that can do the work; nor even one or two lady doctors. It must be done by qualified lady doctors a number of them, and nurses and other subordinates who should be trained in this art of child-welfare. Unless and until this is done the infantile mortality cannot be prevented. It is a gigantic work. For the last three or four years the Corporation have been doing this work. But they have done a microscopically minor part of the work. A large number of children are still left uncared-for, because a good deal of money is required for the scheme. To establish proper child-welfare movement all over the city we want a large number of young men and women trained in the scheme. For that purpose we have not got a big hospital where children are treated and where instruction can be had. These instructions cannot be studied from books. They should be got practically from big hospitals, well-managed not only in England, but in other parts of the world, like America, Japan and other places. The proposed graduates should be sent to these places for training. So, Sir, even if the scheme for the Prince of Wales Children Hospital fails, there is ample room to get a number of ladies and gentlemen trained in this scheme. It is not my purpose to go here into the details of the scheme and convince the House of the necessity of training these people. Another reason, Sir, why large number of children die is there is no accommodation for children whenever they fall ill. There is accommodation for maternity cases, for general surgery, for eye diseases, but there is no accommodation for children except a few beds in hospitals. Dr. Rama Rao has justly remarked that children have got peculiar diseases of their own which can be learnt only in a special hospital. Most of the medical men in our midst go without much knowledge of the illness of children though no doubt they do acquire it later on. But there is no organized knowledge which they ought to get before they start treatment. I would in the end suggest, Sir, with your permission and that of the mover, that one *Indian* lady and one *Indian* gentleman graduate should be selected. That is because the knowledge that they gain by travelling all over the world must be utilized even after they retire in this country. With these words, Sir, I strongly support the resolution."

Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, there is no doubt a good deal in the observations made by my friends, the mover and the supporter. It is certainly very desirable that an Indian lady graduate and an Indian man graduate should be sent to England or to other foreign countries for the purpose of acquiring knowledge of a special kind for the treatment of children. That general proposition no doubt holds good. But this proposition is moved for the purpose of deputing these graduates with a view to finding suitable persons for employment

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in connexion with the projected hospital for children in commemoration of His Royal Highness the Prince of Wales' visit. That is what is specifically stated in the resolution itself. Having regard to the circumstances I think the proposition is a little premature. We have stated in the papers that the cost of founding this very desirable hospital is about five or six lakhs of rupees. So far money has not been collected. Let us hope that enough of funds will be forthcoming even before His Royal Highness leaves Madras. But whatever that may be even after all the necessary funds have been collected for the purpose of establishing this hospital, it must certainly take some time, probably not less than five years, to have a building in which it should be located so that the practical effect of the resolution, even if it is accepted, will be to postpone giving effect to it for at least five or six years. My hon'ble friend the Minister in charge of the Medical Department has stated that the whole question of the establishment of the hospital is in a nebulous stage. Granting that the hospital will be established in the course of the next five or six years, the question whether the governing body will be non-official or the Government, or non-official with the aid of the Government, lies in the womb of futurity. So, though the principle contained in this resolution is very acceptable, I do not think it is just now necessary or practicable. For these reasons, I do not support the resolution."

Dr. C. NATESA MUDALIYAR :—"Sir, Mr. President, we are all aware of the importance of the child-welfare and the maternity schemes. In the Corporation we are trying our best to see that they are promoted. The resolution reads that in view of the establishment of a hospital for children in commemoration of the visit of His Royal Highness the Prince of Wales to the Madras Presidency, it is desirable that at least one lady and one gentleman medical graduate be selected, etc. It is doubtful whether we are going to have a children's hospital at all because we have not enough funds for it. In view of that, this resolution is preposterous. And if that condition is not stated in the resolution, I think I would have agreed with my friend Dr. U. Rama Rao in proposing that a dozen, not one graduate or two should be sent. As it is, I think the resolution is too premature."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I am afraid that my honourable friend Dr. U. Rama Rao did not correctly appreciate the position taken up by the Hon'ble the Minister for Local Self-Government. If I understood the Hon'ble Minister correctly, I think it was not one of opposition to the resolution but one of support. He expressed himself in favour of child-welfare movement and he stated definitely with reference to lady graduates that it is quite necessary to send them for training though he would not commit himself in the case of gentlemen graduates. But the point for the consideration of the House is what is the essential portion of the resolution. The resolution has no doubt placed us in an awkward predicament owing to its having brought prominently to our view the establishment of a hospital for child-welfare in commemoration of the visit of His Royal Highness the Prince of Wales for the Madras Presidency, which has not yet been decided upon. It will be found that the essential and the substantial portion of the resolution is that 'it is desirable that at least one lady and one gentleman medical graduate be selected, granted suitable scholarships and sent to England to study the child-welfare movement and the working of the children's hospitals there.' I only wish this Council to place before its mind the main portion of the resolution which suggests the desirability of sending graduates to

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England to study the child-welfare movement there and to help in the establishment of such institutions in this country. The fact that it has been tacked on with the one object that we have in view, namely the establishment of a hospital in commemoration of the visit of His Royal Highness the Prince of Wales ought not to prevent the Government from taking definite steps to give effect to the substantial portion of the resolution. Whatever responsibility the Government might take when the hospital is actually established, whatever governing body might be appointed to manage the contemplated hospital, when once the Government are satisfied that it is necessary in the best interests of the country to establish child-welfare hospitals and when once they are satisfied that for that purpose it is necessary to send graduates to foreign countries, then I would ask the Hon'ble the Minister for Local Self-Government, whose attitude, I take it is one of support and not of opposition, whether he cannot go a step further and assure the House that he will take steps independently of the establishment of the proposed hospital to send up persons for training to England. When he has told us that he is taking interest in this movement, when he has told us that Her Excellency Lady Willingdon is taking interest in this movement and that all possible steps are being taken for this purpose, when he also told us there is necessity for sending persons for training, I think he ought not merely to advise us caution and say that it is premature. He will do well to go a step further and definitely state that steps would be taken for the purpose of sending up persons for training in the near future. I therefore request the Hon'ble the Minister for Local Self-Government to give us a positive assurance instead of advising us caution and promising us consideration about which we have often heard in this House."

Rao Bahadur Dr. C. B. RAMA RAO :—"I am surprised why a resolution which is so very simple and recommending a measure which is inexpensive should provoke so much criticism. The necessity of it is admitted by every one and the policy adopted in all advanced countries in the west not only in England but in Switzerland, in Holland and coming nearer in Japan is to prepare for the management of institutions that are to come into being in the near future and not of seeking officers after the institutions have been opened. With this view the Government of Japan, the Government of Switzerland and Holland are sending out every year in tens to be trained in each departmental administration to England and America. I am acquainted with many of them, and I have exchanged views with them and I know they are not ear-marked for any particular appointments; the scholarship is given only as a matter of general policy and in the interests of public welfare. The amount is not a very prohibitive one and such sending of persons is meant for some public good which ought to be undertaken beforehand whether the details of the management and the name of the institution and so forth are settled or not. These are matters of small detail, because the essence of it is to provide for the future. If no institution comes into existence, even then the public are benefited, because they are provided with a doctor who is specially trained in children's diseases, and who would not be a burden or a luxury, or who would not be unnecessary to any community. That being so, if we spend a few thousands in getting our brothers and sisters better medical training to minister to the wants of feeble children, to make our women more healthy with a view to secure better progeny and a healthier future of our children, I think it is a matter which ought to be welcomed by every one, and it should provoke no opposition whatever. It is said that funds are not enough for the proposed hospital. I never referred to His Royal Highness the Prince of Wales' Hospital in my speech although it is in the agenda, simply because there is one children's hospital already opened

[Dr. C. B. Rama Rao]

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although the officials choose not to notice it. It has been in existence for the past one and half years, and the work that it has accomplished, if anybody cares to see it, is a very satisfactory achievement. That can be encouraged, but if the Government are not prepared to do it, they can open another. Whatever it is, the necessity for training is recognized and it has to be provided for from public funds, and the amount that will be required will be nothing more than a few thousand rupees a year. The liability of the Government does not go any further. It does not restrict the scholarships to any particular class of persons. I did not use the word Indian because Europeans who are domiciled in India would be quite welcome and they can be encouraged to take this scholarship provided they consent to settle down in South India.

"In this connexion I may be permitted to say that with regard to the citizen army everybody says that it is a very good idea and that it is absolutely necessary, but nobody ever thought of it until the Mappilla rebellion proved the necessity for such an army. Are we to wait for a very great epidemic or children's diseases to break out, and then take steps to provide doctors specially trained in children's disease? Are we to wait for such an epidemic or rather are we take time by the forelock and provide for the future. I think I have answered every objection raised, and I only hope that the House will recognize that there is already a hospital and that many more similar hospitals would be required, and that whoever manages those institutions, they will all be for the public good, and that they are inexpensive, and that they are a legitimate charge on public funds."

The Hon'ble Mr. P. RAMARAYANINGAR:—"Sir, I am rather surprised at the attitude of my honourable friends who insist upon the Government accepting the resolution at once in spite of my statement. No doubt the infantile mortality in India is very high; but at the same time I must say that the picture presented by my honourable friend Mr. U. Rama Rao is rather overdrawn."

Rao Sahib U. RAMA RAO (*interrupting*):—"On facts, Sir."

The Hon'ble Mr. P. RAMARAYANINGAR (*continuing*):—"He has dwelt at length on the high mortality and refers to the economic conditions which are to a great extent responsible for the infantile mortality. I am unable to understand how a deputation of a lady graduate or gentleman graduate to England would improve the economic conditions. Sir, as I said before I have no doubt that funds permitting it is desirable to send some of our young medical graduates to England to study child-welfare questions. But to get them trained for employment in the proposed Prince of Wales' Hospital is a matter left to the discretion of the authorities responsible for the management of the hospital. The resolution as it is worded refers to the training of the medical men to be appointed in the proposed hospital. It is therefore a matter to be decided by the authorities in charge of the management of the hospital. Under the circumstances, I am afraid I cannot accept the resolution."

Rao Bahadur C. B. RAMA RAO:—"The resolution simply refers to the Prince of Wales' Hospital. It does not at all impose any responsibility on the Government to get these men appointed in the proposed hospital. The persons who are to be sent for training in England will be purely Indian practitioners. If the authorities agree to take them on the proposed hospital, they would gladly take employment under them. Otherwise they will set up private practice."

The resolution was put to vote and declared lost.

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On the motion of Rao Sahib U. Rama Rao a poll was taken with the following result:—

Ayes.

- | | |
|---|--|
| 1. Dr. Appalarasayya Nayudu. | 8. Sriman Sasibhushana Rath Mahasayo. |
| 2. Diwan Bahadur M. Ramachandra Rao. | 9. Diwan Bahadur D. Seshagiri Rao. |
| 3. " L. A. Govindaraghava Ayyar. | 10. Mr. T. Sivasankaram Pillai. |
| 4. Rao Bahadur A. S. Krishna Rao Pantula. | 11. " T. C. Srinivasa Ayyangar. |
| 5. Rao Sahib U. Rama Rao. | 12. " M. Suryanarayana. |
| 6. Mr. A. Ranganatha Mudaliyar. | 13. " C. V. Venkataramana Ayyangar. |
| 7. Mr. K. Sadasiva Bhat. | 14. Diwan Bahadur Govindoss Chathurbhujados. |

Noes.

- | | |
|---|---|
| 1. The Hon'ble Sir Charles Todhunter. | 24. Mr. W. P. A. Saundara Pandiya Nadar. |
| 2. " Khan Bahadur Muhammad Habib-ullah Sahib Bahadur. | 25. " R. K. Shanmukham Chettiyar. |
| 3. " Mr. K. Srinivasa Ayyangar. | 26. " S. Somasundaram Pillai. |
| 4. " Mr. P. Ramarayaningar. | 27. " T. C. Tangavelu Pillai. |
| 5. " Rai Bahadur K. Venkata Reddi Nayudu. | 28. " W. Vijayaraghava Mudaliyar. |
| 6. " Rao Bahadur A. P. Patro. | 29. Diwan Bahadur K. Venkataratnam Nayudu. |
| 7. Mr. R. Littlehales. | 30. " M. Krishnan Nayar. |
| 8. " P. Subbarayan. | 31. Mr. S. Muttumanioka Achari. |
| 9. " A. Ramaswami Mudaliyar. | 32. Rai Bahadur T. M. Narasimhaachari. |
| 10. " C. W. E. Cotton. | 33. Mr. Abbas Ali Khan Bahadur. |
| 11. " R. Appaswami Nayudu. | 34. Saiyid Diwan Abdul Razaak Sahib Bahadur. |
| 12. Diwan Bahadur C. Arunachala Mudaliyar. | 35. Khan Sahib Muhammad Abdur Rahim Khan Sahib. |
| 13. Rao Bahadur T. Balaji Rao Nayudu. | 36. Munshi Muhammad Abdur Rahman Sahib Bahadur. |
| 14. Mr. B. P. Devarajulu Nayudu. | 37. Saiyid Muhammad Padsha Sahib. |
| 15. " P. C. Ethirajulu Nayudu. | 38. Saiyid Ibrahim Ravuttar. |
| 16. " K. Gopalakrishnayya. | 39. Khan Bahadur Muhammad Usman Sahib Bahadur. |
| 17. " T. A. Ramalinga Chettiyar. | 40. Mr. L. C. Guruswami. |
| 18. " A. Muttukumaraswami Chettiyar. | 41. " R. T. Kesavulu Pillai. |
| 19. " M. Narayanaswami Reddi. | 42. " M. C. Madurai Pillai. |
| 20. " C. Natesa Mudaliyar. | 43. Rao Bahadur T. Namburumal Chettiyar. |
| 21. " V. P. Paokiriswami Pillai. | 44. Rao Sahib P. Venkatarangayya. |
| 22. " P. T. Rajan. | |
| 23. " S. T. Shunmukham Pillai. | |

Fourteen voting for and 44 against, the resolution was declared lost.

Training of barristers, etc., in the conduct of civil and criminal cases prior to appointment as District and Sessions Judges.

The following resolution which stood in the name of Mr. M. D. Devadas was deemed to have been withdrawn, the Honourable Member not being in his seat:—

"184. That this Council recommends to the Government that magistrates and judges who have not practised at the bar for at least three years as barristers, advocates, vakils or attorneys should, before they are appointed district and sessions judges, be given practical training in the conduct of civil and criminal cases by being appointed, and made to work, as joint or assistant Government pleaders and public prosecutors in the mufassal for a period of not less than six months, and by being required to attend the sittings of the High Court for a period of not less than three months."

A committee of the Council to draw up a list of backward classes with other particulars.

The Honourable Member Mr. T. Sivasankaram Pillai did not move the following resolution, and therefore it was deemed to have been withdrawn:—

"185. That this Council recommends to the Government that a standing committee of the Council be appointed to draw up, and maintain up to date, a list of backward classes and castes in the order of degree of backwardness, with their total

[Mr. K. Sadasiva Bhat]

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population, the number of literates and educated persons in each according to the latest figures available, as a document of reference to be consulted by the Government in regulating the grant of educational and other facilities and the distribution of patronage in public services, both paid and honorary."

Rules of procedure in revenue cases.

Mr. K. SADASIVA BHAT :—"I beg to move—

'186. That this Council recommends to the Government that a rule of procedure be framed requiring the Board of Revenue and appellate courts in revenue cases to hear parties, or give them a fair opportunity of being heard, before reversing or modifying orders to their prejudice.'

"I have tabled this resolution in the belief that at present there is no rule of procedure requiring the Board of Revenue to give notice to the parties before reversing orders against which appeals are laid before them. It is a simple rule of procedure in all Courts that where once a party has obtained an order in his favour it should not be set aside by any superior court or modified to his prejudice without hearing him or giving him a fair opportunity of being heard. As I understand it, it is only the Board of Revenue that reverses orders in respect of which appeals have been filed without hearing the parties against whom the appeal has been preferred. I do not require the Board of Revenue to give notice if they intend to dismiss the appeals which are presented to them. It is only in cases where they intend to reverse the previous order that I require this procedure to be adopted. I quite see the difficulty of giving a hearing to parties who are in distant districts. Therefore it is that I have introduced the clause 'give them a fair opportunity of being heard.' Before passing final orders on the appeal the party may be heard either through the Collector or the Divisional officer of the area in which he happens to live. I have also included in the resolution appeal courts in revenue cases. Certainly the appeal courts in the districts do give notice and hear the parties ordinarily. But the complaint with regard to this is that very often this notice is so short that it does not amount to a fair opportunity of being heard. I have tabled this resolution as I have come across several cases where a party has succeeded not only both before the tahsildar and the divisional officer but even before the collector of the district; but when the case came before the Board of Revenue the orders of the lower officers have been set aside *suo motu* without giving the party who had succeeded before any opportunity of presenting his case. I merely request the Government to fall into line with the procedure which is adopted in other courts and to merely say that the Board of Revenue also gives a hearing to the parties in such cases. With these words I commend the resolution to the Council."

Mr. A. RANGANATHA MUDALIYAR :—"When the honourable mover rose to make his motion, I thought that he was only asking for a formal rule to be laid down. I was very much surprised to hear that to his personal knowledge there have been cases in which the elementary principle of hearing a party before reversing an order in his favour was not followed. I think, Sir, there are good reasons for the acceptance of the proposition by the House and so I second the resolution."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :—"Sir, when I read the resolution I was not quite clear in my mind as to what the Honourable Member asked the Government to do. For the resolution as worded merely asks the Government that 'a rule of procedure be framed requiring the Board of Revenue and appellate courts in revenue cases to hear the parties in appeals.' A lawyer will tell us that the Board of Revenue and appellate courts

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[The Hon'ble Mr. Habib-ul-lah Sahib]

occurring simultaneously one after the other would invariably connote that the Board of Revenue herein contemplated is with reference to its functions when it hears cases as a court of appeal. If I am correct in that interpretation, then what I am asked to do is to frame a rule calling upon the Board of Revenue, when it sits as a court of appeal, and the revenue appeal courts in the districts to hear the parties. I believe the honourable mover and the honourable seconder of the proposition are fully aware of the provisions of the law. The various enactments which give power to revenue courts to hear appeals and to the Board of Revenue to hear second appeals in such cases, are well known. These obviously are the enactments with which we can mainly concern ourselves now. So far as they go a perusal of these very enactments will convince this House that provisions exist already in the respective enactments for the manner in which appeals should be heard in accordance with the rules framed thereunder. I am not sure, therefore, whether the honourable the mover of this proposition asks me to revise the rules which have already been framed under these Acts."

Mr. K. SADASIVA BHAT (*interrupting*) :—"I wish to ask whether there are any rules regarding appeals in regard to *patta* transfer cases or *kuduttala* transfer cases"

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur (*continuing*) :—"I assume from the question that has now been definitely put to me that what the Honourable Member has in view is not the revenue officers sitting as revenue courts, but revenue officers in the exercise of their executive functions; for the appeals under the darkhast rules, and revision petitions under them are all dealt with only under departmental rules and not under any statute. If that is the question which the Honourable Member wishes to draw my attention to, all that I can say is, Sir, that so far as the rules go there are no second appeals allowed to the Board of Revenue in respect of darkhast cases. There is of course the right of a first appeal. But the Board of Revenue possesses general powers of supervision over the land revenue administration of the Presidency and can decide on questions from a perusal of the records if it is convinced that there has been a failure of justice. That is the position in cases of transfer of pattas, water-rates and darkhasts. I was already asked an interpellation by the honourable mover in regard to this matter, in which he had drawn my attention to the question of the darkhast rules. I confess there is no rule at present compelling the Board of Revenue to issue notice to any parties before deciding revision petitions. I am in correspondence with the Board of Revenue at present as to whether it is not possible to introduce a rule requiring the issue of notice to parties in cases where such action would be justifiable. I have not yet come to any conclusion on that matter, and the question is under my consideration. What perplexes me somewhat is the phraseology of the resolution. I am asked to call upon the Board of Revenue to issue notice to the party concerned before reversing any order passed previously in his favour. That would mean that the Board of Revenue should write out its order beforehand; if it is to reverse or modify the orders of the lower authority, it should postpone delivering its judgment, issue a notice to the party concerned, and hear what he has to say against the judgment which it has already written, and then to issue suitable orders. This, I take it, would be somewhat confusing the issue. All the same I may assure the Honourable Member who has moved the resolution that I have already taken up this question. As a lawyer, though rather obsolete, I sympathise with the feelings of the honourable mover to carry out, as far as possible, the legal maxim *audi alium partem*."

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Mr. K. SADASIYA BHAT :—" I wish merely to say one thing in explanation, 4-30 p.m. Sir. I put the words, 'before reversing or modifying orders' just to obviate the necessity of giving notice, before a summary dismissal of the appeal. It is only where it is a case for consideration on the merits that notices may go. After what the Revenue Member said I do not want to press my resolution."

The resolution was by leave withdrawn.

Posting of higher officers to places in which they have personal interest.

Mr. V. PAKKIRISWAMI PILLAI :—" I beg to move the following resolution :—

'187. That this Council recommends to the Government that a rule should be passed that no officer above the grade of a sub-magistrate or tahsildar should be allowed to serve in the district where he has lands and relations and that in the case of those who are already in service the Board should be authorized to call for returns and effect the necessary exchanges and transfers between neighbouring districts.'

"A deputy collector is the revenue divisional officer in charge of one or more taluks and is the superior officer of tahsildars, sub-magistrates, village munsifs and magistrates, village accountants or karnams and other subordinate officials employed under him. The prospects and permanency of these officials and the powers of appointments and dismissals of some of these subordinate officers are vested in him. The proper discharge of the duties of these officers are under the supervision of the deputy collectors.

"He is also the deputy magistrate of the division and so he is considered to be the head of police force engaged therein and held responsible for all the shortcomings and actions of commission and omission by these police officers and their subordinates. He is also responsible for peace and tranquillity of the division.

"The complaints against other Government departments and employees in the division such as post and telegraph, salt and abkari, irrigation and public works, registration, municipal and local boards whether real or imaginary have to be settled and decided by these deputy collectors. In the discharge of the multifarious duties and on the settlement of various criminal complaints and land disputes his decisions are often considered as biased and subjected to adverse criticisms.

"Under these circumstances if the deputy collector happens to be a native of the place where he is likely to have his kith and kin, relatives and personal friends, even if he is impartial in the discharge of his official duties his actions are sometimes attributed to bad motives and undue influences. If he possesses lands, houses and other vested interests, it is considered as not fully assessed or taxed.

"Again in the assessment of income-tax and jamabandi works, his actions are sometimes considered not above suspicion by the aggrieved party. The matter becomes worse when the officer happens to be a just, straight-forward, honest and upright one. This is not a question in which communal or sectarian principles are involved. This is a general one, to moderates and extremists, co-operators and non-co-operators. In the interest of the officer himself and that of the public he ought not to be posted to the place to which he belongs. He is vested with enormous power which he can wield to the weal and woe of those who are placed under his sway. It does not cost the Government to post them once more to the neighbouring districts. It only stops any amount of complaints and any amount of trouble to many people."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :—" Sir, I was somewhat amused to hear from the honourable the mover of this resolution a very graphic description indeed of the powers and influence which the

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officers of the Revenue Department possess in the mufassal. I do not at all realize whether, while he was trying to depict the powers possessed by the revenue divisional officers, he was also including in that category men against whom he does not intend the rule contemplated in this resolution to operate. If I read the resolution aright, Sir, it merely amounts to this : that no deputy collector (for I assume the Honourable Member is aware that officers above the grade of sub-magistrate or tahsildar are deputy collectors) shall be allowed to serve in a district where he has lands. His second point is that he should likewise be prevented from serving in a district where he has relations. With a view to carry out his intentions he wishes that the Board of Revenue should at once be authorized to call for returns and effect the necessary exchanges and transfers between the neighbouring districts. Now, it is only in case it is found that the first two suggestions which have been made by the Honourable Member are necessary or practicable will the necessity arise for considering the wisdom of the suggestion contained in the latter part of the resolution. The Honourable Member who moved the resolution is probably not aware of the rules existing on this matter already. I do not know if the Honourable Member is aware of a publication called the Government Servants' Conduct Rules. Nor am I quite sure whether he has taken the trouble to go through that document to see whether the rules contained therein include the one which he now wishes to make. Rule 10 of the book that I am reading from says, 'He will be liable to be debarred from employment within the district or other local limits within which such immovable property is situated'. Now do we carry out the intention of this rule? At the present moment we wish to assure ourselves before appointing a particular individual, either as acting or permanent deputy collector, and with that view call upon the Collector concerned to obtain from the subordinate whom it is intended to promote to that position a statement in a prescribed form wherein he has to specify whether he possesses any immovable property. After securing that information we take care to see that that individual is not posted to that particular district in which he admits the possession of any property. We do not stop there, Sir. We call upon these servants to furnish us with an annual statement of the property which they possess, thereby meaning that a man who does not possess any property to-day might become possessed of property at a later stage, while another man who possessed property to-day might, owing to certain reasons, have lost that property. We therefore keep ourselves in touch with the status of that particular individual so far as possession of property is concerned. We always take great care to see that no gazetted officer of the rank of deputy collector is posted to a district where he possesses any property. Now that object having already been achieved and that rule finding a place already in the rules relating to the conduct of public servants, being still in operation and observed rigorously and scrupulously, I can hardly see what it is that the Honourable Member asks the Government to do in the matter of the prevention of the evil to which he refers, the prevention of which has already been provided for and rules made therefor, unless it be that the Honourable Member could draw the attention of the Government to anything like a flagrant violation of the existing rules in which case the Government will certainly be glad to investigate. So far as this is concerned my understanding of the resolution and the remedying of any evil, if any evil does exist, does not present to my mind such difficulties as indeed the next suggestion, viz., that no deputy collector should be appointed in a district where he has relations. It is, I confess, rather a tall order. In the first place, I for one cannot understand what is comprehended by that vague term 'relation.'

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday, the 16th day of December 1921, the Hon'ble Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E., President, presiding.

I

QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

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

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

Divisional Officer, Chatrapur.

1162 Q.—Sriman BISVANATH DAS Mahasayo: Will the Hon'ble the Member for Revenue be pleased to state what decision has been arrived at regarding the shifting of the Divisional office from Chatrapur to Purushottapur (in the Ganjam district) on the representations and deputations of the people of the division of Chatrapur?

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

Martial law regime in Malabar.

1163 Q.—Sriman BISVANATH DAS Mahasayo: Will the Hon'ble the Home Member be pleased to state—

(a) the period of time within which the Government expect to restore complete order in Malabar;

(b) the strength of police and military forces sent to the disturbed areas of Malabar;

(c) the number of deaths and injured both on the side of the Mappillas and on the official side from the beginning of the trouble up to the end of November; and

(d) the expense that the Government have already incurred up to the end of November on the following items:—

(1) clause (b);

(2) the additional civil officers that are appointed;

(3) the cost of the special tribunal;

(4) the cost of official visits; and

(5) the cost of damages sustained by Government?

A.—The Government are not in a position to supply the information asked for.

Memorials from Provincial Judicial Officers.

1164 Q.—Mr. K. P. GOPALA MENON: Will the Hon'ble the Law Member be pleased to state—

(a) whether any action has been taken on the memorial submitted by the provincial judicial officers in pursuance of the resolutions passed at their conference held at Madras on 29th December 1920;



[The Hon'ble Mr. Habib-ul-lah Sahib] [15th December 1921]

It is a word which may be interpreted by individuals according to their own ideas of relationship. It may be interpreted by different communities and different classes according to their own notions. I confess that neither the Webster's dictionary, nor any other dictionary, was able to help me to fix any particular limitation as to what should or should not be comprehended by the word 'relation.' That is a difficulty which, Sir, I cannot overcome. Well, leave that difficulty alone. How is it possible to work a rule like this? I merely take a typical case and put it for solution before the honourable mover of this resolution. Let us assume for the sake of argument that Mr. Ramaswami Mudaliyar, by reason of his qualifications, and having also served in a subordinate position very efficiently, has been promoted as a deputy collector and sent to the Tinnevely district. This Ramaswami Mudaliyar, let us also imagine, has a son whom he is anxious to marry in a family residing in an insignificant part of the Tinnevely district, in a far off village, away and outside the jurisdiction of this deputy collector, or he gets hold of a certain mirasidar who has a girl, and the brother-in-law of that mirasidar happens to be a petty revenue inspector in another part of the district. Now according to the honourable mover's argument, it may look as though the Deputy Collector has thereby contracted relationship in the district in which he is employed.

"It then comes to this: the moment the unfortunate Deputy Collector thinks of marrying his son he must be prepared for a transfer from the Tinnevely district. There will then be no choice whereby a deputy collector can, in the interest of public service, be sent to a district where his services are absolutely essential. It may be that his brother-in-law's father-in-law's uncle is a petty clerk somewhere in some taluk office, and on that account he must be debarred from being posted there. This is certainly unthinkable."

Mr. A. RANGANATHA MUDALIYAR (*interrupting*):—"According to the resolution the relation need not be even in service."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur (*continuing*):—"I will come to that later on."

"Now, therefore, while we have these impracticable suggestions put forward, I would ask whether it would be in the interests of public service that the Government, who are trying to attract the best intellect of the land, and to promote such individuals as to them appear to be deserving of recognition, should tie themselves so hard and fast by rules which even to an outsider would look ridiculous, if not ludicrous. Now, Sir, I wish tell the hon'ble the proposer that there is already a rule which prohibits any gazetted officer from employing any of his relations in his own office. I am not quite sure if the honourable mover of this resolution has taken the trouble of looking into that rule which finds a place in the Board's Standing Orders that no gazetted officer shall employ a relation in his own office. I could quite conceive the wisdom of that rule and the rules which exist in the Public Servants' Conduct Manual. Does it not indicate the vigilance which the Government exercise in the matter of securing information with regard to possession of property by its gazetted servants? In view of the existence of a rule already in the Board's Standing Orders which prohibits a public servant from employing his own relation in his own office under his own patronage, I think, Sir, that the rules have introduced sufficient restrictions and the introduction of any further restriction would, I fear, interfere with the discretion of the Government in the matter of utilizing the best intellect of the country, in the matter of utilizing the best talent of its own public servants in such a manner as to them may

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appear desirable or expedient. But as for such an inquiry which my honourable friend on the other side asks me to institute throughout the province in regard to thousands of officers in this province, by asking each officer 'please give me a full catalogue of all the relations not only in the public service but in all the districts in this province specifying the degree of relationship and then also tell me whether so long as you would continue in service you would create any further relationship with individuals in the province or would contract any further distant or remote relationships with individuals outside your own taluk or district,' I am not at all sure whether it would be possible for human exertion to go so far and elicit anything like a complete and satisfactory information on all these matters. In view of these difficulties that I have placed before the Honourable Member and with the assurance that I give him that in these matters we take great care to see that officials are not transferred to a place where their presence is likely to be prejudicial to the interests of the public, where they have got certain environments which it is not at all desirable for them to continue to be under, if we have information from either our own district heads or from other sources that the continuance of a public servant in a particular place is undesirable, in the interests of the service, in the interests of the individuals over whom they exercise sway, I hope he will withdraw his resolution."

Mr. V. PAKKIRISWAMI PILLAI:—"There are many officers who have lands in the name of their brothers or wives."

Rao Sahib U. RAMA RAO:—"If the Honourable Member is going to withdraw, is he permitted to make a speech?"

The Hon'ble the PRESIDENT:—"How does the Honourable Member know that he is going to withdraw?"

Rao Sahib U. RAMA RAO:—"If he makes a speech, he should not be permitted to withdraw."

The Hon'ble the PRESIDENT:—"The Honourable Member is out of order in raising the point at this stage."

Mr. V. PAKKIRISWAMI PILLAI:—"What I want to make clear is that the property may be undivided and it may stand in the name of an officer's brother or wife or any relation of his."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB BAHADUR:—"I may at once tell the honourable mover that in the statement which is obtained from the public servants, not only their undivided interests but all possible interests which they may possess in any property is specified."

Mr. V. PAKKIRISWAMI PILLAI:—"I beg to withdraw the motion."

Rao Sahib U. RAMA RAO:—"I object to the withdrawal of the motion."

The motion for leave to withdraw was put to vote and carried with one dissentient. The motion was accordingly declared to have been withdrawn.

The House adjourned at 4-52 p.m. to meet again at 11 a.m. on Friday the 16th December 1921.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

[16th December 1921]

(b) whether in giving effect to G.O. No. 2125, dated 28th August 1920, it is the intention of the Government to substitute the date of sub. *pro tem.* appointment as the starting point for calculation of increments; and

(c) whether the confirmation of many district munsifs has been abnormally postponed on account of the delay in the confirmation of the several temporary courts?

A.—(a) & (b) The Member is referred to G.O. No. 1896, Law (General), dated the 12th November 1921, placed on the table in answer to question No. 1143.

(c) The Government are periodically reviewing the temporary courts with a view to make them permanent and are not aware of any unreasonable delay in making the necessary courts permanent.

Death of Mappilla prisoners in the train.

1165 Q.—Diwan Bahadur M. KRISHNAN NAYAR: Will the Hon'ble the Home Member be pleased to state, with reference to the death of more than sixty Mappilla prisoners in the railway train that conveyed them from Tirur to Podanur on or about the 19th November 1921:—

(a) what are the dimensions of the wagon which conveyed the prisoners;

(b) whether it is a covered wagon;

(c) whether it is an iron wagon;

(d) whether the wagon is intended for the conveyance of human beings;

(e) what was the total number of prisoners, inclusive of the dead, that were conveyed in that wagon on that day;

(f) whether any of the prisoners made any complaint at Tirur about overcrowding in the wagon before the train left that station;

(g) whether any responsible Railway or Government servant inspected the wagon after the prisoners were accommodated in it either at Tirur or any other station before the train reached Podanur;

(h) at what hour the train left Tirur and at what hour it arrived at Podanur;

(i) whether the prisoners cried out for water or air at any of the railway stations;

(j) whether any inquest was held over any of the dead bodies either in Malabar or in Coimbatore; and, if so, what the verdict was;

(k) whether any medical officer conducted any post-mortem examination of any of the dead bodies; and, if so, what the medical opinion regarding the cause of death is; and

(l) what the exact number is of persons that died, inclusive of those that died in the train, or on the railway platform at Podanur and subsequently in the jail and hospital at Coimbatore?

A.—The Government have not yet received the report of the Committee of inquiry and do not think it advisable at this stage to answer questions on matters coming directly within the scope of their inquiry.

Spinning wheels and hand-loom.

1166 Q.—Rao Bahadur A. S. KRISHNA RAO: Will the Hon'ble the Minister for Development be pleased to state whether any inquiry has been recently conducted as to the increase in the number of spinning wheels and in the number of hand-loom and in the outfit of home-spun yarn in this Presidency and, if so, with what result?

[16th December 1921]

A.—A census of all looms has been made at the recent census and the results will shortly be published.

On other points the answer is in the negative.

Demands for supplementary grants.

1167 Q.—Rao Bahadur A. S. KRISHNA RAO: Will the Hon'ble the Member for Finance be pleased to state whether demands for the supplementary grants are considered by the Standing Finance Committee before they are brought up before the Council?

A.—The practice is to consult the Committee. It has sometimes been impossible to do this, however, owing to lack of time, nor has it been thought necessary to call the Committee together to consider formal demands of a comparatively unimportant nature.

Inspection of the Laccadive and Amindivi Islands.

1168 Q.—Mr. K. KUNHAMMAD KOYA SAHIB Bahadur: Will the Hon'ble the Home Member be pleased to state whether the Government have received the report of the special officer deputed in December last year to inspect the Laccadive and Amindivi groups of islands and to submit proposals for the future administration of those islands and for their economic advancement and development?

A.—Yes.

Vacant barracks inside the Fort St. George.

1169 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Home Member be pleased to state whether any barracks inside Fort St. George used by the Military have been vacated and if civil offices have been located in some of them?

A.—One block of barracks has been handed over under temporary arrangements to the civil authorities and has been set apart for the accommodation of records from the Secretariat offices and of the Translators to Government and the Examiner of Local Fund Accounts.

Travelling allowances, etc., of district and taluk board presidents.

1170 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased, with reference to his reply to my supplementary question to question No. 82 of the Legislative Council meeting dated the 1st August 1921, to lay on the table a statement of the monthly travelling allowances drawn by the different non-official presidents of district and taluk boards in the Presidency from August 1920 to May 1921 under the heads of mileage, railway fare and daily batta?

A.—A statement is laid on the table.*

Schools and colleges where Urdu is taught.

1171 Q.—Mr. A. P. I. SAHYID IBRAHIM RAVUTTAR: Will the Hon'ble the Minister for Education be pleased to state—

(a) the names of the schools and colleges in the Presidency where Urdu is taught; and

* Vide Appendix, pages 1854 to 1877 infra.

[16th December 1921]

(b) the number of pupils receiving instructions in Urdu classes in each of the institutions?

4.—(a) Information in respect of colleges in the Presidency is given in the following statements:—

Colleges where provision is made for instruction in Urdu for composition in the Intermediate course.	Colleges which are affiliated to the Madras University in Urdu in Part II group (iii) of the Intermediate course.
St. Joseph's College, Bangalore. Kallikota College, Berhampur. P.R. College, Coimbatore. Government College, Coimbatore. A.F.L.M. College, Guntur. Wesley College, Madras. Muhammadan College, Madras. Madura College, Madura. The Municipal College, Salem. C.M. College, Tinnevely. Islamiah College, Vaniyambadi. Voorhee's College, Vellore. Mrs. A.V.N. College, Vizagapatam. Madras Christian College. Presidency College, Madras. Noble College, Masulipatam. Government College, Rajahmundry. M.P.G. College, Trichinopoly. Venkatagiri Raja's College, Nellore.	St. Joseph's College, Bangalore. Wesley College, Madras. Muhammadan College, Madras. Islamiah College, Vaniyambadi. Presidency College, Madras. The American College, Madura. Government College, Rajahmundry. Venkatagiri Raja's College, Nellore.
Colleges where provision is made for instruction in Urdu for group (v) of the B.A. degree.	Colleges which are affiliated in Urdu in group (vi) of the B.A. degree.
S.P.G. College, Trichinopoly.	Government Muhammadan College, Madras.

In regard to schools, the Government have no information.

(b) The Government have no information.

Spinning wheel industry.

1172 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the Hon'ble the Minister for Development be pleased to state—

(a) the positive steps taken by the Government to encourage the spinning wheel industry; and

(b) the names of the industrial schools of this Presidency imparting instruction in the spinning wheel?

4.—(a) The Government have taken no steps to encourage this industry as in their opinion hand-spinning is not an economic proposition.

(b) The Government have no information.

[16th December 1921]

Exemption from the Indian Arms Act for the Members of the Legislative Council.

1173 Q.—Mr. R. SRINIVASA AYYANGAR: Will the Hon'ble the Home Member be pleased to state, with reference to the resolution passed by the Council at its meeting held on the 4th August 1921 to exempt Members of the Legislative Council from the restrictions under the Indian Arms Act, whether the Government of India has been addressed on the question and, if so, the result thereof?

4.—A copy of the report of the debate on the subject was forwarded to the Government of India. No reply has been received.

Nomination of Panchamas to taluk boards in the Tanjore district.

1174 Q.—Mr. O. TANIKACHALA CHETTIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state if complaints have been made that Rao Bahadur V. K. Ramanuja Achariyar has failed to nominate Panchamas to taluk boards in the Tanjore district?

4.—The fact that M.R.Ry. Diwan Bahadur V. K. Ramanuja Achariyar Avargal, the President of the District Board of Tanjore, failed to nominate panchamas to some of the taluk boards in the district was brought to the notice of the Government by an interpellation with reference to his nomination of M.R.Ry. K. Srinivasa Ayyar Avargal as a member of the Mannargudi Taluk Board. The Member's attention is also invited to question No. 17 on 14th February 1921 and the answer thereto, as also to question No. 370 of 5th March 1921 and the reply to it.

[16th December 1921]

APPENDIX

[Vide answer to question No. 1170 asked by Mr. A. Ranganatha on the 16th December]

Non-official presidents of district boards.	Travelling allowance drawn					
	August 1920.			September		
	Mileage.	Railway fare.	Daily allowance.	Mileage.	Railway fare.	Daily allowance.
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1. Anantapur	214 0 0	65 1 0	82 8 0	144 8 0	96 14 0	..
2. Arcot, North	..	..	..	..	..	..
3. Arcot, South	36 8 0	21 6 0	..	18 0 0	..	..
4. Bellary	61 8 0	48 8 0	..	63 8 0	23 12 0	..
5. Chingleput	87 0 0	..	45 0 0	77 8 0	2 10 0	..
6. Chittoor	..	..	..	182 8 0	44 4 0	..
7. Coimbatore	122 8 0	..	15 0 0	123 0 0	..	..
8. Cuddapah	13 8 0	9 0 0	30 0 0	78 8 0	6 0 0	..
9. Ganjam	162 0 0	..	37 8 0	258 0 0	55 0 0	..
10. Godavari	201 8 0	8 2 0	37 8 0	233 0 0	8 2 0	..
11. Guntur	..	..	..	..	..	..
12. Kanara, South	..	..	..	..	..	..
13. Kistna	45 0 0	7 0 0	7 8 0	1 0 0	14 0 0	..
14. Kurnool	..	..	..	..	..	..
15. Madura	..	..	..	..	..	..
16. Malabar	114 0 0	132 14 0	52 8 0	148 8 0	120 15 0	..
17. Nellore	..	..	..	..	..	..
18. Nilgiris, The	..	..	..	..	..	..
19. Ramnad	..	..	..	..	..	..
20. Salem	..	..	..	..	..	..
21. Tanjore	79 8 0	..	82 8 0	49 8 0	16 11 0	..
22. Tinnevely	41 8 0	..	7 8 0	8 8 0	11 0 0	..
23. Trichinopoly	..	..	15 0 0	76 8 0	5 12 0	..
24. Vizagapatam	1 0 0	43 8 0	7 8 0	234 8 0	..	..

* The amounts represent the sums actually drawn from the treasury and not the amounts

16th December 1921]

DIX

Mudaliyar at the meeting of the Legislative Council held 1921, page 1851 supra.]

by non-official presidents of district boards for the month of

1920.	October 1920.			November 1920.		
Daily allowance.	Mileage.	Railway fare.	Daily allowance.	Mileage.	Railway fare.	Daily allowance.
(7)	(8)	(9)	(10)	(11)	(12)	(13)
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
37 8 0	327 0 0	22 12 0	30 0 0	283 8 0	51 14 0	90 0 0
15 0 0	116 8 0	..	15 0 0	273 0 0	..	105 0 0
37 8 0	18 0 0	..	52 8 0	48 8 0	7 0 0	67 8 0
37 8 0	217 4 0	41 12 0	15 0 0	404 8 0	3 4 0	52 8 0
..	64 8 0	..	15 0 0	41 0 0	..	67 8 0
..	133 0 0	60 8 0	7 8 0	108 0 0	..	..
22 8 0	80 0 0	115 4 0	33 12 0	83 8 0	..	..
30 0 0	23 0 0	12 12 0	15 0 0	41 0 0	16 0 0	60 0 0
30 0 0	274 0 0	35 8 0	..	180 0 0	..	..
15 0 0	181 8 0	8 2 0	22 8 0	210 4 0	8 2 0	22 8 0
..	..	..	..	..	..	..
..	..	..	..	37 0 0	10 14 0	15 0 0
7 8 0	..	..	..	61 0 0	32 12 0	7 8 0
..	18 0 0	..	..	103 8 0	34 8 0	15 0 0
..	..	..	..	..	..	..
52 8 0	4 0 0	72 14 0	75 0 0	47 0 0	78 8 0	60 0 0
..	..	..	..	45 8 0	36 0 0	7 8 0
..	..	..	..	..	..	..
..	..	..	..	..	..	..
90 0 0	21 8 0	..	60 0 0	17 8 0	..	150 0 0
..	..	..	..	..	..	..
..	24 0 0	..	7 8 0	17 0 0	7 3 0	7 8 0
..	255 0 0	82 6 0	..	48 8 0	115 14 0	..

of the bills drawn for journeys made in the respective months.

[16th December 1921]

Non-official presidents of district boards.	Travelling allowance drawn			
	December 1920.			January
	Mileage.	Railway fare.	Daily allowance.	Mileage.
	(14)	(15)	(16)	(17)
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
1. Anantapur	123 0 0	..	75 0 0	121 8 0
2. Arcot, North	132 0 0	..	75 0 0	138 8 0
3. Arcot, South	21 8 0	19 12 0	7 8 0	..
4. Bellary	202 8 0	12 12 0	..	219 0 0
5. Chingleput	37 0 0	..	75 0 0	63 0 0
6. Chittoor	30 0 0	..	..	166 8 0
7. Coimbatore	..	..	..	..
8. Cuddapah	..	..	7 8 0	29 8 0
9. Ganjam	237 8 0	..	..	39 8 0
10. Godavari	68 8 0	..	7 8 0	95 0 0
11. Guntur	50 0 0	..	..	30 8 0
12. Kanara, South	..	..	..	65 0 0
13. Kistna	1 0 0	14 0 0	15 0 0	60 0 0
14. Kurnool	195 8 0	..	7 8 0	162 8 0
15. Madura	..	..	..	65 8 0
16. Malabar	16 0 0	63 0 0	75 0 0	5 0 0
17. Nellore	..	..	45 0 0	18 0 0
18. Nilgiris, The	..	..	..	..
19. Ramnad	..	..	..	..
20. Salem	..	..	..	38 0 0
21. Tanjore	55 0 0	4 4 0	78 8 0	7 8 0
22. Tinnevely *	..	..	..	18 0 0
23. Trichinopoly	..	..	..	..
24. Vizagapatam	62 0 0	37 8 0	16 2 0	208 8 0

* The amounts represent the sums actually drawn from the treasury and not the amounts

16th December 1921]

by non-official presidents of district boards for the month of

1921.		February 1921.		
Railway fare.	Daily allowance.	Mileage.	Railway fare.	Daily allowance.
(18)	(19)	(20)	(21)	(22)
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
75 0 0	6 12 0	97 8 0	45 0 0	75 0 0
..	67 8 0	98 0 0	..	7 8 0
..	..	221 0 0	15 0 0	7 8 0
..	30 0 0	34 0 0	..	67 8 0
..	..	99 0 0	..	15 0 0
..	..	40 0 0	5 13 0	7 8 0
6 6 0	7 8 0	78 8 0	99 8 0	15 0 0
..	7 8 0	18 8 0	..	15 0 0
..	7 8 0	30 0 0	39 4 0	..
..	75 0 0	18 8 0	..	120 0 0
56 2 0	15 0 0	51 0 0	32 12 0	22 8 0
..	15 0 0	152 0 0	..	7 8 0
..	..	112 8 0	..	..
234 0 0	90 0 0	273 12 0	47 4 0	75 0 0
..	..	67 0 0	..	30 0 0
..	..	..	..	..
..	..	13 0 0	..	..
..	..	..	..	..
18 2 0	127 8 0	12 8 0	6 0 0	105 0 0
..	22 8 0	57 8 0	..	30 0 0
..	..	..	..	..
..	15 0 0	198 8 0	..	15 0 0

of the bills drawn for journeys made in the respective months.

[16th December 1921]

Non-official presidents of district boards.	Travelling allowance drawn by non-official presidents of districts			
	March 1921.			Mileage. (26)
	Mileage. (23)	Railway fare. (24)	Daily allowance. (25)	
	RS. A. P.	RS. A. P.	RS. A. P.	
1. Anantapur	80 4 0	..	70 0 0	..
2. Arcot, North	67 0 0	..	60 0 0	51 0 0
3. Arcot, South	92 4 0	7 2 0	30 0 0	93 0 0
4. Bellary	395 8 0	57 4 0	30 0 0	336 4 0
5. Chingleput	43 8 0	..	100 0 0	..
6. Chittoor	374 8 0	17 0 0	..	..
7. Coimbatore	86 8 0	..	..	..
8. Cuddapah	..	..	20 0 0	147 12 0
9. Ganjam	196 8 0	7 0 0	10 0 0	304 8 0
10. Godavari	167 4 0	..	..	184 8 0
11. Guntur	..	..	..	184 12 0
12. Kanara, South	57 0 0	..	30 0 0	24 0 0
13. Kistna	..	..	..	39 0 0
14. Kurnool	137 4 0	..	..	204 12 0
15. Madura	84 0 0	..	..	112 8 0
16. Malabar	4 8 0	84 0 0	130 0 0	302 12 0
17. Nellore	72 0 0	..	10 0 0	121 8 0
18. Nilgiris, The	..	..	..	..
19. Ramnad	..	..	..	..
20. Salem	78 0 0	..	..	47 4 0
21. Tanjore	27 0 0	..	90 0 0	..
22. Tinnevely	102 11 0	..	32 8 0	111 6 0
23. Trichinopoly	175 8 0	..	..	..
24. Vizagapatam	..	..	..	16 8 0

* The amounts represent the sums actually drawn from the treasury and not the amounts

16th December 1921]

District boards for the month of		Total of travelling allowance drawn.			Grand total. (32)
April 1921.		Total mileage. (27)	Total railway fare. (28)	Total daily allowance. (29)	
Railway fare. (27)	Daily allowance. (28)	(27)	(28)	(29)	
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
..	100 0 0	1,371 4 0	356 9 0	491 12 0	2,219 9 0
..	120 0 0	866 0 0	..	517 8 0	1,383 8 0
..	..	327 12 0	55 4 0	180 0 0	563 0 0
61 4 0	10 0 0	2,120 0 0	283 8 0	152 8 0	2,536 0 0
..	50 0 0	447 8 0	2 10 0	487 8 0	937 10 0
..	..	1,091 8 0	121 12 0	22 8 0	1,235 12 0
..	..	535 8 0	121 1 0	78 12 0	735 5 0
6 0 0	40 0 0	333 4 0	56 2 0	225 0 0	614 6 0
12 0 0	20 0 0	1,720 8 0	209 0 0	112 8 0	2,042 0 0
..	30 0 0	1,548 0 0	32 8 0	157 8 0	1,538 0 0
..	..	295 4 0	39 4 0	7 8 0	342 0 0
..	100 0 0	201 8 0	10 14 0	340 0 0	552 6 0
..	20 0 0	258 0 0	156 10 0	95 0 0	509 10 0
..	40 0 0	973 8 0	34 8 0	145 0 0	1,153 0 0
14 10 0	..	374 8 0	14 10 0	..	389 2 0
51 3 0	90 0 0	921 8 0	879 10 0	700 0 0	2,502 2 0
24 4 0	50 0 0	324 0 0	60 4 0	142 8 0	626 12 0
..	..	..	..	..	..
..	..	176 4 0	..	..	176 4 0
..	220 0 0	270 0 0	45 1 0	1,003 8 0	1,318 9 0
..	60 0 0	334 9 0	11 0 0	154 8 0	498 1 0
..	..	293 0 0	12 15 0	30 0 0	335 15 0
..	..	1,024 8 0	279 4 0	53 10 0	1,357 6 0

of the bills drawn for journeys made in the respective months.

[16th December 1921]

Non-official presidents of taluk boards.	Travelling allowance drawn by non-official				
	August 1920.			September	
	Mileage.	Railway fare.	Daily allowance.	Mileage	Railway fare.
	(1)	(2)	(3)	(4)	(5)
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Anantapur ..	122 0 0	..	10 0 0	53 0 0	..
Gooty ..	32 0 0	80 4 0	..	44 8 0	48 10 0
Dharmavaram ..	11 8 0	39 4 0	45 0 0	25 0 0	61 4 0
Penukonda ..	39 0 0	..	10 0 0	35 0 0	31 2 0
Vellore ..	..	..	..	..	..
Ranipet ..	12 8 0	10 0 0	15 0 0	..	..
Cheyyar ..	..	..	..	..	..
Tiruvannamalai ..	21 0 0	..	65 0 0	..	..
Polar ..	12 8 0	..	75 0 0	1 0 0	8 8 0
Tiruppattur ..	..	..	..	..	..
Tindivanam ..	..	..	..	..	..
Tirukkoyilar ..	..	..	..	..	..
Chidambaram ..	..	..	45 0 0	..	..
Cuddalore ..	..	..	..	..	..
Vridhdhaohalam ..	34 8 0	..	15 0 0	55 0 0	..
Bellary ..	12 0 0	..	5 0 0	17 0 0	..
Hospet ..	13 0 0	..	10 0 0	36 0 0	..
Harpanahalli ..	..	..	..	..	..
Rayadurg ..	1 0 0	41 0 0	10 0 0	12 0 0	22 0 0
Adoni ..	4 8 0	11 6 0	50 0 0	43 0 0	9 0 0
Chittoor ..	..	..	..	..	..
Chandragiri ..	9 8 0	49 14 0	50 0 0	10 0 0	18 0 0
Madanapalle ..	115 0 0	..	10 0 0	5 0 0	9 12 0
Chingleput ..	..	8 12 0	55 0 0	..	..
Saidapet ..	22 0 0	13 8 0	30 0 0	24 0 0	..
Tiruvallur ..	..	..	..	..	..
Coimbatore ..	..	..	..	..	..
Erode ..	51 8 0	7 8 0	15 0 0	52 0 0	15 0 0
Gopichettipalayam ..	..	..	..	..	..
Kollegal ..	13 8 0	..	..	..	..
Palladam ..	..	..	..	..	..
Pollachi ..	..	..	..	..	..
Cuddapah ..	..	..	..	..	..
Jammalamadugu ..	..	..	..	..	..
Proddatur ..	..	..	..	..	..
Rajampet ..	..	..	..	..	..
Badvel ..	..	..	..	..	..
Rayachoti ..	..	..	..	..	..
Berhampur ..	..	..	..	..	..
Chatrapur ..	..	..	..	..	..
Chicacole ..	..	..	..	..	..
Goomsur ..	..	..	..	46 0 0	..
Rajahmundry ..	58 0 0	..	10 0 0	179 0 0	..
Peddapuram ..	21 0 0	18 0 0	60 0 0	35 0 0	17 14 0
Ramachandrapuram ..	..	..	..	..	..
Cocanada ..	45 8 0	11 4 0	45 0 0	49 0 0	..
Pittapuram ..	..	..	..	..	..
Ongole ..	..	..	..	..	..
Bapatla ..	..	5 4 0	..	..	2 8 0
Tenali ..	24 0 0	..	5 0 0	6 0 0	..
Repalli ..	..	..	..	..	..
Guntur ..	..	..	..	..	..
Narasaraopet ..	..	..	..	62 0 0	..
Gurizala ..	..	..	..	..	..
Mangalore ..	..	..	..	..	..
Kasaragod ..	..	..	..	..	..

[16th December 1921]

presidents of taluk boards for the month of						
1920.	October 1920.			November 1920.		
Daily allowance.	Mileage.	Railway fare.	Daily allowance.	Mileage.	Railway fare.	Daily allowance.
(7)	(8)	(9)	(10)	(11)	(12)	(13)
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
..	45 8 0	..	5 0 0	13 0 0	..	..
5 0 0	59 0 0	5 8 0	..	37 8 0	23 0 0	..
55 0 0	82 8 0	18 14 0	70 0 0	36 0 0	69 2 0	45 0 0
15 0 0	18 0 0	..	..	86 0 0	13 8 0	20 0 0
..	68 0 0	..	5 0 0	39 8 0	..	..
..	..	..	..	24 8 0	..	50 0 0
..	..	..	..	..	..	..
85 0 0	35 0 0	..	20 0 0	69 0 0	..	10 0 0
60 0 0	24 0 0	..	30 0 0	37 0 0	8 8 0	15 0 0
..	..	..	..	..	..	..
..	..	..	..	..	..	..
10 0 0	..	..	35 0 0	..	..	20 0 0
..	..	..	..	..	..	5 0 0
5 0 0	52 0 0	..	5 0 0	25 0 0	..	10 0 0
30 0 0	..	..	30 0 0	28 0 0	23 12 0	35 0 0
..	55 0 0	..	35 0 0	60 0 0	45 6 0	35 0 0
..	..	..	..	..	..	..
35 0 0	..	..	15 0 0	..	..	..
40 0 0	129 8 0	..	60 0 0	171 0 0	5 10 0	..
..	..	..	..	..	..	15 0 0
40 0 0	22 0 0	7 0 0	10 0 0	12 0 0	52 10 0	25 0 0
..	126 0 0	..	25 0 0	99 8 0	..	5 0 0
35 0 0	..	..	30 0 0	..	..	..
55 0 0	..	..	50 0 0	22 0 0	..	15 0 0
..	..	..	..	..	..	..
5 0 0	48 0 0	..	15 0 0	99 8 0	..	15 0 0
5 0 0	..	..	..	53 8 0	..	10 0 0
25 0 0	25 0 0	..	25 0 0	..	..	30 0 0
15 0 0	23 0 0	..	30 0 0	..	..	15 0 0
..	..	..	..	0 8 0	..	..
..	..	..	..	20 0 0	19 8 0	..
..	29 8 0	13 0 0	30 0 0	..	..	..
..	..	..	..	..	..	..
..	76 8 0	14 4 0	35 0 0	13 8 0	1 14 0	..
..	..	..	..	..	..	..
..	..	..	..	..	..	..
7 8 0	..	..	..	..	..	..
..	25 0 0	..	15 0 0	120 0 0	..	30 0 0
30 0 0	123 8 0	..	25 0 0	257 0 0	..	50 0 0
85 0 0	..	..	..	..	..	..
20 0 0	27 8 0	3 12 0	5 0 0	137 8 0	23 4 0	30 0 0
..	..	..	..	..	..	..
..	..	..	..	..	..	..
35 0 0	..	2 8 0	5 0 0	..	..	..
15 0 0	..	..	..	..	..	15 0 0
..	..	..	..	..	..	..
5 0 0	..	..	..	..	..	..
..	..	..	..	..	..	..
45 0 0	..	..	..	..	..	..
..	..	..	..	..	..	..

[16th December 1921]

Non-official presidents of taluk boards	Travelling allowance drawn by non-official			
	December 1920.			January
	Mileage.	Railway fare.	Daily allowance.	Mileage.
	(14)	(15)	(16)	(17)
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Anantapur ..	21 0 0	3 6 0	..	50 8 0
Gooty ..	8 8 0	29 12 0	35 0 0	5 0 0
Dharmavaram ..	..	..	..	44 8 0
Penukonda ..	116 0 0	6 4 0	35 0 0	10 0 0
Vellore ..	44 8 0	15 0 0	..	..
Ranipet ..	..	..	50 0 0	21 8 0
Cheyyar ..	22 8 0	..	20 0 0	50 0 0
Tiruvannamalai ..	86 8 0	..	..	..
Paler ..	..	..	..	..
Tirupattur ..	..	..	..	..
Tindivanam ..	..	..	20 0 0	11 8 0
Tirukkoyilur ..	..	..	5 0 0	..
Chidambaram ..	..	..	30 0 0	23 0 0
Cuddalore ..	23 0 0	..	30 0 0	13 8 0
Vridhachalam ..	28 8 0	5 12 0	5 0 0	10 0 0
Bellary ..	12 0 0	..	..	..
Hospet ..	..	..	..	10 8 0
Harpanahalli ..	..	..	15 0 0	107 8 0
Kayadurg ..	34 8 0	..	35 0 0	..
Adoni ..	..	..	25 0 0	11 0 0
Chittoor ..	17 8 0	25 8 0	5 0 0	38 0 0
Chandragiri ..	37 0 0	..	..	..
Midnapalle ..	..	..	15 0 0	6 8 0
Chingleput ..	17 0 0	3 0 0	..	..
Naidapet ..	..	..	..	68 0 0
Tiruvallur ..	11 0 0	..	..	..
Coimbatore ..	37 8 0	..	..	..
Erode ..	12 0 0	..	..	..
Gopichettipalayam ..	..	..	20 0 0	..
Kollegal ..	27 8 0	..	..	..
Palladam ..	..	..	..	28 0 0
Pollachi ..	..	..	..	65 0 0
Cuddapah ..	..	..	..	..
Jammalamadugu ..	..	..	..	..
Proddatur ..	..	..	..	..
Rajampet ..	..	..	..	73 0 0
Badvel ..	..	113 12 0	5 0 0	78 0 0
Kayachoti ..	26 0 0	4 8 0	10 0 0	26 0 0
Berhampur ..	15 8 0	83 12 0	15 0 0	76 0 0
Chatrapur ..	46 8 0	..	10 0 0	104 0 0
Chinnole ..	165 0 0	..	..	..
Goosnur ..	143 0 0	..	..	..
Kayamundry ..	..	..	5 0 0	90 0 0
Peddapuram ..	..	9 12 0	..	..
Ramachandrapuram ..	51 0 0	..	4 8 0	82 0 0
Cotanada ..	..	5 0 0	..	..
Pittapuram ..	27 8 0	..	5 0 0	..
Ongole ..	..	..	10 0 0	..
Bapatla ..	6 0 0	..	..	..
Tenali ..	..	..	..	..
Repalli ..	36 0 0	..	..	..
Guntur ..	..	..	..	..
Narasaraopet ..	..	..	76 0 0	..
Gurisala ..	61 0 0	..	..	..
Mangalore ..	..	..	..	..
Kasaragod ..	..	..	..	..

16th December 1921]

presidents of taluk boards for the month of

1921.		February 1921.		
Railway fare.	Daily allowance.	Mileage.	Railway fare.	Daily allowance.
(18)	(19)	(20)	(21)	(22)
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
..	..	49 0 0	..	5 0 0
57 14 0	50 0 0	17 4 0	26 6 0	..
..	..	2 8 0	17 10 0	15 0 0
13 8 0	..	2 0 0	13 6 0	5 0 0
10 0 0	40 0 0	22 8 0	..	50 0 0
..	60 0 0	..	..	..
..	30 0 0	77 0 0	..	20 0 0
..	..	..	..	..
..	26 0 0	..	..	..
..	10 0 0	..	..	5 0 0
..	10 0 0	21 0 0	..	5 0 0
3 12 0	25 0 0	26 0 0	8 4 0	40 0 0
..	10 0 0	3 0 0	..	15 0 0
..	..	..	..	..
..	35 0 0	12 0 0	..	..
13 8 0	30 0 0	174 8 0	30 12 0	25 0 0
..	105 0 0	25 8 0	..	85 0 0
36 0 0	5 0 0	20 0 0	50 6 0	..
26 4 0	50 0 0	42 0 0	..	10 0 0
18 12 0	..	..	..	10 0 0
8 4 0	45 0 0	..	..	40 0 0
..	..	12 0 0	9 4 0	20 0 0
..	10 0 0	75 0 0	..	10 0 0
..	..	54 0 0	..	..
..	20 0 0	21 0 0	9 12 0	10 0 0
..	..	..	..	7 8 0
9 11 0	..	..	..	..
..	..	..	..	..
7 8 0	..	..	..	..
9 6 0	..	10 0 0	2 14 0	..
..	..	..	..	..
135 12 0	..	40 0 0	114 0 0	..
7 0 0	35 0 0	97 8 0	13 0 0	20 0 0
28 8 0	30 0 0	75 0 0	47 8 0	10 0 0
5 4 0	10 0 0	142 8 0	..	5 0 0
..	20 0 0	194 0 0	..	10 0 0
..	..	..	..	..
11 12 0	10 0 0	..	..	10 0 0
..	..	24 8 0	9 12 0	10 0 0
20 0 0	..	56 0 0	15 0 0	..
..	..	..	..	20 0 0
..	..	..	..	..
..	..	21 0 0	..	..
..	..	..	..	..
..	..	..	..	..
..	..	..	..	5 0 0
..	25 0 0	2 0 0	7 4 0	30 0 0

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Non-official presidents of taluk boards.	Travelling allowance drawn by non-official presidents of taluk			
	March 1921.			April
	Mileage. (23)	Railway fare. (24)	Daily allowance. (25)	Mileage. (26)
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Anantapur ..	49 8 0	..	..	125 4 0
Gooty ..	38 4 0	..	..	18 0 0
Dharmavaram ..	6 12 0	63 12 0	127 8 0	54 0 0
Penukonda ..	32 4 0	9 0 0	5 0 0	37 8 0
Vellore ..	41 4 0	18 0 0	45 0 0	48 0 0
Ranipet ..	54 0 0	17 12 0	22 8 0	111 12 0
Cheygar ..	..	..	82 8 0	27 0 0
Tiruvannamalai ..	48 0 0	..	120 0 0	102 0 0
Polur ..	48 4 0	..	..	..
Tiruppattur ..	..	..	..	..
Tindivanam ..	..	..	..	..
Tirukkoyilur ..	..	..	97 8 0	..
Chidambaram ..	..	..	15 0 0	..
Cuddalore ..	72 12 0	..	..	50 4 0
Vridhachalam ..	70 8 0	..	22 8 0	..
Bellary ..	131 0 0	55 14 0	75 0 0	..
Hospet ..	..	..	..	49 8 0
Harpanahalli ..	2 0 0	28 0 0	15 0 0	36 0 0
Rayadurg ..	228 12 0	131 14 0	82 8 0	135 12 0
Adoni ..	50 8 0	..	55 0 0	..
Chittoor ..	9 12 0	18 0 0	..	13 8 0
Chandragiri ..	45 8 0	25 6 0	22 8 0	99 12 0
Madanapalle ..	..	7 8 0	37 8 0	..
Chingleput ..	96 0 0	31 6 0	45 0 0	34 8 0
Saidapet ..	58 8 0	..	30 0 0	4 8 0
Tiruvallur ..	94 8 0	..	37 8 0	3 12 0
Coimbatore ..	58 0 0	..	..	..
Erode ..	16 0 0	..	5 0 0	31 8 0
Gopichettipalayam ..	..	..	29 0 0	..
Kollegal ..	17 0 0	11 10 0	..	82 0 0
Palladam ..	..	..	..	57 0 0
Pollachi ..	..	..	..	..
Cuddapah ..	..	..	..	..
Jammalamadugu ..	..	..	..	..
Proddatur ..	..	..	..	..
Rajampet ..	..	..	..	..
Badvel ..	..	..	45 0 0	..
Rayachoti ..	..	..	..	93 0 0
Berhampur ..	72 0 0	134 0 0	..	79 0 0
Chatrapur ..	36 8 0	7 8 0	..	119 4 0
Chicacole ..	123 0 0	42 0 0	30 0 0	79 0 0
Goomsur ..	174 0 0	5 4 0	16 0 0	257 4 0
Rajahmundry ..	333 4 0	..	15 0 0	..
Peddapuram ..	..	..	..	..
Ramachandrapuram ..	..	..	..	205 8 0
Cocanada ..	182 4 0	4 0 0	10 0 0	71 4 0
Pittapuram ..	22 8 0	..	15 0 0	83 4 0
Ongole ..	43 8 0	7 8 0	22 8 0	..
Bapatla ..	..	..	..	..
Tenali ..	..	..	..	..
Repalli ..	..	..	..	..
Guntur ..	79 8 0	5 0 0	45 0 0	..
Narasaraopet ..	..	..	..	..
Gurizala ..	..	..	..	..
Mangalore ..	..	..	45 0 0	..
Kasaragod ..	2 0 0	5 12 0	45 0 0	..

16th December 1921]

boards for the month of		Total allowance drawn.			Grand total.
1921.		Total mileage. (29)	Total railway fare. (30)	Total railway allowance. (31)	
Railway fare. (27)	Daily allowance. (28)				(32)
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
3 12 0	22 8 0	457 4 0	3 12 0	42 8 0	503 8 0
3 6 0	22 8 0	318 0 0	140 8 0	27 8 0	486 0 0
45 14 0	82 8 0	181 12 0	403 6 0	525 0 0	1,110 2 0
10 10 0	7 8 0	247 12 0	64 4 0	57 8 0	369 8 0
13 6 0	15 0 0	379 4 0	64 6 0	70 0 0	513 10 0
14 4 0	45 0 0	279 12 0	67 0 0	257 8 0	604 4 0
..	..	..	..	..	..
..	60 0 0	244 0 0	..	432 8 0	676 8 0
..	52 8 0	438 4 0	17 0 0	422 8 0	877 12 0
..	..	..	..	..	..
..	..	..	..	..	..
..	..	..	..	..	..
..	22 8 0	11 8 0	..	276 0 0	286 8 0
..	..	..	..	40 0 0	40 0 0
..	..	..	..	80 0 0	466 8 0
..	..	386 8 0	..	247 8 0	484 8 0
..	30 0 0	195 8 0	41 8 0	255 0 0	677 4 0
..	70 0 0	321 0 0	101 4 0	37 8 0	131 4 0
44 4 0	37 8 0	49 8 0	44 4 0	155 0 0	353 12 0
31 4 0	45 0 0	73 8 0	125 4 0	430 0 0	1,670 10 0
6 8 0	127 8 0	1,029 0 0	211 10 0	452 8 0	528 8 0
..	157 8 0	78 0 0	..	162 8 0	551 10 0
13 8 0	7 8 0	125 4 0	263 14 0	195 0 0	895 2 0
..	67 8 0	638 12 0	..	167 8 0	211 14 0
9 6 0	..	..	61 6 0	44 6 0	599 14 0
1 12 0	45 0 0	222 0 0	67 14 0	320 0 0	212 12 0
18 8 0	60 0 0	75 0 0	27 12 0	110 0 0	519 12 0
5 0 0	22 8 0	399 12 0	5 0 0	115 0 0	360 0 0
..	..	307 8 0	22 8 0	30 0 0	240 4 0
10 0 0	..	105 8 0	19 12 0	115 0 0	124 0 0
..	..	36 8 0	..	87 8 0	200 3 0
4 14 0	7 8 0	127 0 0	45 11 0	27 8 0	99 8 0
..	22 8 0	77 0 0	..	22 8 0	..
..	..	..	..	..	136 0 0
..	30 0 0	55 8 0	20 8 0	60 0 0	255 14 0
..	..	..	..	..	..
..	37 8 0	155 0 0	28 6 0	92 8 0	75 0 0
..	..	..	..	75 0 0	887 0 0
..	30 0 0	..	..	..	424 0 0
86 8 0	..	304 0 0	583 0 0	85 0 0	856 4 0
10 8 0	25 0 0	296 8 0	42 8 0	117 8 0	886 0 0
43 12 0	30 0 0	478 12 0	260 0 0	95 0 0	1,806 6 0
..	5 0 0	780 8 0	10 8 0	150 0 0	186 14 0
2 8 0	..	1,654 0 0	2 6 0	16 0 0	..
..	..	58 0 0	35 14 0	..	1,067 0 0
..	..	..	..	185 0 0	173 0 0
..	50 0 0	818 4 0	63 12 0	35 0 0	383 0 0
10 0 0	10 0 0	118 4 0	19 12 0	40 4 0	130 4 0
30 0 0	35 12 0	265 4 0	77 8 0	120 0 0	76 0 0
..	37 8 0	..	10 4 0	40 0 0	..
..	..	38 0 0	..	..	269 8 0
..	..	104 8 0	5 0 0	60 0 0	..
..	..	..	..	..	..
..	..	..	..	257 8 0	308 8 0
..	22 8 0	51 0 0	13 1 0	122 8 0	139 9 0
..	22 8 0	4 0 0	..	..	..

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Non-official presidents of taluk boards.	Travelling allowance drawn by non-official				
	August 1920.			September	
	Mileage.	Railway fare.	Daily allowance.	Mileage.	Railway fare.
(1)	(2)	(3)	(4)	(5)	(6)
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Udipi					
Pattur *	77 8 0	15 2 0	45 0 0	15 8 0	2 10 0
Coondapur					
Karkal			10 0 0		
Uppinangadi					
Bandar	12 0 0		10 0 0	10 8 0	
Gudivada					
Bezawada	48 0 0	13 2 0	40 0 0	5 0 0	91 0 0
Ellore			10 0 0		
Narasapur	22 0 0				
Bhimavaram					
Kurnool	12 8 0				
Dhone					
Nandyal	40 0 0	15 0 0	25 0 0	32 0 0	
Koilkuntla	26 8 0		55 0 0	22 0 0	
Markapur			5 0 0	10 8 0	
Madura			55 0 0		
Melur	50 8 0		60 0 0	53 8 0	
Usilampatti			25 0 0	14 0 0	
Dindigul	67 8 0	9 12 0			
Chirakkal					
Late Tellicherry Taluk Board ..	9 8 0	13 10 0	25 0 0	11 8 0	18 11 0
Kottayam					
Kurumbanad					
Calicut					
Ernad					
Walluvanad					
Palghat					
Ponnani					
Wynad					
Nellore					
Kanigiri	24 8 0		15 0 0	13 8 0	
Venkatagiri					
Kandukur			25 0 0		3 0 0
Kavali	1 0 0	11 0 0		4 8 0	4 12 0
Atmakur					
Gudur					
Ramnad					
Devakottai					
Sivakasi					
Salem				10 8 0	
Sankari	91 0 0	7 0 0	25 0 0	40 0 0	0 7 0
Dharmapuri					
Hosur					
Namakkal					
Tanjore			25 0 0		
Kumbakonam	15 0 0	9 4 0	25 0 0	10 8 0	
Mayavaram	18 0 0		75 0 0		
Negapatam					
Mannargudi			25 0 0		
Pattukkottai					
Tinnevely †			25 0 0		16 2 0
Kovilpatti †	111 0 0		5 0 0	80 0 0	
Sernadevi †	41 0 0	2 8 0	15 0 0		
Tuticorin †				27 0 0	

* Old Pattur

† The amounts represent the sums actually drawn from the treasury and not the amounts of the

[16th December 1921]

presidents of taluk boards for the month of

1920.	October 1920.			November 1920.		
Daily allowance.	Mileage.	Railway fare.	Daily allowance.	Mileage.	Railway fare.	Daily allowance.
(7)	(8)	(9)	(10)	(11)	(12)	(13)
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
20 0 0						5 0 0
35 0 0			45 0 0	10 8 0		
10 0 0	12 0 0		10 0 0	22 8 0		20 0 0
10 0 0				33 8 0	13 4 0	5 0 0
20 0 0	12 8 0		10 0 0	25 0 0		15 0 0
10 0 0				30 0 0		
15 0 0						50 0 0
50 0 0			95 0 0	33 8 0		5 0 0
						20 0 0
	20 8 0			34 8 0		50 0 0
25 0 0				42 0 0		
50 0 0	86 0 0		35 10 0	38 8 0		
5 0 0	39 0 0		10 0 0			80 0 0
25 0 0	1 0 0	5 1 0	10 0 0	13 0 0	17 6 0	
5 0 0			5 0 0	61 8 0	21 2 0	10 0 0
45 0 0			35 0 0			5 0 0
15 0 0	2 0 0	4 12 0	35 0 0			
25 0 0				91 8 0		85 0 0
60 0 0	41 0 0	19 6 0	65 0 0	39 0 0		
10 0 0			10 0 0			30 0 0
30 0 0	39 0 0	9 12 0	35 0 0	26 0 0	11 4 0	15 0 0
50 0 0	12 8 0		45 0 0			
30 0 0						10 0 0
	5 0 0	5 4 0	5 0 0		5 6 0	60 0 0
40 0 0			40 0 0			
5 0 0	145 8 0		10 0 0	24 0 0		
10 0 0						

Taluk Board.

bills drawn for journeys made in the respective months.

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Non-official presidents of taluk boards.	Travelling allowance drawn by non-official			
	December 1920.			January
	Mileage. (14)	Railway fare. (15)	Daily allowance. (16)	Mileage. (17)
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Udipi	..	..	..	16 8 0
Puttur*	..	..	..	..
Coondapur	..	..	10 0 0	..
Karkal	..	..	..	..
Uppinangadi	..	..	..	..
Bandar	12 0 0	..	30 0 0	..
Gudivada	..	..	..	..
Bezavada	..	..	..	..
Ellore	64 8 0	14 0 0	20 0 0	49 0 0
Narsapur	29 0 0	..	20 0 0	24 0 0
Bhimavaram	..	..	..	..
Kurnool	53 8 0	..	45 0 0	46 0 0
Dhone	..	..	..	..
Nandyal	11 8 0	15 0 0	50 0 0	32 0 0
Koilkuntla	27 8 0	..	45 0 0	31 0 0
Markapur	..	..	..	..
Madura	..	..	15 0 0	..
Melur	60 0 0	..	40 0 0	..
Usilampatti	59 8 0	..	5 0 0	..
Dindigul	..	..	..	..
Chirakkal	..	..	..	..
Late Tellicherry Taluk Board ..	7 8 0	16 2 0	..	27 8 0
Kottayam	..	..	..	..
Kurumbanad	..	..	..	..
Calicut	..	..	..	..
Ernad	..	..	..	..
Walluvanad	..	..	..	25 0 0
Palghat	..	..	..	..
Ponnani	..	..	..	..
Wynad	..	..	..	106 0 0
Nellore	..	..	..	..
Kanigiri	..	..	..	..
Venkatagiri	..	..	..	..
Kandukur	..	..	20 0 0	..
Kavali	9 0 0	9 8 0	25 0 0	8 0 0
Atmakur	..	..	..	..
Gudur	..	..	..	..
Ramnad	..	..	..	..
Devakottai	..	..	..	..
Sivakasi	..	..	..	..
Salem	10 8 0	..	..	24 0 0
Sankari	137 8 0	..	45 0 0	122 8 0
Dharmapuri	..	..	..	..
Hosur	..	..	..	..
Namakkal	..	..	..	..
Tanjore	..	..	15 0 0	..
Kumbakonam	76 8 0	..	35 0 0	16 0 0
Mayavaram	..	..	10 0 0	..
Negapatam	..	..	..	..
Mannargudi	..	..	..	..
Pattukkottai	63 8 0	7 4 0	15 0 0	..
Tinnevely †	..	5 6 0	50 0 0	6 8 0
Kovilpatti †	70 0 0	..	5 0 0	141 0 0
Sermadevi †	53 0 0	3 2 0	5 0 0	47 0 0
Tuticorin †	..	..	..	..

* Old Puttur

† The amounts represent the sums actually drawn from the treasury and not the amounts of the

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presidents of taluk boards for the month of

1921.

February 1921.

Railway fare. (18)	Daily allowance. (19)	Mileage. (20)	Railway fare. (21)	Daily allowance (22)
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
..	95 0 0	..	..	..
..	20 0 0	59 0 0	..	30 0 0
..	..	..	..	25 0 0
..	10 0 0	41 8 0	..	10 0 0
..	..	..	..	..
..	..	..	..	..
35 2 0	25 0 0	36 0 0	22 2 0	10 0 0
..	5 0 0	26 0 0	..	15 0 0
..	..	..	..	..
..	40 0 0	62 8 0	5 10 0	45 0 0
..	..	..	..	..
..	20 0 0	18 0 0	15 0 0	15 0 0
..	45 0 0	28 8 0	..	45 0 0
..	..	..	..	..
..	..	21 0 0	..	..
..	..	42 8 0	..	110 0 0
..	60 0 0	48 0 0	..	55 0 0
..	85 0 0	13 0 0	..	7 8 0
..	..	..	..	..
3 6 0	25 0 0	13 0 0	4 4 0	10 0 0
..	..	..	..	..
..	..	..	..	25 0 0
..	..	..	..	..
..	..	110 0 0	..	30 0 0
..	..	..	..	..
..	..	..	..	..
..	10 0 0	126 8 0	..	5 0 0
..	..	20 0 0	..	..
..	..	..	..	..
..	..	..	..	..
8 4 0	20 0 0	27 0 0	9 8 0	40 0 0
..	..	..	..	..
..	..	6 0 0	..	..
..	..	..	17 10 0	..
..	..	..	..	..
..	..	..	..	10 0 0
..	..	..	..	30 0 0
10 0 0	35 0 0	118 0 0	10 8 0	..
..	..	..	..	..
..	..	..	..	..
..	5 0 0	11 0 0	..	..
..	..	..	..	20 0 0
..	..	..	..	30 0 0
..	40 0 0	23 0 0	..	..
..	5 0 0	..	..	..
..	..	..	..	120 0 0
..	15 0 0	15 0 0	..	5 0 0
..	..	..	..	60 0 0
18 8 0	5 0 0	11 0 0	..	5 0 0
..	45 0 0	138 0 0	6 15 0	10 0 0
10 2 0	5 0 0	..	..	5 0 0

Taluk Board.

bills drawn for journeys made in the respective months.

[16th December 1921]

Non-official presidents of taluk boards.	Travelling allowance drawn by non-official				
	August 1920.			September	
	Mileage.	Railway fare.	Daily allowance.	Mileage.	Railway fare.
	(2)	(3)	(4)	(5)	(6)
(1)	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Perambalur	..	..	..	..	..
Udayarpalaiyam	47 0 0	..	5 0 0	54 8 0	..
Lalgudi	..	..	..	..	..
Musiri	..	..	..	..	..
Trichinopoly	..	..	..	..	..
Karur	..	..	..	..	..
Kulittalai	5 0 0	2 12 0	..	22 0 0	3 0 0
Vizianagram	..	..	..	..	..
Vizagapatam	..	..	..	..	..
Parvatipuram	..	..	15 0 0	..	..
Narasapatam	..	..	..	..	..

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presidents of taluk boards for the month of

1920.	October 1920.			November 1920.		
Daily allowance.	Mileage.	Railway fare.	Daily allowance.	Mileage.	Railway fare.	Daily allowance.
(7)	(8)	(9)	(10)	(11)	(12)	(13)
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
..	..	..	..	..	..	..
..	47 0 0	..	20 0 0	..	..	..
..	..	..	..	..	..	..
..	..	..	..	..	..	..
..	..	..	..	..	..	..
15 0 0	..	..	5 0 0	22 0 0	..	25 0 0
..	..	..	..	47 0 0	18 8 0	15 0 0
..	..	..	..	..	..	..
20 0 0	..	..	5 0 0	..	..	45 0 0
..	89 12 0	5 12 0	10 0 0	107 0 0	10 10 0	15 0 0

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Non-official presidents of taluk boards.	Travelling allowance drawn by non-officials.			
	December 1920.			January
	Mileage.	Railway fare.	Daily allowance.	Mileage.
	(14)	(15)	(16)	(17)
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Perambalur	..	..	..	..
Udayarpalayam	87 0 0	..	5 0 0	11 0 0
Lalgudi	..	..	..	..
Musiri	..	..	..	..
Trichinopoly	..	..	..	..
Karur	..	..	..	..
Kulittelai	..	..	..	..
Vizianagram	53 0 0	6 0 0	5 0 0	122 8 0
Vizagapatam	..	17 0 0	..	52 0 0
Parvatipuram	..	..	55 0 0	..
Narasa, atam	110 0 0	..	..	60 0 0

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presidents of taluk boards for the month of

1921.		February 1921.		
Railway fare.	Daily allowance.	Mileage.	Railway fare.	Daily allowance.
(18)	(19)	(20)	(21)	(22)
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
..	..	..	..	..
..	..	11 0 0	..	..
..	..	..	..	..
..	..	..	..	..
..	..	..	..	..
..	..	..	..	5 0 0
..	25 0 0	..	..	5 0 0
..	..	45 0 0	17 0 0	5 0 0
14 8 0	40 0 0	19 0 0	4 2 0	45 0 0
..	20 0 0	..	..	5 0 0
..	..	78 0 0	5 12 0	..

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Non-official presidents of taluk boards.	Travelling allowance drawn by non-official presidents of taluk			
	March 1921.			April
	Mileage.	Railway fare.	Daily allowance.	Mileage.
	(23)	(24)	(25)	(26)
	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
Perambalur .. .. .	.. .. .	.. .. .	.. .. .	.. .. .
Udayarpalaiyam	84 0 0	.. .. .	15 0 0	21 0 0
Lalgudi .. .. .	.. .. .	.. .. .	.. .. .	.. .. .
Musiri .. .. .	.. .. .	.. .. .	.. .. .	.. .. .
Tiruchinopoly .. .. .	.. .. .	.. .. .	.. .. .	.. .. .
Karur .. .. .	.. .. .	.. .. .	.. .. .	.. .. .
Kulittalai	86 0 0	.. .. .	37 8 0	42 0 0
Vizianagram .. .. .	.. .. .	.. .. .	.. .. .	.. .. .
Vizagapatam	77 4 0	38 8 0	75 0 0	21 12 0
Parvatipuram			157 8 0	
Narasapatam	72 0 0	9 12 0	22 8 0	

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boards for the month of		Total mileage.	Total railway fare.	Total daily allowance.	Grand total.
1921.					
Railway fare.	Daily allowance.	(29)	(30)	(31)	(32)
(27)	(28)				
RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.	RS. A. P.
..	..	..	..	52 ..	415 ..
..	7 8 0	362 8 0	..	52 8 0	415 0 0
..	..	..	..	..	..
..	..	..	..	..	..
..	..	..	..	..	..
..	..	..	..	..	..
55 8 0	..	127 0 0	67 4 0	112 8 0	306 12 0
..	..	267 8 0	47 8 0	25 0 0	340 0 0
14 8 0	..	187 0 0	71 10 0	142 8 0	401 2 0
..	22 8 0	..	..	382 8 0	382 8 0
..	..	516 12 0	31 14 0	52 8 0	601 2 0
..	..				

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II

AMENDMENTS TO STANDING ORDERS ASSENTED TO BY HIS EXCELLENCY
THE GOVERNOR.

The Hon'ble the PRESIDENT:—"I have to inform the House that His Excellency the Governor has been pleased to give his assent to the amendments to Standing Order No. 53 passed at the meeting of the Council held yesterday."

III

ANNOUNCEMENT REGARDING DATES OF MEETINGS IN FEBRUARY
AND MARCH.

The Hon'ble the PRESIDENT:—"Agreeably to the undertaking given by me yesterday, in response to a request made by the Leader of the House, the Hon'ble Sir Lionel Davidson, to announce the dates on which meetings will be held in the months of February and March 1922, I would inform the House that I shall adjourn the January meeting to Tuesday the 14th February; the February meeting will continue for four days, 14th, 15th, 16th and 17th idem. As regards meetings in the month of March, practically the whole of that month will be required for financial business. His Excellency the Governor has fixed the following dates for discussing the several stages of the budget:—

4th March	Presentation of the budget to the Legislative Council by the Hon'ble the Finance Member.
6th, 7th and 8th March.	General discussion on the budget.
17th to 27th March, nine days, excluding two Sundays.	Voting of demands for grants.

"The House will meet on Saturday, the 4th March, and be adjourned on the evening of that day to Monday, the 6th March; it will sit on the 6th, 7th and 8th March and be adjourned on the evening of the 8th to Friday, the 17th March; and it will sit continuously (excluding two Sundays) from the 17th to Monday the 27th March. The prorogation will probably take place on the evening of the 27th, or sometime on the 28th March 1922."

IV

1. THE MADRAS CITY TENANTS' PROTECTION BILL, 1921.

The Hon'ble the PRESIDENT:—"The House will now further consider the amendment to the Madras City Tenants' Protection Bill proposed in the message from His Excellency the Governor communicated to the Council on the 13th December 1921. Probably it will be convenient if the Hon'ble the Law Member begins by stating his case."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Sir, I may say that I was very considerably surprised at the objection taken at the last meeting when this matter was proposed—an objection taken by Mr. O. Tanikachala Chettiyar who said that these Azimpet people should not have the benefit of the Act. I want the House to bear with me if I call their attention to the various stages in this Bill for

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the purpose of showing that they practically unanimously agreed to this Bill on the last occasion with distinct notice that the origin of this Bill was due to the immediate trouble at Azimpet. In that discussion Mr. O. Tanikachala Chettiyar also took part and he stated in almost distinct terms that this Bill should apply to Azimpet people also. When I introduced this Bill, Sir, in August, I said this—

"Sometime in the beginning of May, it was found that proceedings to eject tenants in a large area consisting of nearly three streets were about to be taken. I came down and inspected these places and the buildings were valued at about 7 lakhs of rupees; and if the landlord was entitled to eject the tenants, as far as I understand the law, he would be in a position to ask these tenants to remove the houses and give vacant possession. The net result of these proceedings would have been that the town of Madras would have lost some lakhs of rupees worth of houses, and there was no prospect of building new houses to replace those so destroyed. I had a consultation with the Commissioner of the Corporation of Madras and my friend, Mr. Tanikachala Chettiyar who was interesting himself in this question. After an informal discussion, we came to the conclusion that at least a measure of protection in the way of compensation was necessary."

"I may mention this that when I inspected this Azimpet locality, the representative of the landlord was present along with us and in my subsequent discussion with Mr. O. Tanikachala Chettiyar and the Commissioner of the Corporation, I referred to this particular tract in which relief was urgently necessary. Then, Sir, when I introduced this Bill, I was accused by almost every member of this House of not going far enough in the direction in which protection had to be given. One point was insisted on, viz., that this provision for compensation, as it stood, would only avail or benefit the Azimpet people who had put up buildings worth Rs. 1,500 to about Rs. 5,000, and that it would not give adequate protection to the tenants of the paracheris who had put up small huts which might be worth Rs. 5 or Rs. 10. It was with a view to give real protection to these poorer classes of persons who had put up small structures worth Rs. 5 or Rs. 10 that a clause was introduced in the Select Committee giving them an option of purchasing the land in which they had been living; that is clause 9 as put in by the Select Committee. Then, Sir, we had a discussion. The original discussion was in August, when there was distinct notice to all that this Bill was introduced primarily for the protection of the Azimpet tenants. Then, Sir, we came to a discussion of the Bill after the Select Committee had introduced clause 9. Then again we had a long discussion in regard to various clauses. There again it was made distinctly clear that the Azimpet people were intended to be included as persons to be protected by this Bill.

"Now, I will just read one passage from the speeches made in October when this Bill, after it had been amended by the Select Committee, was brought in. I may remind the House that the Bill as amended by the Select Committee was published for public information. On the 12th October 1921, when this Bill was being discussed after the amendments of the Select Committee, in the speech of Mr. Arumainatha Pillai this passage occurs, which again shows that the Azimpet people also were to be included. I will only take a portion of his speech. This was in regard to section 12 and its discussion. He said—

"Section 12 is ambiguous and I would only take a portion of the Hon'ble the Law Member's introductory speech."

"Then he quotes this—

"Sometime in the beginning of May, it was found that proceedings to eject tenants in a large area consisting of nearly three streets were about to be taken. I came down and inspected these places and the buildings were valued at about seven lakhs of rupees."

"Then Mr. Arumainatha Pillai proceeds—

"The place to which the Hon'ble the Law Member refers in his speech is what is called Azimpet. There the people had built superstructures a long time ago and two years back the new landlord came and took registered writings from them and also put in a clause in every one of these lease-deeds especially that these people would have to vacate after a month's notice."

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“ Then he asks this question, whether they would be relieved and refers to the ambiguity of the language in section 12. And the House will remember at that time there was a proposal to omit clause 12 altogether so as to make no exception whatever in favour of any landlord or class of landlords; because there have been cases where buildings have been put up after a registered instrument in writing had been taken containing specific stipulations as to the manner of building, or as to the compensation payable for such buildings, especially in Mylapore temple lands, that I insisted on exception.

"Then, Sir, on the 1:th of October when this amendment to clause 12 was further discussed, I again mentioned this matter. I said this—

' Now I want you to bear this in mind that the Bill itself arose immediately from the causes which I explained to the House while introducing the Bill, one of them being the case of the Azimpet tenants. In Azimpet there are buildings which have been erected and which have been standing for a long time. I learnt and I also saw certain agreements obtained by the landlords recently from the tenants to the effect that on the expiry of thirty days' notice the tenants were to quit. The agreement contains no provisions for compensation. At the time when these registered instruments in writing were executed, the tenants were already there in the buildings which already existed in most cases, though I believe in one case the building was actually constructed after a registered instrument of this sort was executed. Further, it was also found that the landlord had taken the same kind of instruments from the tenants in or about the year 1900 ; but, I am not quite clear about the year. There is no question in this case that they have been there for a long time and that the landlord who wants now to eject them has now recently purchased the land.'

“ Then I proceeded to discuss the effect of the amendment as proposed by Mr. Natesa Mudalivar. And on the same occasion Mr. S. Srinivasa Ayyangar, who, I am sorry, is not here to-day, made these observations with a view to eliminating section 12 altogether. He said—

'I do not want to have any protection for the landlords who have obtained by inducing tenants to agree to execute registered writings to quit the land. It may be that clause 12 might not really prejudice such cases. But there is a chance that the clause as it stands will prejudice them'.

“Then he says later on—

' These specific stipulations (reading the clause as it then stood) as to the terms on which buildings are to be erected or the payment of a compensation especially with reference to the limited nature of the Bill would necessarily mean that the building would have been originally erected under a registered agreement.'

“ There are cases where after the taking of a registered instrument of lease of vacant lands, buildings have been put up in pursuance of that contract. Those cases I said I shall not give protection for. With regard to cases where buildings have already been erected at a time when there was no registered instrument in writing, and subsequently documents have been taken from those persons, I say they are entitled to the protection of the Act, because the House will realize that if a man has already erected a building and is in occupation of the same for a long time he is practically at the mercy of the landlord who can take any registered instrument he chooses ; and there is no option for the tenant ; for he will be either turned out immediately or if he places himself at the mercy of the landlord, the landlord may show him some consideration.

"Then, Sir, in my reply to the amendments that were then proposed to section 12, I said finally—

* The first portion of it (that is the clause as it originally stood) deals with cases where there is a registered instrument in writing while the land is vacant and before any building is erected thereon. In that class of cases, if there are stipulations with regard to the mode of erecting buildings, if there are stipulations that the man shall remove the buildings and quit . . . it is not a case where, according to the principles of the Bill, the tenant should be entitled to protection . . .

"That was the one class and one class alone which I wanted to be relieved from the operation of this Act. This was in October. Again the House waited

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for other proposals to be made in consequence of amendments made at this sitting. One principal amendment which was then accepted by the Council, the House will remember: It was sought to be introduced by way of a positive enactment that the Act shall apply only to cases where a tenant built in the hope that he would be left there, that is paying a fair rent. I thought that won't do at all. The passing of the Bill was postponed and I agreed to consider clause 12 again.

"Then, Sir, when we came to November, my friend, Mr. Natesa Mudaliyar naturally was anxious whether the language of clause 12 as it then existed would create an ambiguity. In consequence of apprehensions entertained, I omitted the second clause of that section leaving it as it now is with a slight verbal alteration suggested by Mr. Krishna Rao, i.e., provision as regards payment of compensation. That I omitted, because the provision as regards payment of compensation would apply to buildings which had been previously erected, but the parties may have agreed that the tenant shall have no compensation when he quits. The second clause can be construed so as to give effect to that agreement. In order to avoid even that ambiguity, I omitted it.

“ Now, Sir, I want to draw the attention of this House to the discussion which took place in November when last we passed this clause as it is now. Mr. Natesa Mudaliyar had given an amendment in order to make it clear that the Azimpet tenants will have the protection of this Act. He said this—

' Unless clause 12 is deleted (that was what he wanted) or it is made clear that the retention of it will not interfere with the objects of the Bill, the Bill need not be passed at all. The object of the Bill is to afford protection to the hundreds of tenants on whom either notices of eviction have been served or suits in ejectment have been pending in the local courts. Take for instance the tenants of Asimpet. The tenants or their predecessors were in peaceful occupation of the lands for over a century. Recently the ownership changed. Under fear of eviction and great pressure the tenants gave an agreement in writing, registered, so recently as in 1920 that they will demolish the buildings and vacate the lands on one month's notice. This Bill is intended to protect them (about which there was no doubt or controversy so far as this House was concerned).'

"Then I said—

'I entirely agree with Mr. Natesa Mudaliyar that protection must be given to the cases which he mentioned and I may say that I brought this Bill because of the hardships which he mentions. But if you accept his amendment, I am afraid it will cut those very persons for whom he wants protection.'

“Mr. S. Srinivasa Ayyangar was for omitting section 12 altogether on the ground that the persons for whom such protection was intended were merely mythical, that is, there were no persons who entered into occupation of vacant lands and thereafter constructed buildings in accordance with the original stipulations contained in writing registered. After setting out the clause as it then stood, he said—

'There is another difficulty' (that is, regarding Mr. Natesa Mudaliyar's amendment)..... 'If there is any subsequent contract, even between the tenant and landlord subsequent to the original demise by which the tenant has been induced to agree to enhancement of rent and also to a stipulation that he shall claim no compensation for the building which he has erected already upon the land, even such contract as that will be saved by Mr. Natesa Mudaliyar's amendment, with the result that the Bill won't apply to such cases; whereas the Bill as it now stands will apply to cases even if there is a subsequent contract between the landlord and the tenant. Clause 12 of the Bill has to be dropped out altogether.'

"Then he said—

‘As I understand the Bill, even as it was passed on the last occasion, the Bill would seem to apply notwithstanding any amount of contract and notwithstanding any quantity of registered writings that may have passed between the parties (subsequent to the original registered writing; that is what he means). The only registered writing that really blocks the way of the tenant in getting relief under the Act is the original registered writing when the tenancy was first created.’

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"Again he says—

'I would further suggest that the whole of this clause should be deleted. Practically it is not necessary because nobody knows that there is any case for adopting the language which the Hon'ble the Law Member used. I would say where is there any class of cases which requires protection? Where is there any stipulation as to the erection of buildings? The whole thing is really mythical and we do not want this clause?'

"Honourable members must remember that he made these remarks after he knew that the registered instruments were taken from the Azimpet tenants. Then, Sir, Mr. Natesa Mudaliyar again said—

'This Bill is intended for these tenants and if it is not applicable to them, what is the use of passing the Bill? Of course as to the landlords I have nothing to say against such big landlords as the landlords of Tirumala Nayadu's and Butchi Babu Naidu's lands and others of the kind. These landlords never interfere with their tenants, but we are concerned with those who came into possession of these lands recently and who having taken an agreement from the tenants only the other day demand the pound of flesh. It is only to protect these tenants that the Bill is intended. I request the Hon'ble the Law Member to tell us plainly if this Bill will apply favourably to the tenants of Azimpet with whom he is very well acquainted. On that assurance I have no objection to withdraw my amendment?'

"The answer that I gave was this—

'If the honourable member will wait, he will see it is perfectly plain that the class of tenants he has in mind will be amply protected by this Bill.'

"The clause was accepted by the House after a very considerable discussion.

"Now, Sir, as has been pointed out in the communique issued to the Council through the President by His Excellency the Governor, we learnt subsequent to the passing of the Bill, there were stipulations contained in recent writings, regarding future buildings also. The provision was to the effect that the tenants should quit on a month's notice removing buildings which existed before that date. If that had been the only provision the present clause would have been all right. There were also the words 'or which may be erected hereafter.' That gave rise to the ambiguity and the clause 12 as it stands may not guarantee protection to these tenants according to the wishes of the House. There is a possibility of somebody saying that there is a stipulation with regard to the future buildings and that the tenancy should be taken out of the scope of the Bill, which certainly was not the intention of the House as has been repeatedly stated in the various discussions on the Bill. I thought that before the assent of the Governor is given, instead of my being obliged to bring in an amendment Bill immediately afterwards, advantage should be taken of this opportunity to make the matter quite clear. The present amendment is merely intended to carry out the wishes of the House as embodied in the Bill already passed, without any possibility of ambiguity. That is the reason why I have put in this amended clause. The result will be that in all cases where a tenant takes possession of a vacant land under a registered instrument in writing containing specific stipulations as to the erection of buildings, he would be bound by the terms to which he has agreed. But in cases where he had already come into possession and had already built buildings, if subsequent to that the landlord asks him to execute a document as otherwise he will have to quit and he is obliged to do so, such persons will be protected. I would therefore ask this House to see that their wishes as embodied in the Bill as passed are carried out, and not prevented from being carried out. There is no question of

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new facts, altering our previous decision. I have had a memorial sent to me by the Azimpet landlords. They say that their position would be affected and their interests should be protected. They must have known that during the various times that there was this discussion their rights were going to be affected and they never sent a word of protest. Now they take advantage of a defect in the drafting of the Bill which is already passed, and ask the House to go back upon its decision which is not a legitimate thing to do."

Mr. O. TANIKACHALA CHETTIYAR:—"Mr. President, Sir, in a question concerning the adjudication of rights between landlords and tenants, I expected that the House would have been given an opportunity of discussing it on its merits without reference to any part played by any individual in the drafting of the Bill. But inasmuch as the Hon'ble the Law Member has chosen to urge, what a lawyer would call, an estoppel against my now pleading on behalf of the landlord for fair treatment to him and as he has also chosen to introduce my name, I would request the House to see what took place before the date on which I came upon the scene and to which he referred. The Hon'ble the Law Member referred to a meeting between him and myself and the Commissioner of the Corporation sometime in May when he mentioned this case of Azimpet. But may I draw attention of the Hon'ble the Law Member to the fact that I came upon the scene very much earlier, sometime in December 1920, when an order of ejectment had been passed against an Adi-dravida who holds property in what is known as the Swami Naicken paracheri. Then I wrote to the Commissioner of Labour that to prevent the hardship that was caused to that tenant and other tenants on the Swami Naicken paracheri, Government might as well take steps to acquire the property. On the suggestion contained in my letter a reply was sent to me that Government was considering the question of the acquisition of the said paracheri and that I might therefore make a representation to the City Civil Court on behalf of the tenant who would be affected, that Government were contemplating such action. Time after time was taken from Court but nothing was done. Thereupon I ventured to approach the honourable member after formally writing to the Labour Commissioner that the Court would not act on mere verbal assurances and would not grant time unless I had something to produce before the Court. Thereupon I was sent for, and in the course of the discussion when I was speaking of the necessity for giving relief to people in cheris, such as the Swami Naicken Cheri and other places, the Hon'ble the Law Member mentioned the hardships caused in respect of Azimpet property. I believed that he knew all facts connected with Azimpet property. But in the speech he made the other day I found that he was not in full possession of all the facts even at the time the Bill was passed, but after the Bill was passed and after the assurance given to Mr. Natesa Mudaliyar, by a perusal of a document which came to his notice subsequently, the Law Member discovered something now which was not known to him previously. Therefore if the gentleman responsible for the drafting of the Bill was not in possession of sufficient facts relating to Azimpet property can he blame any members of this Council for not being fully in possession of the facts relating to Azimpet property? So far as Azimpet was concerned, it came in when we were discussing generally what had to be done to relieve the people in cheris who built superstructures on lands not belonging to them. I do not know why any part I might have played must be taken as estopping this Council . . ."

The Hon'ble Mr. K. SRINIVASA AYYANGAR (*interrupting*):—"I never said, Sir, that this Council or any particular member thereof was estopped from dealing

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with this question. I said that it was not legitimate to go back upon what this Council had passed, but I did not say that there was any legal or even a moral objection to their so going back."

Mr. O. TANIKACHALA CHETTIYAR (*continuing*):—"The Hon'ble the Law Member is speaking only without using the expression 'estoppel'. He said that we might not go back upon what we have done, so that it means estoppel, though he did not use exactly the expression 'estoppel'. I used conveniently the conventional expression 'estoppel' with which he is so familiar."

"However that may be, after this amendment now proposed and which has been euphemistically called a message from His Excellency the Governor, has been sent to us, the full facts were brought to my notice by the owners of this property and it is on a consideration of those facts that I realized what a hardship it would be to those people. While we were trying to do good to one class of people, we were inflicting an injustice upon the owners of the property. That was why I asked for time for the consideration of this matter by this House to see how far and how seriously it would affect them. Since then, they have been sending communications to various members of the Council, and I have in my hand, Sir, a petition addressed to the members of the Legislative Council signed by one of the petitioners and dated, and in accordance with Standing Order 71 which relates to petitions to the Council, I wish to present that petition to the House."

The Hon'ble the PRESIDENT:—"I think the honourable member must do it separately."

Mr. O. TANIKACHALA CHETTIYAR:—"With much respect, Sir, I may state that Standing Order 71 says—

Petitions to the Council must (a) relate to some matter actually under the consideration of the Council; (b) be addressed to the members of the Legislative Council; (c) be dated and signed by the petitioner or petitioners; (d) be in respectful and temperate language."

"This matter is now under the consideration of the Council and I take this opportunity of presenting this petition which is signed by one of the owners of the property and is dated, and I believe it is in temperate and respectful language, setting out all the facts which relate to the property."

The Hon'ble the PRESIDENT:—"Will the honourable member please refer to Standing Order 73 which says, 'every member offering to present a petition to the Council shall confine himself to a statement of the parties from whom it comes, of the number of signatures attached to it and of the material allegations contained in it and to the reading of the prayer of the petition'?"

Mr. O. TANIKACHALA CHETTIYAR:—"I will conform myself to that rule, Sir."

The Hon'ble the PRESIDENT:—"But the honourable member has not done that. If the honourable member meant to present this petition now he should have done that by itself. He cannot put in the petition after delivering a long speech, arguing out the whole question. He states that he wants to present the petition under Standing Order 71, but the standing orders do not contemplate petitions being argued out. What the honourable member should now do is to say that he proposes to put in the petition at a later stage and allow the discussion to proceed."

Mr. O. TANIKACHALA CHETTIYAR:—"I am much obliged to you, Sir. I was first of all answering my learned friend the Law Member and I shall conform myself to the rule when I conclude the speech, and then present this petition."

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"Sir, it has been therefore brought to our notice how these people would be seriously injured. They thought and believed rightly or wrongly—I do not venture to say—after the Bill was promulgated or published in the Gazette, that section 12 of the Act would save from the operation of the Act those properties where tenancies were covered by registered instruments, and that such cases would not be affected. Whether they were right or wrong I do not propose to enter into that question. But from the representations which have been made by them, it does appear that the statement which has been made to the Council, namely, in regard to cases in which documents were taken from the tenants only one or two years ago . . ."

The Hon'ble Mr. K. SRINIVASA AYYANGAR (*interrupting*):—"That is not right, Sir, because I distinctly stated in answer to Mr. Natesa Mudaliyar that not merely documents made in 1920 but ten years ago or even earlier would be affected."

Mr. O. TANIKACHALA CHETTIYAR (*continuing*):—"It appears that registered documents that have been taken one or two years previously were referred to. But they have been taking documents from their tenants recognizing their right to call upon the tenants to remove the superstructures from the year 1870 onwards. When these facts have come to notice, it does appear that these people who will be affected have not had any previous notice or opportunity of presenting their case."

"It is nobody's suggestion that they did represent what their hardships will be. I request this Council therefore to give an opportunity to these people to present their case to be considered by a Standing Committee called the Select Committee of this Council before finally deciding. For it appears that while they have bought property worth Rs. 1.80 lakhs, some eighty grounds in extent, they are only having a rent amounting to Rs. 70 in respect of vacant land over which superstructures are put in, and they are getting as much as Rs. 109 in respect of land of which the superstructures belong to the landlord. So that if the Bill as it stands gives them the right of getting only such compensation as the Court would award, it might be that the old rates under the registered instrument would be dominant factor in determining the compensation they would get. The amount of compensation may be a very small figure compared with the very high price of Rs. 1.80 lakhs that has been paid. I might here answer the suggestion made that in purchasing this property they might have been speculating in land. I would only invite the attention of this Council to a certain circumstance which is well known to them, namely, that the purchase price or the contract price which was agreed to be paid for 48 grounds of land for the Women's College which consists mostly of sandy strips of soil with some buildings, which were stated to be worth about Rs. 50,000, was Rs. 3 lakhs. That was the price we agreed to pay for the total property, and therefore for 48 grounds of land alone this House or the Government had agreed to pay Rs. 2.50 lakhs, which is nearly Rs. 5,000 per ground, and what is the reason for thinking that these people who have paid Rs. 1.80 lakhs for land extending 80 grounds, which comes only to Rs. 2,000 per round were speculating in land. It must be borne in mind and it has also been brought to the notice of the members of this Council that the land is in close proximity to the Government House and in the thickly populated portion of Triplicane and not in the cherries which we were considering where superstructures have been erected by people. Under these circumstances, is it asking too much of this Council not to stand upon technicalities and urge them as they do

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in courts of law? I wish again to ask this Council whether we will be justified in doing positive injustice to the owners of that property, whether our adherence to principles of social service will be carried to the extent that socialism shall be made to prevail and whether we could give legislative sanction to such a course of action. That is all I have to say, and by way of winding it up, I present this appeal from the landlords of Azimpet, which contains the signature of parties and the date and everything, and their prayer is, 'that the policy of the act being in the circumstances of this particular case ruinous to us and having been never intended to be so by you should not be allowed to have its operation as against Azimpet property. We further submit that we are ready and willing to submit to any proposal that may be made by you provided we are not made to lose the money we have invested and which we earned by hard labour for a number of years. We further submit that we have no objection for your appointing a committee for investigating the facts regarding the Azimpet property and making proposals consistent with such facts.' Therefore, as I said previously, my honourable friend, the Law Member, had himself no idea of this as he said the other day when section 12 was passed that these stipulations will be enforced only for future buildings. I would ask whether we could allow this clause which would affect the owners of property who would not get full compensation. It has been said by my honourable friend, Mr. Arumainatha Pillai, that people were very anxious when this Bill would be passed and that in courts of law there were suits pending relating to cheri sites and so on."

Mr. A. RANGANATHA MUDALIYAR (*interrupting*):—"I rise to a point of order. Is it in conformity with section 12 we are discussing or is he presenting only the petition?"

The Hon'ble the PRESIDENT:—"I have not yet received the petition. The honourable member may wait to see what I do in connexion with the petition."

Mr. O. TANIKACHALA CHETTIYAR (*continuing*):—"The other day, Mr. Arumainatha Pillai said that we might be very late in giving some relief to the tenants. With reference to the Azimpet property, this clause will mean positive injustice to the landlords by any Court which may decide the suits. This much I have to say is order to meet my friend Mr. Arumainatha Pillai's objection."

"I now, Sir, hand the petition to you."

The Hon'ble the PRESIDENT:—"I don't think that the petition can be received just now, but the time will come when the honourable member could present the petition. I will again point out to the honourable member that, while he is speaking on a motion under discussion, it is not the appropriate thing to present a petition to the House and then proceed to support the case by quoting from the petition for the purpose of his argument. What he should have done was to have risen immediately after questions and said that he had a petition to present to the House and to have presented it. Then in the course of his arguments on the amendment he could have referred to the petition which had been presented earlier in the day. Hereafter, it should be understood that, if a petition has to be presented, it should be presented immediately after questions. That is the time for presenting petitions, and they will then go on record."

Mr. O. TANIKACHALA CHETTIYAR:—"I am much obliged to you, Sir, it is due to the novelty of the situation."

Mr. C. NATESA MUDALIYAR:—"Mr. President, Sir, first of all, I have to thank the Hon'ble the Law Member for the keen interest he has taken on the oppressed tenants of this city. This Bill was submitted for the deliberation of

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this House on two consecutive sessions. On each occasion, clause by clause was taken up, discussed, amended and the Bill was passed as amended. But there was a doubt expressed whether the Bill with clause 12 will be operative and meet the purpose for which it was intended. I am very grateful for the magnanimous way in which His Excellency came to the rescue of these tenants and I assure His Excellency that these oppressed tenants will be very grateful to him and to the Law Member. The contention of those that uphold the cause of the landlords is 'are we to ignore the legal documents existing?' Sir, I request them to consider how those documents came into existence. These poor, helpless, unprotected tenants gave agreements in writing registered to escape for the nonce from the landlord, for fear that they will be evicted if they do not give these agreements. Moreover, Sir, past experience showed them that these agreements were only nominal. Though they and their ancestors were giving agreements to the landlords that they will vacate the land on a month's notice, that notice was never served upon them for generations. Sir, another contention is 'are we to rob Peter and pay Paul?' Sir, their Peter will be adequately compensated to the extent of the land value. If they find it difficult it is left to the members to request the Government to acquire the land and collect the value of the land from the tenants. I request the Hon'ble the Finance Member not to include this money among his optionals, but among his obligatories—for he never allows an optional. Sir, in trying to safeguard the interests of landlords here, let them not forget the misery of thousands of the tenants of the place. Here, Sir, in the appeal given by the landlord, he knew that the rent the land was giving, will not be adequate to the money he paid for the purchase. He says, 'We thought that we were going to get vacant possession and we may build a market and model houses on the said plot.' Sir, his intention, therefore, is to extirpate the human race from the locality and to build his fortune over it. If this amendment is not passed, over 7,000 people of Madras will be left homeless and some of them will be torn away from their habitations and surroundings which were nearest and dearest to their hearts all their life. So, I appeal to the members of this Council to pass this amendment and save so many human beings from suffering."

Mr. T. ARUMAINATHA PILLAI:—"Sir, I rise to support the Hon'ble the Law Member who has taken evidently some interest in the matter, and what I submit is this: that my friend Mr. Tanikachala Chetti has really confused the issues at the very last stage of the Bill. When this Bill was presented, Sir, I believe we started with an understanding that the tenants ought to be helped, and in what way the tenants ought to be helped was the matter under discussion. Originally the Bill contained only a clause as to compensation, namely, that if the tenants are ejected they should be paid compensation for the buildings erected by them. But, Sir, it was, I believe at the instance of my friend, Mr. Tanikachala Chetti himself—he will pardon me if I refer to him—that an amendment was made; when the Bill was introduced, he said that it was not satisfactory, that the Bill would have been comprehensive if it enabled the tenants to acquire the landlord's rights by paying him compensation. My friend, Mr. Tanikachala Chetti, if I am right, was one of those members who sat on the Select Committee and the Select Committee, in pursuance of Mr. Tanikachala Chetti's wishes introduced a new clause 9, by which the tenants were enabled to purchase the landlord's interest in the land. Then, Sir, the question came in, viz., if the tenant is enabled to acquire the landlord's interest in the land, who are the landlords who should be exempted from the operation of this Act, i.e., from liability to pay compensation or from liability to part with their interest? As we had only provided,

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before we came to clause 12, that the tenants would be entitled to be paid compensation or to purchase the land, it became necessary to consider whether this further clause should be introduced or whether the benefit of this Act should be extended to all tenants. That, Sir, was how we came to frame clause 12. It was distinctly understood, as pointed out by the Hon'ble the Law Member and I believe there was no doubt about it, that if any tenant came into possession of land and built a superstructure thereon after having executed a registered agreement in writing, containing specific stipulations as to the way in which buildings should be erected, as to the manner in which they should be disposed of when he goes out of the land, then such a tenant should be excluded from the benefit of this Act. Other tenants, who after coming into possession built houses upon the land without any sort of agreement with the landlord and who subsequently were forced or even agreed voluntarily to give a registered agreement in writing to the landlord containing specific stipulations as to how they should build and how they should remove their buildings, such tenants, it was agreed, Sir, should have the benefit of this Act. Tenants of the latter class had already built houses when the landlord stepped in and proceeded to take an agreement from them; and the agreement says that if the tenants build any superstructures they should clear out of the land at a month's notice without receiving compensation. May I appeal to this House to consider whether in such agreements the clause as to the building of superstructures is not a false statement?

12 noon. "That clause 12 was originally designed for the purpose I have stated will be evident if we refer to the Hon'ble the Law Member's speech when we discussed the clause. With respect to an amendment moved by my Hon'ble friend Mr. Krishna Rao, the Hon'ble the Law Member stated—

"As I said already, a certain amount of confusion may be caused by the last clause with regard to compensation. I therefore divide this clause into two portions. The first portion of it deals with cases where there is a registered instrument in writing while the land is vacant and before any building is erected thereon. In that class of cases, if there are stipulations with regard to the mode of erecting buildings, if there are stipulations that the man shall remove the buildings and quit, if there are stipulations that the man shall leave the building, it is not a case where, according to the principles of the Bill, the tenant should be entitled to protection; because he did not construct the building with any hope that he was to enjoy it so long as he paid a fair rent. He was, before he put up the building, put upon distinct notice that he might have, at the end of the contract, to take the building, or leave the building without compensation or get some compensation."

It is only such landlords, Sir, that the Bill is intended to exempt. So when a landlord holds out hopes to a tenant that he may have the building permanently and the tenant consequently erects a building, but afterwards the landlord takes it into his head, on account of the common law of the country, to ask the tenant to quit within a month, is it not right to say, Sir, that the landlord has used his dominating will as well as the power vested in him by the common law of the country? Therefore, so far as this clause 12 is concerned, there was no difficulty at all when we passed the Bill. Now, taking the original clause 12, as we passed it, and the clause which it is now proposed to substitute in its place in pursuance of the message from His Excellency the Governor, we find that this new clause does not in any way differ from the original clause. Originally it ran thus:—
"Nothing in this Act shall apply to tenancies created by writing registered

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containing specific stipulations as to the terms on which buildings are to be erected or the payment of compensation therefor'. Instead of this long clause as originally drafted, we substituted the later one, namely, 'Nothing in this Act shall apply to tenancies created by writing registered containing specific stipulations as to the erection of buildings'. Then, Sir, was it not fit in the ordinary course of things that we should have substituted 'as to the erection of buildings' for 'as to the terms on which buildings are to be erected', so that the clause might apply not only to future cases but also to cases in which agreements had already been entered into? Now, what is the clause that is proposed to be substituted? It is 'Nothing in any contract made by a tenant shall take away or limit his rights under this Act provided that nothing herein contained shall affect any stipulations made by the tenant in writing registered as to the erection of buildings, in so far as they relate to buildings erected after the date of the contract'. What is the difference between these two clauses? Do not the two tally one with the other? Taking word by word the original clause and the proposed clause, we find that the proposed clause is but a paraphrase of the original clause. The proposed clause only amplifies the statement contained in the original clause. It certainly carries out in better legal phraseology our original intention. We have no difficulty so far as sections 1 to 11 are concerned, whether there was any agreement in writing registered or not. That is, these tenants have a right to receive compensation or to pay the value of the land. That intention is carried out by this sentence, viz. 'Nothing in any contract made by a tenant shall take away or limit his rights under this Act'. This carries out the intentions contained in clauses 1 to 11. And when we go to clause 12 it says 'provided that nothing herein contained shall affect any stipulations made by the tenant in writing registered as to the erection of buildings.' Because under clause 12 we did not want to extend the benefit of this Act to tenants who had originally entered into a contract with open eyes and knew fully well that they would be evicted after a certain period. In order to make our intention clear, we say in this clause 'in so far as they relate to buildings erected after the date of the contract.' Therefore, I submit, Sir, that so far as this clause is concerned, it is only an amplification of what we have already passed, and if we are to go back upon what we have already passed—it may not be, as the Hon'ble the Law Member has pointed out, morally or legally wrong—but we shall only be stultifying ourselves.

"My friend Mr. Tanikachala Chettiyar referred to an urgent appeal by the landlords of Azimpet. One of the arguments advanced in that appeal—I take it that he accepts all the arguments contained therein as his own—is that the condition under which these tenants were allowed to build superstructures was that they should give the vacant site to the landlord whenever they wanted it. After all my friend Mr. Tanikachala Chettiyar was able to produce only one registered instrument, that too dated 1870."

Mr. O. TANIKACHALA CHETTIYAR (*interrupting*):—"I produced none."

Mr. T. ARUMAINATHA PILLAI (*continuing*):—"I said that I understood all the arguments contained in this appeal to be his own. But my friend denies it. So the landlords say that all these people entered on their land on the condition that they would give vacant possession. After all, these agreements date from 1870 only, and it has been proved and admitted in this Council that the houses and buildings on the lands were in existence long before 1870. What was the agreement before 1870? The whole question is that before the buildings were erected, did the tenants give any agreement? Unless the landlord is able to satisfy

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this Council that at the time when these tenants were allowed to erect buildings they had given registered agreements, his case is entirely out of court. Another argument advanced is this. The landlords were not quite so very hard-hearted as some members seem to think; because they were willing to give these lands to them for some money payment. That is exactly what the Bill provides. That is exactly what my friend Mr. Tanikachala Chettiyar was fighting for in this Council. Clause 9 of the Bill says 'the court shall fix the price according to the market value of the land on the date of the order'. To-day the cases are pending and the date of the order will be December 1921 or January 1922. I do not believe that my friend Mr. Tanikachala Chettiyar has no confidence in the courts of law. When the courts are going to decide the value of the property, what is the difficulty to which the landlords are put, if their real intention, as they say, is that they do not want to drive these tenants out and want only their money back and if their intention is not to harass these poor people? We have provided ample safeguards for their getting their money. Then, Sir, it is stated that before they purchased the land, they had the prudence to go about and collect evidence as to the terms upon which these houses were to be built. I do not know why they did so even before the sale-deed was executed in their favour. And these agreements were taken from the tenants by which these poor tenants agreed to give up their houses within one month after notice. Surely when a tenant executes a registered agreement in favour of a man even before that man becomes entitled to the property, what is the inference, Sir, that we have to draw? The only inference is that the landlord must have put pressure upon the poor tenant and said 'unless you execute such an agreement, I am not going to give you the land'. Otherwise why should the tenant execute the agreement even before the landlord got title to the property?

12-15 p.m. "Of the 62 agreements, 61, I believe, have also subsequently agreed to the landlord's terms. Quite so; 62 people agreed prior to the sale-deed. They relied upon the word of the landlord. The tenants say that when the agreements were taken, they were given an assurance that they would not be ejected from the house-sites and the landlord rests his claim upon the agreements. Which case is more believable the case of the landlords or the case of the tenants? These persons have been living there for generations. Can it be said that they executed 61 agreements even before the landlords got title, unless they had given them some sort of assurance? And then it is stated that he paid Rs. 80,000 in the belief that he would get vacant possession. What is the belief worth? When he himself says: I am willing to sell the property to you, you please give me my money back, is this man to be believed? He says he has invested two lakhs and odd rupees expecting to get vacant possession and put up model buildings and markets. I submit, Sir, so far as he is concerned it will be found that it is a matter of speculation and nothing more. Surely, Mr. Tanikachala Chettiyar with all possible warmth said that it was nothing but a sheer *bona-fide* transaction; but with equal warmth I can say that it is only speculation and nothing more. The merchants made their profits during the war and now, fearing an income-tax, they invest the money on these properties and hope that they may multiply the amounts in course of time. If this is not speculation, I want to know what else can be called speculation. Simply because he speculated and was landed in failure on account of the fall in prices, is this Council going to accept that? Therefore, I submit that the case put up by Mr. Tanikachala Chettiyar on behalf of the landlord cannot be favourably voted upon. And moreover, Sir, this man gets 62 agreements from these people."

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The Hon'ble the PRESIDENT (*interrupting*):—"I do not want to interrupt the honourable member; but it is my duty to enforce the standing orders. I remember having heard the particular argument several times already, and repetitions are to be deprecated."

MR. T. ARUMAINATHA PILLAI (*continuing*):—"Now, Sir, I am not going to do that. I am going to refer to another matter based upon that. Unfortunately the whole thing centres upon it."

The Hon'ble the PRESIDENT (*interrupting*):—"I only appeal to the honourable member to consider if he cannot avoid repeating the same thing and I hope he will wind up his speech as early as he can."

MR. T. ARUMAINATHA PILLAI (*continuing*):—"Without that reference, Sir, I may say that this speculation cannot be tolerated. Is he a Shylock demanding his pound of flesh? I therefore request the House to pass the proposition before the House."

KHAN BAHADUR MUHAMMAD USMAN SAHIB:—"Mr. President, Sir, as the representative of the Muhammadan community of Madras, I wish to say a few words. The best way of approaching this question is to view it from the standpoint of doing the greatest good to the greatest number. In the locality known as Azimpet there are about 140 houses and about 700 families. If we do not pass the amendment as proposed by His Excellency the Governor, this Act will fail to do the work for which it is intended. The landlord will take legal proceedings and evict those two or three thousand people who are living there and make them absolutely homeless. I would therefore like to ask this House if it is their intention to make these people homeless and miserable. It is the duty of this House to protect the tenants against the landlord who has purchased this plot of ground at a cost of Rs. 1,80,000 with a view to drive these people from their hearths and homes and sell the land at a huge profit, say, at rupees four or five thousand per ground. Therefore, Sir, I feel strongly that we shall not be doing our duty to these poor tenants if we oppose the motion made by the Hon'ble our Member who clearly made us understand that Azimpet was included in the Law Member's objective. In last June or July he convened a meeting in which Mr. Tanikachala Chettiyar, myself and some others were present, in which he clearly told us that one of the objects of the Bill was to protect the tenants of Azimpet. In these circumstances I strongly support the motion before the House."

RAO BAHADUR T. NAMBERUMAL CHETTIYAR:—"Sir, I wish to say one or two words in connexion with the alleged speculations by the landlord. In the Azimpet locality there are, I think, 89½ grounds which were purchased for Rs. 1,80,000. This works out about Rs. 2,000 per ground. Long before the present land boom, the value of land was much more than Rs. 2,000 per ground in Triplicane. Land adjacent to Azimpet locality could never have been available for anything less than that value. I only wish to convince the House that speculation was not at all the idea of the landlord. Properties within a stone-throw of this area were sold at much higher prices, and I know of an instance of an adjacent property having been sold for about Rs. 9,000 a ground. I may state that the landlords could have only intended to invest the amount upon some big plot of land measuring some 90 grounds in extent, so that in time to come they may earn some profit. It is not the landlords that are entering into speculation, but the tenants. They are the real people that are speculating. The original tenants were paying 6 to 8 annas per ground, but the sub-tenants who are now in possession are letting it to others at Rs. 20 to Rs. 40 per ground, while they only pay 6 to 8 annas per ground."

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to the landlord. So that, it is the sub-tenant that is speculating. I know of another case in which a building is taken for a rent of Rs. 500 a month and a portion of it is sub-let for Rs. 600, so that the tenant is living free of any rent.

"There is one other point which I may mention. We have the Town Improvement Trust. If they take the whole and pay the original price paid by the owners and lease the property to the Azimpet tenants, there will be no hardship either to the landlord or tenants. In the preamble to the amendment, it is stated 'As is well known it was always intended to give protection to such class of tenants'. While professing to do so, the Bill, if passed, will in effect compel the landlord to part with his property for much less than what he would otherwise hope to get. I therefore think that it would be very well either for the Corporation or Town Improvement Trust to take up the lands. I assure the House that the investment will be a sound one, and that neither the landlord nor the tenants would suffer by this change."

Mr. S. SOMASUNDARAM PILLAI:—"I really sympathize with my friend, Mr. O. Tanikachala Chettiyar, for his able advocacy on behalf of the landlord. I must remind my friend that there is a difference between the law court and the Legislative Council. In a Court of Law, the Judges administering the law are bound by it. Whereas, in the Legislative Council, we discuss its merits and legislate taking all points into consideration. If the landlord is losing his money he loses perhaps a portion of his investment. With the tenant the case is different; he loses the whole. Our sympathies should, therefore, be with the tenant. So long as this Bill aims at the protection of the tenants, it is the duty of the Government and the duty of this House to pass it. We must look to the interests of the tenant in preference to those of the landlord. The landlord has purchased the properties intending to make as much as three or four times his investment, though it has been stated by Mr. Namburumal Chettiyar it was not so. Of course he is himself a landlord and he must say so. But we, as responsible members of this House, should stand for the protection of the poor tenants. When you pass this it must be acted upon by a Court of Law, and we must be careful what we discuss and pass. The registered documents were obtained from the tenants by the landlords under threat of ejectment. So even in a Court of Law these landlords can be defeated by proving that the documents were obtained by coercion and undue influence. But it is very difficult for the poor tenants to prove. For any amount of oral evidence let in by the tenants cannot stand in a Court of Law, because not admissible under section 92 of the Evidence Act. This suggestion by His Excellency should be adopted and the Bill should be passed by all supporters of the tenants' cause so that they (the tenants) may bless us."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, we have heard in connexion with the amendment before us a great deal about speculation. Some members of this House have said that the landlords invested their money on the land by way of speculation and so they should suffer. The other view is also advocated before us. It seems to me, Sir, that it is unnecessary for us to consider the aspect of speculation with reference to this question. When there is a question between a landlord and a tenant, my sympathies are always with the tenant. But it is also necessary, Sir, if possible, that justice should be done to the landlord. It has been stated here that practically by passing this amendment—because it is only an amendment that comes in the name of His Excellency—the House will simply be carrying out what has already been voted upon. If that be the case, there is no need for passing this amendment. If, on the other hand, there is need for passing this amendment, obviously

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that shows that there is something in this amendment, which is not already in the section that has been passed by this Council. The Hon'ble the Law Member stated in an elaborate statement to-day that even at the commencement of this legislation the properties in Azimpet were specifically referred to and that member after member in his speech referred to the same property. If in this way careful consideration was bestowed in this Council upon the properties in Azimpet, how is it that my honourable friend, the Law Member, discovered for the first time certain materials after the several stages of the Bill had been passed and just as His Excellency was about to give his assent? If my honourable friend had discovered (and he says he has) certain new materials which require reconsideration of the class as already passed, does it not reasonably point to the conclusion that some further light should be thrown on the matter to satisfy us that a further consideration of the whole matter is necessary? Does not that point to the necessity of our not rushing through this amendment immediately as my honourable friend, the Law Member, apparently wants? It seems to be plain, therefore, Sir, that apart from the question of speculation the very fact that quite accidentally in a conversation between him and Mr. Natesa Mudaliyar, the Hon'ble the Law Member was able to discover new materials, shows that we may be able to discover other things when we look into the matter more carefully. It seems to be only fair to the landlords that this further examination should be undertaken and that the plea that has been put forward on his behalf should be accepted. It has been stated that the property is very near the Government House and I am told that the tenants in this particular locality are not in many cases poor people, that in fact some of them are very rich and influential Muhammadans and Hindus, not like the Adi-Dravida tenants who are living in the outlying portions of the municipal limits. In any case, Sir, whether the information conveyed to me is right or wrong, there is need for further consideration of the matter and it seems to me to be extremely unfair to the landlords if we pass this measure without further consideration."

Diwan Bahadur M. RAMACHANDRA RAO PANTOLU:—"Mr. President, Sir, without expressing my sympathy either with the landlord or with the tenant, it seems to me that, so far as I have been able to judge all the points of view, both that presented by Mr. Natesa Mudaliyar and that of Mr. Tanikachala Chettiyar, there seems to be absolutely no case for a reconsideration of this matter. Honourable members will remember that the policy of the Bill which was discussed for a long time in this Council was to compensate the landlord and to enable the tenant to pay the market value of the holdings and purchase them from the landlord. In the communication which has been addressed to this Council by the landlords, we find it distinctly stated that what the landlord wants is that he should be paid for this property. The communication reads: 'We are prepared even at this moment to give up the property in case we get back the amount invested by us together with such compensation by way of interest as may be suggested by this Council'. In another part of the same communication, the landlord says that he is willing to give up the property in case the provisions of the Land Acquisition Act are applied to it. So that it comes to this: that he is prepared to part with his property: what he wants is to be repaid what he paid for it, i.e., the market value, and that is the very provision that has been made by the Bill that has been passed. I should like to ask what is the grievance under which the landlord is now suffering. Is he afraid that he won't get the market value? This matter is decided, so far as I know, by proceedings in the Small Cause Court or in the City Civil Court, and there is an appeal provided

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so far as the proceedings in the City Civil Court are concerned. That being so, the landlord is certain to get the value and we have the evidence of Mr. Namberumal Chettiyar that the neighbouring properties have been sold for twice or thrice the amount that has been paid by the landlord. If that is so, what is the fear of the landlords? Of course, it is not the function of this Council to settle the compensation or to guarantee to them the amount invested by them. Those are functions of the court. I do not see what is the contention unless the honourable member, Mr. Tanikachala Chettiyar, says that the courts will not do justice. I do not think he will venture to say that in regard to the courts at any rate in Madras. I think it is unnecessary for the Council to examine all the arguments that have been urged or to express its sympathy either with the landlord or with the tenant. It seems to me that the Act has provided market value wherever the landlord wants it and what the market value is, is essentially a function of the court to determine. When the landlord himself says that he will be satisfied with getting back what he has paid, and I am certain that any court will say that he has paid Rs. 1,85,000 and when it also comes to the conclusion that it is not a speculative bargain and when we have the assurance of Mr. Namberumal Chettiyar that the property was sold at twice or thrice the amount, I should like to know what the real grievance of the landlord is. Sir, I have no interest either in the landlord or in the tenant nor would I be a party to this Council taking sides with one or other party, for it is essential that we must do justice to both parties. When such a provision has been made in the Bill, I do not see what really is the ground of complaint."

Mr. P. SIVA RAO:—"Mr. President, Sir, I rise to support this amendment which was remitted for our further consideration. Under ordinary circumstances, a man coming from the mufassal like myself would have considerable hesitation in dealing with this matter which pertains solely to the City of Madras. But, I think, Sir, the question is extremely simple. It has been made easy for our consideration by the elaborate discussions we have had over the provisions of the Bill for several days. Without proceeding further, I may say, the simple issue before us is, whether by the introduction of this amendment we are trying to go back upon what we have resolved upon or upon our most unequivocal wishes arrived after several days' anxious consideration in this Council. That is the simple issue, Sir, that requires our consideration. If for a moment I thought we were going back upon our clear and express intentions, I would be the last man to support this amendment. A clear reference to the provisions of the original Bill as drafted and introduced in this Council—and they have all been referred to by the honourable member, Mr. Arumainatha Pillai—a reference, a bare reference to the speeches that were then made, would amply convince us that these agreements contemplated under section 12 were agreements that related to the buildings that were to be constructed after the Act. We have so far voted for the following main principles of the Bill. The first is that the benefit of the provision should be extended to all those who erected the superstructure on lands, not their own in the hope that they would be allowed to continue so long as they paid a fair and reasonable rent. And the second principle that we voted for was this: that this benefit should not be extended to one who with open eyes in the light of a registered instrument erected these buildings under certain conditions. We made it also very clear that the person for whose benefit this is enacted should not be in a position to contract himself out of it. The circumstances in this case under which these agreements came into existence have been lucidly set forth by Mr. Natesa Mudaliyar. They were entered into under pressure and undue influence. It is

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also stated in the preamble to the amendment that most of the agreements entered into in the case of Azimpet site related to the buildings which had long ago come into existence. Now, Sir, with these circumstances before us have we any hesitation in voting for this amendment? Shall we be justified in taking advantage of a technical, verbal flaw in section 12 of the Act and throwing out the amendment? With these words, I beg to support the amendment."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Sir, I want to clear a confusion introduced by the speech of Mr. Krishnan Nayar. He said that if after great consideration the Law Member was able to find new materials and therefore proposed this amendment, then there was a case which the Council should be given time to consider fully. What exactly is the new material which necessitated this? We have already agreed upon giving protection to those tenants who built without having a registered instrument at the outset, i.e., when they were first let into possession. We wanted to except persons who erected buildings after having entered into registered instruments in writing containing provision with regard to the erection of superstructures. At the time when I had the Bill finally passed, I did not know this; that in these writings which I had seen before, writings taken 21 years ago or even earlier there were conditions as regards future buildings. I knew that in Azimpet all the buildings had been erected long ago and I did not anticipate that any provision existed for future buildings also. This was found later and this is the new material. Does that affect the question materially so far as protection to these tenants is concerned? As it is, if the courts are privileged to look into the speeches made in the Council, I would have confidently left that section alone. But unfortunately the courts are not entitled to look into the speeches and owing to the existence of this provision as to future buildings, an ambiguity may arise in construing that section. It is why, Sir, I wanted to relieve that ambiguity and wanted the section to be made as plain as this House intended it to be. That is the reason for it—not that this new material affects the substance or the principle or any of the material provisions of this Act."

12-45 p.m.

Mr. O. Tanikachala Chettiyar at this stage presented a petition addressed to the Council by the landlords of Azimpet

The Hon'ble the PRESIDENT:—"Now that the petition has been presented, I would again like to inform the House for future guidance that petitions should be presented immediately after questions and in accordance with Standing Orders 71, 72 and 73. I would also invite attention to Standing Order 74, which says: 'The President shall not allow any debate or any member to speak upon or in relation to such petitions'."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"May I venture to say, Sir, that it is only at the time of the presentation of the petition?"

The Hon'ble the PRESIDENT:—"Probably so; but that point may be considered when it arises."

Under Standing Order 51, I now put the question to the House. The question is that, for clause 12, the following be substituted as suggested by His Excellency the Governor:—

'Nothing in any contract made by a tenant shall take away or limit his rights under this Act provided that nothing herein contained shall affect any stipulations made by the tenant in writing registered as to the erection of buildings in so far as they relate to buildings erected after the date of the contract.'

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The question that the substitution be made was put to the House and agreed to.

The Hon'ble the President then announced that the substitution having been made, it would be reported to His Excellency the Governor.

2. A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920,
AND THE MADRAS LOCAL BOARDS ACT, 1920.

The Hon'ble Mr. P. RAMARAYANINGAR :—" Sir, I beg leave to introduce Bill X of 1921, a Bill to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920, and move that the Bill be read in Council. The Bill was published in the *Fort St. George Gazette* on the 8th December 1921 in English and vernacular.

" In this connexion, Sir, I must say that I owe you and the honourable members of this House an apology for introducing a Bill somewhat unceremoniously at this stage of the Council's sitting. I am aware, Sir, the Council is hard-pressed for time with a number of non-official resolutions tabled for discussion and with hardly half a day to dispose of them. My only excuse is in the urgency of the measure. Sir, for several months past many presidents of district boards and taluk boards and chairmen of municipal councils have been repeatedly pressing for the introduction of a legislative measure to make the oath or affirmation of allegiance to the Crown obligatory on the part of members of local boards and municipal councils. They pointed out that as many of the members of the local bodies had happened to be men of doubtful allegiance to constituted authority, there have been practical difficulties experienced in carrying on the local administration. The Government, however, did not like to take hasty action in the matter. They waited and at one time they had their own doubts as to the need for the legislation asked for. But the recent happenings in some of the local bodies have dispelled those doubts. Sir, not a few of these members have of late been acting in a manner altogether inconsistent with their allegiance to constituted authorities and to the Crown. They have been openly defying the authority of the Government. They have been trying to utilize the local institutions as instruments for their own anti-government propaganda. They have even gone the length of making a disgraceful display of their disloyalty to the Royal House. Sir, it will be remembered that the Guntur Municipal Council spent large sums of money upon the so-called national institutions in spite of the Government orders not to spend municipal funds on institutions not recognized by the authorities. The Auditor of Accounts found it out and he was compelled to surcharge the amount of over Rs. 1,700 on the chairman of the municipal council. The Salem Municipal Council sanctioned a sum of Rs. 1,000 from the municipal funds for the purchase and supply of khaddar to the municipal establishment, while at the same time they would not spend a pie for the purchase of rat traps required in connection with the prevention of an epidemic of plague.

" The Rajahmundry Municipal Council passed an order declaring the closure of municipal schools and a general hartal on the day on which His Royal Highness the Prince of Wales arrived in Bombay. These, Sir, are only a few of the significant instances of the display of the defiant attitude of these local bodies. In many cases they have been abusing their power, a power given to them for the administration of services some of which happen to be services of national importance. These services have been liberally subsidized by the Government. The Government are afraid that if the councils should abound in members who do

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not owe allegiance to the Crown or to the constituted authorities the Local Fund administration might result in the expenditure of public funds for objects for which the funds were not intended. These, Sir, are the circumstances under which the Government have been compelled to extend the oath of allegiance to the members of local bodies. Nor is the oath of allegiance something unknown in the country. The Honourable Members of this House have all taken the oath of allegiance and I understand that in other provinces too resolutions have been passed to have the oath of allegiance extended to the members of the local bodies. These, Sir, are in short the reasons for introducing the Bill."

The Hon'ble Rai Bahadur K. VENKATAREDDI NAYUDU :—" I second the motion."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Mr. President, I beg to move at this stage that the consideration of this measure be postponed to the 19th January 1922. I suggest 19th January 1922 because that is the next date prescribed for the transaction of the ordinary business of this Council.

" I must in the first place express my feeling of satisfaction at the very frank and full statement made by the Honourable the Minister for Local Self-Government as to the circumstances under which it has become necessary to introduce this Bill. Without saying anything on the merits of the Bill or about its general principles, regarding which I reserve my right, I would point out that this Bill was published in the *Fort St. George Gazette Extraordinary* dated 8th December 1921. It may be safely presumed that it would have taken some time before those for whose benefit it was published in the gazette would have become acquainted with its provisions. It is only after coming here that the Honourable Members of this Council could have had an idea as to the possibility of this being introduced in the Council at this meeting. It is only after coming here that a slip was handed over to us about the notice of a motion to that effect. Actual notice of the making of the motion to-day was given yesterday evening; and yesterday night at about 8 o'clock some of us were served with notices of amendments to almost every clause of the Bill. Just now at about 1 o'clock we find another set of amendments in the name of my honourable friend Rai Bahadur T. M. Narasimha Charlu to all the four clauses of the Bill. I would draw the attention of the House to the fact that the notice in the agenda shows that if this Bill is introduced, all the further stages will be gone through this day until the Bill is passed into law. I would point out that the object with which the rules provide for the publication of the Bill is to enable those whom it would affect to make proper representations to the authorities concerned, regarding its provisions. If I can speak on the motion giving expression to my own personal views or the views of those who are present in this Council, there can be no difficulty whatever, for we have all taken the oath of allegiance and we will only be glad and ready to take it again. So far as we, the members of this Council are concerned, there is no difficulty whatever. Let us all remember that this measure affects the several hundreds of members of the Municipal councils and the District, Taluk and Union boards, and it will not be proper on our part to pass any legislative enactment without ascertaining the views of those who are really affected thereby.

" We are all lovers of democracy, and we are here as representatives of such democratic institutions. Can we suggest with any degree of reason that we shall be justified in hurrying through a measure of this description which affects the various local bodies without giving them the slightest chance of making representations? It is for this reason that I would suggest the

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postponement of the measure to the 19th January. The Hon'ble the Minister for Local Self-Government did not give reasons as to why the Bill should be passed at this meeting; he did not show what danger would befall us if we put off passing this Bill to the next meeting. If the Government chooses, they may themselves send a referendum to the local bodies. We shall then be perfectly free to consider the Bill on its merits. Otherwise we ourselves will place it before the local bodies and then come to the Council and state what the local bodies wish to say in the matter. It is for these reasons that I want to have postponement."

The RAJA OF RAMNAD:—"I beg to support the motion that the Bill be taken up at once."

The Hon'ble the PRESIDENT:—"Order, order. The Hon'ble the Minister for Local Self-Government has moved that the Bill be taken into consideration. Now a motion has been made under Standing Order 31 that this subject be postponed to the 19th January. The second motion has not yet been seconded."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I second the motion, Sir. In supporting this motion, I do not want to say anything about the principle of the Bill. But I want to place a few difficulties before the Council. The statement of objects and reasons says: 'It is considered necessary that all municipal councillors and members of local boards should make an oath or affirmation of their allegiance to the Crown.' But this only gives the object but not the reasons."

"Then supposing the amendments are not passed, what will be our position? The whole Bill is absurd from beginning to end; and the amendments show that they have realised the absurdity."

The Hon'ble the PRESIDENT:—"At present the Honourable member is seconding the motion that the consideration of the Bill be adjourned to the 19th January. It will be well if he confines himself to that. When the main motion is taken up, he can prove that the whole thing is absurd." (Laughter.)

Mr. C. V. VENKATARAMANA AYYANGAR:—"There are some absurdities to clear which amendments have to be made, and for that time is required. One of the provisions of the present Bill is as follows:—

'The following shall be inserted as section 369 of the Madras District Municipalities Act, 1920—

369 (1) Every elected or appointed Councillor holding office at the commencement of this Act, shall, at the first meeting of the Council which attends after the commencement of this Act, make an oath or affirmation of allegiance to the Crown

"This is absurd on the face of it. 'This Act' referred to above is the District Municipalities Act which had come into force long ago, i.e., on the 1st October 1920. Then the Bill goes on to say—

'Any elected or appointed councillor holding office at the commencement of this Act who fails to make, within three months from the commencement of this Act, the oath or affirmation laid down in sub-section (1), shall cease to hold his office and his seat shall be deemed to have become vacant.'

"This is absurd on the face of it. 'This Act' again referred to above will mean the same District Municipalities Act, 1920, which had come into force long ago."

The Hon'ble Sir LIONEL DAVIDSON:—"May I ask Sir, whether the honourable member is right in pursuing a course for which you took him to task?"

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The Hon'ble the PRESIDENT:—"The honourable member's point is that there are certain difficulties which, if he had time, he could obviate. On that ground he wants that the consideration of the Bill should be postponed. The Honourable member had better get to the point soon."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Exactly so, Sir. Supposing that the clause 369 of the District Municipalities Act is so added to, what will be the case? If any member does not take his oath of allegiance within three months from the commencement of this Act, namely, the District Municipalities Act of 1920, his seat shall become vacant. The commencement of 'This Act' was 15 months ago!"

The Hon'ble Mr. P. RAMAIAH (interrupting):—"The Honourable member is going into the merits."

Mr. C. V. VENKATARAMANA AYYANGAR (continuing):—"If time had been given I could have suggested an amendment to substitute '18 months' for '3 months.' Then section 241 of the Local Boards Act is sought to be changed thus:—

'Any member of a local board holding office at the commencement of this who fails to make, within three months from the commencement of this Act.

"'This Act' came into force on the 1st of April 1921. There is another point. Now supposing this Act is passed, a member of a local body must take the oath on the first meeting he attends after the passing of this Act. If he refuses to do so what is the penalty? His seat will become vacant three months after that. Suppose this Act comes into force on the 1st January 1922, and a member refuses to take the oath of allegiance he can sit in the Council for three months more, i.e., up to the 31st of March 1922. The clause simply says that if for three months he does not take the oath of allegiance his seat shall become vacant. I request the Hon'ble Minister to postpone the consideration to the next month. If not, if his Bill is passed, the Council will become a laughing stock. Some of us are already the laughing stock of the community. I hope the Council will not place itself in an absurd position. To safeguard the dignity of this House, to safeguard the dignity of the Minister, to safeguard the dignity of everybody, I hope the House will postpone consideration of this Bill. (Cheers.)"

Mr. P. SIVA RAO:—"Mr. President, Sir, I wish to say a word or two in support of the motion for adjournment. My main reason is this. The members of municipal councils, taluk boards, district boards and union boards, the members who are affected by this legislation, have had no opportunity whatever to say anything about the merits of this Bill. That is my foremost objection to taking up this Bill at this sitting. Now, Sir, as was stated by the Hon'ble the Minister in charge, the draft Bill was published on the 8th of this month in a Gazette extraordinary. It was published only eight days ago, and even after we came to Madras we were not quite sure whether this Bill would be introduced at this sitting. I do not believe for a moment that this is an emergency measure. This Bill in its essential aspects seeks to affect the conditions of the appointment and election of municipal councillors. I do not propose to go into the merits of the Bill at all. Though a chairman here or a chairman there, a president here or a president there might have requested the introduction of a legislation, I feel it necessary that in a matter like this a reference must be made by the Government to the local bodies as a whole—about 67 municipalities, hundreds of union and

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taluk boards, and about 25 district boards. On the receipt of communications from one or two local bodies, the Government should have felt it incumbent on them to make a general reference to all the local bodies; they should have tried to elicit their opinion on this matter before rushing in this legislation.

"Then there is one important omission. I do not know whether deliberately or inadvertently the Hon'ble the Minister has exempted the Madras Corporation from its operation. Whether he thought that the loyalty of the Madras Corporation was beyond doubt or whether he thought that the non-co-operators had not yet crept into the sacred portals of the 'Ripon Buildings', that is a matter for consideration. Even now I appeal to him and request him to say whether he did so deliberately, whether he would not do well to extend the same principle to the Madras Corporation; if he seeks to be consistent in the enunciation of his principles, he ought to bring in a comprehensive measure affecting all local bodies and place it for the consideration of the House."

"As for the emergency nature of the measure, I wish to say a word or two. It was stated by the Honourable the Member in charge that Guntur and Rajahmundry were the two local bodies that had misbehaved and defied the authority of the Government. But the Honourable Minister is also aware of the drastic powers vested in him under the Local Acts. I do not for a moment consider that the Bill is an emergent one. If any emergency occurs it can be dealt with under the drastic powers vested in the Ministry for Local Self-Government. It may be an innocent measure but it may at the same time be a stigma cast on the loyalty of the local bodies if you resort to this legislation because one or two municipalities had misbehaved. Therefore I consider that it is not wise to rush through this legislation and I vote for the adjournment."

The RAJA OF RAMNAD:—"I have to oppose the motion for adjournment. The honourable member from Nellore has given us no convincing reasons for asking that this Bill should be put off. There is no reason for doing so unless he believes that by moving for adjournment he could prevent the Bill from being passed as Swaraj is said to be coming on the 30th December. I do not think that any useful purpose would be gained by postponing consideration. He wants that the local bodies concerned should be given an opportunity of expressing their opinion. Some of the local bodies mentioned by the Hon'ble the Minister for Local Self-Government may say that they will not take the oath of allegiance to the Crown. May I ask whether the position will be any better than it is to-day? The honourable member from Coimbatore observed that we shall become a laughing stock by passing this Bill. But, I believe we will really become the laughing stock only if we refer the Bill to the local bodies and when one of them declares that it will not take the oath of allegiance. The Bill is after all a very simple one. I strongly oppose this motion for adjournment. If one would not take the oath of allegiance or he is a non-co-operator he has no business to remain in these institutions which are only part of Government machinery."

Mr. N. A. V. SOMASUNDARAM PILLAI:—"Mr. President, I oppose the motion for adjournment of the consideration of this simple matter. It is a fundamental principle on which we have all entered the municipal councils or local boards, or Legislative Councils and so there should be no objection to take the oath of allegiance to our King-Emperor. If any person is unwilling to do so, he has no business to remain a member of any of these bodies any longer. Therefore this is a matter in regard to which there should be no difference of opinion. I am not able to follow the line of argument of honourable members who say that they want

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time to consider this. What we want is that if a person want—to be a member of any of the local bodies he must take this oath of allegiance. If he has got any objection nobody compels him; if he has any sense of honour he must take oath or go out. Non-co-operators do harm not only from outside but also inside these councils. Therefore I strongly oppose the motion for adjournment and I request to have this Bill passed without any further delay."

Mr. O. Tanikachala Chettiyar rose to address the House.

The Hon'ble the PRESIDENT:—"We are dealing with the question whether the matter should be adjourned or not. Ordinarily a motion for adjournment is not debated upon at length."

Mr. O. TANIKACHALA CHETTIYAR:—"I do not want to speak. I ask that the matter may be put to vote."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I should like to point out to the Council again the circumstances under which we are now tackling another piece of legislation. So far as opinions are concerned I am afraid my honourable friend, the Raja of Ramnad, has thrown out altogether an unmerited remark in reference to my honourable friend, Mr. A. S. Krishna Rao. At any rate, so far as he is concerned, he does not belong to that school of political thought which thinks that Swaraj is about to come on the 30th of December next."

The RAJA OF RAMNAD:—"I only said that the postponement would be justified if only he believed in that."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"So far as the honourable proposer of this amendment is concerned, I think the Raja of Ramnad knows him sufficiently well not to require the assurance that the motive for the amendment is not the prospect of Swaraj on the 30th of December. Well, amendment is not the prospect of Swaraj on the 30th of December. Well, Sir, be that as it may, it is a small matter. But I should like to point out that this Bill, as originally introduced, consisted of five clauses. The Hon'ble the Minister circulated a set of amendments to every one of these five clauses and these amendments reached me last night at 10 o'clock. Now we have a second set of amendments, amending everyone of these five clauses, and these amendments of Mr. Narasimhachari propose not only to maintain the position taken up in the original Bill, but they propose also to penalize the members for a period of two years—penalize the members who refuse to take oath for a period of two years by way of not being permitted to seek re-election or re-appointment. Well, in a House especially composed of representatives of the district boards and representatives of the people, how can any expect us sitting here to consent to proposals without examination, without consideration, without investigation and thus debar a number of persons from standing for election. Well, whether these proposals are to be considered in a committee of the whole House is another thing. My honourable friend the Minister has given notice of his intention of pressing that this should become law to-day without any reference to the Select Committee. Of course, the Hon'ble the Minister takes up the responsibility for this legislation; I am perfectly aware that he has a majority at his back and he can push through this legislation on his responsibility. But if the whole House has to share that responsibility, I think the Ministers and the members of the Government ought to bestow some consideration on the minority of this House. If this is not to be the prevailing practice of this House, I am sorry really—this is supposed to be a new age—for this legislative body. Now what are the facts stated by the honourable member as regards urgency? Is this a piece of urgent

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legislation, so urgent that, if it is not passed, we may be landed in a revolution in this country before the end of this year? The honourable member has mentioned only two circumstances. He said that the Municipality of Rajamundry had passed certain resolutions. I very much regret and deplore that that municipality should have done so. I was myself a member of a municipality and a chairman for some time and I am considerably pained at its doings. He has also referred to the Municipality of Guntur. Besides these two, no other fact has been stated to warn us that unless this legislation is passed at this sitting and under these circumstances, some great catastrophe is going to happen. I ask the members of this House, as reasonable men, whether anything tremendously revolutionary is going to happen if we put it off till the 19th of January. As I said we deplore the fact that those municipalities should have gone out of their way to pass resolutions, not only absolutely unnecessary but also unwise. As regards the question of 17,000 rupees there are ample provisions for surcharging the chairmen. I understand from what I see in the newspapers that a chairman has already been called upon to pay Rs. 17,000. Assuming that he does not take the oath of allegiance, does it prevent his being brought under the surcharge sections? I put these considerations before honourable members, whatever course they may be inclined to take. As far as I am concerned I regret I shall not be able to take part in the discussions though I may have a few words to say. I regret I have to say that. I certainly leave the responsibility entirely to the Minister."

The Hon'ble Mr. P. Ramarayaningar rose to address the House.

The Hon'ble the PRESIDENT:—"Does the Honourable Member wish to speak on the question of adjournment?"

The Hon'ble Mr. P. RAMARAYANINGAR:—"Just a few words, in explanation, Sir."

The Hon'ble the PRESIDENT:—"The Honourable Member will of course be in order if he gives reasons why this Bill should not be adjourned to the 19th January."

The Hon'ble Mr. P. RAMARAYANINGAR:—"I have already stated, Sir, about the urgency of the measure. In fact it is not a few but many of the district board and taluk board presidents that have been pressing for the introduction of this measure. The Government have been waiting all these months. They are now convinced that the introduction of the legislation cannot any longer be delayed. They fear that if they were to delay the matter they would be placing the district board and taluk board presidents and the chairman of the municipal councils who are really responsible for the administration of the localities in a false position. That is the reason why I said the measure is urgent. Sir, one of the members characterized the obligation to take the oath of allegiance to the Crown as a stigma on the members of the local bodies. I cannot for a moment understand what he meant by that. Do the honourable members of this House consider it a stigma to them to be under legal obligation to take the oath of allegiance to the Crown? I cannot for a moment believe it. Again the question was asked, what calamity would befall if the measure was not passed at once. Sir, my answer to the question is, that already practical difficulties in the administration of the local bodies have been experienced. The fact that many of the members who are not prepared to take the oath of allegiance have to the detriment of the administration got into the local bodies is in itself a calamity and, from the Government point of view, the local administration cannot be carried on by them on constitutional lines."

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The motion that the consideration of the Bill be adjourned to the 19th January was put to the vote and lost.

A poll was taken with the result 17 voted for, 56 against the motion.

Ayes 17.

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| 1. Mr. K. Gopalakrishnayya. | 9. Mr. A. Ranganatha Mudaliyar. |
| 2. " K. P. Gopala Menon. | 10. " K. Sadasiva Bhat. |
| 3. Diwan Bahadur K. Suryanarayanamurthi Nayudu. | 11. Sriman Sasibhushana Rath Mahasayo. |
| 4. Diwan Bahadur M. Ramachandra Rao Pantulu. | 12. Mr. T. Sivasekaram Pillai. |
| 5. Rao Bahadur A. S. Krishna Rao Pantulu. | 13. " T. C. Srinivasa Ayyangar. |
| 6. Mr. P. Siva Rao. | 14. " M. Suryanarayana Pantulu. |
| 7. Rao Bahadur, C. V. S. Narasimha Raju. | 15. " Mr. C. V. Venkataramana Ayyangar. |
| 8. Rao Sahib U. Rama Rao. | 16. " K. Koya Sahib Bahadur. |
| | 17. Rao Bahadur T. Namburumal Chettiyar. |

Noes 56.

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| 1. The Hon'ble Sir Lionel Davidon. | 30. Mr. S. Somasundaram Pillai. |
| 2. " Sir Charles Toddhunter. | 31. " A. Subbarayadu. |
| 3. " Khan Bahadur Muhammad Habib-ullah Sahib Bahadur. | 32. " T. C. Tangavelu Pillai. |
| 4. " Mr. K. Srinivasa Ayyangar. | 33. " W. Vijayaraghava Mudaliyar. |
| 5. " Mr. P. Ramarayaningar. | 34. Diwan Bahadur R. Venkataratnam Nayudu. |
| 6. " Rai Bahadur K. Venkata Reddi Nayudu. | 35. Mr. S. Muttumanikka Achari. |
| 7. " Rao Bahadur A. P. Patro. | 36. Rai Bahadur T. M. Narasimhaachari. |
| 8. Mr. R. Littlehales. | 37. Diwan Bahadur D. Seshagiri Rao Pantulu. |
| 9. " E. Periyannayakam. | 38. Rao Sahib E. C. M. Mascarenhas. |
| 10. " A. Ramaswami Mudaliyar. | 39. Mr. A. T. Palmer. |
| 11. " C. W. E. Cotton. | 40. " G. Vandanam. |
| 12. " K. Adinarayana Reddi. | 41. The Raja of Ramnad. |
| 13. " R. Appaswami Nayudu. | 42. Mr. K. Prabhakaran Thampian. |
| 14. Rao Bahadur V. Appaswami Vandayar. | 43. " Abbas Ali Khan Bahadur. |
| 15. " T. Balaji Rao Nayudu. | 44. Saiyid Diwan Abdul-Razaq Sahib Bahadur. |
| 16. Mr. B. P. Devarajulu Nayudu. | 45. Khan Sahib Muhammad Abdur Rahim Khan Sahib. |
| 17. Rao Sahib S. Ellappa Chettiyar. | 46. Munshi Muhammad Abdur Rahman Sahib. |
| 18. " P. C. Ethirajulu Nayudu. | 47. Mr. A. D. M. Bavotti Sahib. |
| 19. Mr. O. Tanikaobala Chettiyar. | 48. " V. Hamid Sultan Marakkayar Sahib. |
| 20. " A. T. Muttukumaraswami Chettiyar. | 49. " Saiyid Ibrahim Ravuttar. |
| 21. " M. Narayanaswami Reddi. | 50. Khan Bahadur Muhammad Sadulla Badoha Sahib Bahadur. |
| 22. " C. Natesa Mudaliyar. | 51. Khan Bahadur Muhammad Usman Sahib Bahadur. |
| 23. " V. Pakkiriswami Pillai. | 52. Mr. M. C. Raja. |
| 24. " P. T. Rajan. | 53. " M. C. Madurai Pillai. |
| 25. " K. Sarabha Reddi. | 54. " J. F. Simpson. |
| 26. " S. T. Shanmukham Pillai. | 55. Rao Sahib P. Venkatarangayya. |
| 27. " W. P. A. Soundara Pandia Nadar. | 56. Mr. A. E. Rencontre. |
| 28. " R. K. Shanmukham Chettiyar. | |
| 29. " N. A. V. Somasundaram Pillai. | |

The Council then adjourned for lunch to meet again at 2-30 p.m.

The Hon'ble the PRESIDENT:—"The House will now resume consideration of the Bill to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I oppose the motion before the Council, Sir, and in doing so, shall confine myself to the principles of the Bill as presented to the House. The Bill, as it is, applies to three classes of people, viz., those who were councillors at the time when the District Municipalities Act came into force, those who were members at the time when the Local Boards Act came into force, and those who are to come as members of these bodies hereafter. So far as the principle of the Bill is concerned, I can say that there is no use of any

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principle being applied to those who were members of these bodies at the time when those Acts came into force as those events took place several months ago as I have already stated. The only other point we have to consider is whether this principle is to be made applicable to those members who may be elected hereafter, and even there I cannot understand the principle as to what should be done. Evidently there is some mistake. Is it that the venom of these people increases only after three months? So the principle as it has been introduced in this Bill seems to be very wrong. I say it because there is no penalty at all imposed and I take it that no penalty was considered necessary if the persons who become members of a municipality or taluk board to-morrow or hereafter do not take the oath for three months at least. Therefore so far as the Bill is concerned the principle seems to be wrongly applied, and from the wording of the Bill, there seems to be no necessity for the introduction of this principle, because the Raja of Ramnad may say Swaraj may come this year and some others may say it may come at some other time.

The RAJA OF RAMNAD (*interrupting*):—"I never said that Swaraj would come this year. I simply said that was the belief if the measure can be postponed only on that consideration. I am not a non-co-operator."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I am sorry I made a mistake. All that I wanted was to use the words of the Raja of Ramnad, i.e., some may believe that Swaraj may come at the end of this year. Some may believe that Swaraj may not come till eternity. Unfortunately the statement of objects and reasons does not give anything as to the principles or reasons underlying the whole Bill. Only from the words of the Hon'ble the Minister in charge I came to know that this is intended to prevent non-co-operators getting into these local bodies."

The Hon'ble Mr. P. RAMARAYANINGAR (*interrupting*):—"I did not say so."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"Then I shall correct myself and say the effect of the Hon'ble the Minister's speech was that this Bill was considered to be very necessary because non-co-operators were doing some mischief in some places."

The Hon'ble Mr. P. RAMARAYANINGAR (*interrupting*):—"What I said was that those who do not like to take the oath of allegiance or affirmation should not be allowed to get into the local bodies."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I may be permitted to say that we got this notice at midnight and therefore we had no time to go through the amendments after amendments, first series, second series and so on. All that I say is the effect of the Bill is to make it impossible for those people who do not take the oath to become members. But I thought the reason was, and I think the reason generally is, that with a view to prevent non-co-operators from getting into those local bodies and commit mischief there we should have this provision. If that is the object, and I hope I understand it correctly, because we have also another resolution by Mr. T. M. Narasimhachari that every member must declare himself not to be a non-co-operator, it would be perfectly proper to have brought the Bill that no non-co-operator shall sit as a member. But in these days there is very great difficulty to find out as to who are non-co-operators. I can very well understand that non-co-operators are as much as possible, from the point of view of Government, to be prevented from taking seats. But so far as I am concerned I may say I am not a

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non-co-operator. At the time of my election the people who gave the greatest trouble were non-co-operators. Even now I am an untouchable, and if there is any meeting in which I am asked to preside and if they are asked to deliver lectures they do not want to do so. Therefore I do not sympathize with the non-co-operators. So far as this subject is concerned all I say is there are two things; one is, is it necessary to prevent these people from coming into the municipalities and local boards, and the second is, will this provision have the desired effect. These are the two points I want to set before you. I will take the latter first. Unless the non-co-operators among the members declare themselves to be republicans I do not think there is any use of this provision, so far as I could see. I have not read the present Congress creed carefully nor signed it. We do not know what the definition of Swaraj means. We are all groping in the dark as to what Swaraj is and what self-Government is. (Hear, hear). I go further, and in order to have another 'hear, hear' I may say that by Swaraj some people mean (I think it was also Bepin Chandra Pal who was once a leading non-co-operator and a Maharashtra paper that said this) Government on colonial lines.

"So far as the non-co-operators at present are concerned, I do not think they have been saying that they are against the Crown. All we want is constitutional agitation. I believe even in England members who take the oath of allegiance are some of them republicans, and there is at least one member of parliament whose name I don't remember, who says he is a republican and who says that it is better that the Crown goes away as early as possible. All that we want is that the fight should be constitutional and not unconstitutional. But so far as the present non-co-operators are concerned, I do not think it has been said anywhere that they are against the Crown, or that they have got any objection at all to take the oath of allegiance. My own impression is that they will take the oath of allegiance very easily; and considering that they are all honest people, that they are people who are prepared to sacrifice their life, liberty and property for the sake of conscience, I do not think any non-co-operator, as at present constituted, will refuse to take the oath of allegiance. Therefore, so far as the object of this Bill is concerned, I think the principle that the oath of allegiance should be taken by the municipal councillors and members of the local boards. I don't take it in that view. If anything, it will only lower the dignity of the oath. I can understand members of parliament taking the oath of allegiance, but I do not think the County Council members—I speak subject to correction—or the members of any other councils in England take the oath. High Court Judges, His Excellency the Governor and I hope all the Hon'ble Ministers take the oath. Should we ask the village vetti and the talaiyari to take the oath before they draw pay? I say, Sir, the oath of allegiance is a matter of dignity, is a matter attached to represent the rights and responsibilities of men in high position, and therefore, if that oath of allegiance is to be taken by a union member to-day, a member of the village panchayat will be asked to do so to-morrow and it will go on in this way. The whole thing seems to be very bad indeed."

(At this stage the bell was sounded to indicate that the speaker's time-limit was up.)

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I shall just finish, Sir, but probably I may have another opportunity of continuing my speech."

Mr. P. SIVA RAO:—"Mr. President, I have got the misfortune to oppose this motion."

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Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*):—"I am told, Sir—I do not know the rules—that so far as this question of principle of the Bill with which we are now dealing is concerned, there is no time-limit. I bow to your ruling, Sir."

The Hon'ble the PRESIDENT:—"Probably the standing orders do not provide any time limit, but wherever they don't, I have got a general discretion vested in me by another standing order of regulating procedure."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Will you permit me, Sir, to say something more?"

The Hon'ble the PRESIDENT:—"The honourable member, Mr. Siva Rao, having already commenced his speech, I cannot interrupt it. Probably the honourable member may get another chance."

Mr. P. SIVA RAO:—"As I stated, I have the misfortune to oppose this motion. In doing so, I ask the honourable members of this House not to misunderstand my position in the least. Let it not be misunderstood that I am disloyal, that I want to favour the cause of non-co-operators, or that I want to object to the oath of allegiance being taken, or that I have no respect for the oath in question. The main reason, Sir, why I oppose this Bill is that there is no need, absolutely no need, for a legislation of this kind, and I feel pretty certain that the object the Honourable Member in charge has in view will not be fulfilled by an enactment of this kind. Now, if we try to ascertain the objects and reasons for this Bill, they are all contained in one pregnant sentence printed here; there, the object is stated, but not the reasons for this legislation. All that is stated is: 'It is considered necessary that all municipal councillors and members of local boards should be required to make an oath or affirmation of their allegiance to the Crown.' Sir, in this connexion there is absolutely no reference to any representation said to have been made by any president of a district board or taluk board inviting or requesting Government to take the necessary steps in the matter. Nor is there again any reference made to the circumstances which led to it, or to the dangerous character of the evil that is sought to be combated by this measure. Now, the statement of objects and reasons, as it is called, is as bald as anything can be. No doubt the Hon'ble the Minister has been pleased to tell us that requisition was sent by a few presidents of the district boards —."

The Hon'ble Mr. P. RAMA RAYANINGAR (*interrupting*):—"Not a few, but many."

Mr. P. SIVA RAO (*continuing*):—"Yes, many, but I wish to know if the Honourable Member in charge would disclose to us how many members of the district boards have asked for a legislation of this kind, and if so, for what reasons. Have any chairmen of the municipalities asked for this oath? Has the President of the Corporation asked for such a legislation? I should like, Sir, to have full information in the matter as to the necessity for this step."

"Now, Sir, it is asked, what is the harm if we pass a legislation of this kind? I do not think that that is the proper question to be asked when we have to consider a measure like this. On the other hand, we have to ask ourselves the question, what is the need, what is the object to be promoted by a measure of this kind? Now, Sir, as I have already stated, it would have been far more satisfactory for the Government to have invited the opinion of all the local bodies concerned, to have carefully analyzed them, to have ascertained the wishes of the majority and to have acted on them. I cannot imagine what the object of this measure can be under the

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present circumstances. If it is sought by this measure to drive away non-co-operators out of the municipal councils, it will not have the desired effect. To convince honourable members of this House, I should only refer to the form of this affirmation. It reads—

'I, A. B. having been ^{elected} ~~appointed~~ a councillor of this Council, do solemnly swear (or affirm) that I will be faithful and bear true allegiance to His Majesty the King Emperor of India, His Heirs and Successors, and that I will faithfully discharge the duty upon which I am about to enter.'

"To my mind there is hardly one non-co-operator whom I know of who will not bring himself to make this oath of allegiance because, Sir, I am convinced, that there is absolutely nothing in this affirmation which is opposed to his creed as a non-co-operator. As was referred to by my honourable friend, Mr. Venkataramana Ayyangar, this oath only affects the person of the Throne of England; and even the best, the worst and the most ardent non-co-operator will be ready to take the oath of allegiance, because, according to him, it would not interfere with his creed. It is not an oath of allegiance to the Government situated here in India, it is not an oath of allegiance to the authority of the Honourable Member in charge, or the authority of the local Ministry, but it is the expression of devotion, faithfulness and fidelity to the Throne of England. Now, Sir, even Mr. Gandhi who is the leader of the non-co-operation movement, I dare say, would be ready to swear to this oath of allegiance. A worst republican, or a worst anarchist may probably have an objection to take the oath prescribed or proposed in this Bill. Now, Sir, how many non-co-operators are there in the local councils? Till very recently I was the chairman of a municipality and I could count non-co-operators in my council on my fingers' ends. With the exception of one solitary individual who is not one of the strong, ardent type of non-co-operators, out of 28 councillors over whom I was presiding, I never came across any non-co-operator worth the name, I mean true genuine non-co-operator who is true and faithful to the teachings of Mr. Gandhi. Now, Sir, I know of other district boards also and I don't think there are many non-co-operators there. Non-co-operators are very few and far between. A genuine non-co-operator who swears non-co-operation to Government would swear also non-co-operation to a body derivative from the Government. As honourable members of this Council are aware, the first plank in the non-co-operation movement was to boycott local bodies, and it is only by a sort of toleration that they are permitted to enter the local boards and municipal councils. And now what is there to prevent a man bent on mischief, an anarchist or a bad character bent on mischief from taking the oath of allegiance, entering into the council and making as much havoc as he can. I am only considering, Sir, whether this legislation could possibly cope with the evil, the evil of non-co-operation. One or two instances were quoted, those instances of Guntur and Rajahmundry. I earnestly beg of the Honourable Member in charge to consider whether such cases would justify a legislation of this kind, whether such cases could possibly be met by a member of that council being asked to take the oath of allegiance. Those were cases, Sir, in which some funds were diverted for other than legitimate purposes. If funds are diverted for other than legitimate purposes, the remedy is clearly in the hands of the Government. They can call on that delinquent councillor to refund; probably they have done so in that particular case. If a councillor systematically misbehaves, or if a councillor is accused of gross dereliction of duty and he ignores statutory duties, the ordinary remedies and powers provided under the District Municipalities Act can successfully and effectively be applied to cases of that kind. I say, we heard only of those cases

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where funds were diverted for national purposes and cases where the municipality declared a hartal in a particular place on the day of the landing of His Royal Highness the Prince of Wales. And those cases are obviously cases in which the municipality as a body misbehaved itself by going beyond the object of the statute, and I have got every reason to ask the Honourable Member in charge why he did not deal with those cases effectively under the normal powers vested in him instead of invoking fresh power.

"Then, Sir, there are some vital defects in this Bill and I don't believe for a moment that it is an emergent measure at all. And so, if it is hurried through in this sitting, I think it will go down as a bad and a very defective measure. I will only mention what that vital defect is, leaving it to the Honourable Member in charge to ruminate over it. The vital defect is there is no provision in this Bill that unless a member takes the oath of allegiance, he shall not enter the council. If for three months he does not do so, it is said that his seat shall become vacant. As was pointed out, a non-co-operator enters the council and chooses not to take the oath and if during these three months he commits any kind of mischief, then the Honourable Member in charge will not have any hold over him.

"Probably I have taken too long and I say I oppose this measure for the main reason that it is unnecessary and futile. One other consideration, Sir, and I have done. This oath of allegiance must not be utilized or abused for the purpose of using it for all these local councils. If you go on applying it to the local boards, union boards you will have to apply it to the union panchayats, and you may have to apply it also in the case of public servants. It is only in the case of Councils of the Empire and high Imperial offices where there are more exalted and responsible duties to be discharged that this principle of taking the oath has been hitherto acted upon. But it is not in the case of other public servants that this oath of allegiance is taken. It is only in the case of members of Council who have got very responsible duties to perform that this oath of allegiance is taken, and it is only where the scope for mischief is great that they ensure that only the right men enter into such high and exalted offices and Councils of the Empire. It would be taking it to ridiculous lengths to carry out this principle in the case of union boards, union panchayats, and to-morrow in the case of public servants. There are so many non-co-operators in the public service

The RAJA OF RAMNAD (*interrupting*):—"May I say, Sir, that there are no union boards now."

Mr. P. SIVA RAO (*continuing*):—"I thank the Raja of Ramnad for the correction. To-morrow it may be urged that there are non-co-operators in the Collector's office, and a petty clerk in the taluk office or a karnam or a reddi may be asked to take the oath of allegiance. I say it will be carrying it to ludicrous lengths and I may say it will be abusing the solemn and dignified formality to a ludicrous extent. For these reasons, I oppose this motion."

Mr. B. P. DEVARAJULU NAYUDU:—"Mr. President, Sir, I rise to support the introduction of this Bill. Two main reasons that have been adduced by the previous speakers who opposed the introduction of the Bill are these. They say that even if this Bill is passed, it will in no way prevent non-co-operators from getting into the councils as we know that the non-co-operators also admit their allegiance to the Crown, and secondly they say that even if this Bill is introduced it will not remedy the situation which is stated to be the real reason for bringing this Bill before this House as an emergent measure.

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"Sir, I think that this Bill would, no doubt, have been unnecessary at other times and under other circumstances. We are passing unfortunately through a critical stage of evolution in our political life, and we cannot now say where we are really drifting to. In view of the circumstances narrated by the Hon'ble the Minister for Local Self-Government, I think it is now necessary that the institutions of the sort of taluk boards, district boards, and municipal councils will have to bear additional responsibilities, in the matter of administration, as probably the higher institutions, like the Legislative Councils and bigger assemblies are now already sharing increased responsibilities. When we have to extend this responsibility at such a juncture, to such bodies as taluk boards, district boards and municipal councils, it will be necessary also to clothe them, with that dignity which this oath confers if at all if it confers any.

"It is said that this Bill will not produce the desired effect, even if it is introduced, as a person can take oath of allegiance to the Crown and still operate as a non-co-operator, and as such an oath is different from the oath of allegiance to the existing Government. I beg to differ from those gentlemen who hold this view because the oath of allegiance to the Crown, obviously and unmistakably means and includes an oath of allegiance to the existing Government, which it undoubtedly represents. This Bill further does not specially seek to exclude the non-co-operators only. It will certainly exclude all those persons who operate for the purpose of bringing on paralysation of the Government, and also several others who are trying to subvert the administrative machinery, and the Government by which we are now ruled. So, it will not be right to restrict its operation to non-co-operators and non-co-operators only. At the present time we are not only having non-co-operators, but anarchists and even more dangerous persons than those two namely, those who play a doubtful part of duplicity. When therefore it is necessary that a step of this sort has to be taken, it should certainly be one, which would prevent all possible contingencies of persons of questionable predilections coming into the councils, with the sole end and aim of creating troubles and initiating inconsistent policies where consistency and harmony should prevail. Therefore I am at a loss to understand, the obvious difficulties that arise in the minds of gentlemen, who have spoken against this Bill, either for the reason that it may be quite useless or for the reason that it is not at all necessary.

"It is said that the introduction of this measure of taking oath of allegiance in the local bodies will render the sanctity of the oath less dignified. I am far from accepting this view, because putting a man on oath is itself something like intending him to look into matters before him in a more serious spirit. If a witness is put on oath he is intended to lay more stress upon the fact that he will have to speak the truth at any cost. If a juryman is asked to swear allegiance to the Crown it is to ask him to pay more attention to the impartial adjudication of the case before him and not because that these persons are considered primarily to have no regard for truth or justice. It is a common feeling that every man when he is put on oath thinks that he has to do something more carefully than what he may do under ordinary circumstances. So, Sir, at this juncture if we do when he has to assume serious responsibilities. It is a distinct call upon him really call upon those gentlemen in whose hands the destiny of a taluk or a district in the matter of its good government rests to take this oath I think it is because these persons have to exercise their responsibilities in the light of the additional powers and duties pertaining to their office under the new reform scheme, more carefully and justly than before and see that the administration runs more smoothly and consistently without disorders of any sort.

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"Sir, ordinarily this oath of allegiance may not be necessary at all for any purpose. It will not be contended seriously, that persons who get into councils and boards, are in any way exceptions to the general presumption, that all persons who are subjects of the Crown impliedly owe allegiance to it. Therefore when a Bill of this sort has to be introduced, it only means that in the existing state of circumstances much attention is not paid to that essential, namely, "Loyalty" and that something is wrong, and it is time therefore to call upon persons to enter the councils with settled views and responsibilities, and before they do so, to declare their unmistakable allegiance, by undergoing a form of oath to the Crown, and the constituted authority which it represents. I therefore think that there is nothing extraordinary, and nothing that would detract the present prestige of oath, if such legislation is passed. It is stated that before passing this resolution we should consult the local bodies, who have equal responsibilities in the matter. I think the matter is so simple and plain that no district board or taluk board or municipal council will have any objection for a legislation of this kind, especially when this is a measure introduced on their own request. Therefore, seeing that matters are taking rather a serious turn, it is better that this legislation is passed forthwith.

"With these few words I support this motion."

The Hon'ble the PRESIDENT:—"Before the House proceeds further, I may state that the time-limit will be strictly enforced during the rest of the debate on this motion."

Diwan Bahadur T. DESIKA ACHARIYAR:—"Mr. President, Sir, so far as the principle of the Bill is concerned, I do not see how any portion of it is either ludicrous or absurd. It prescribes the taking of an oath of allegiance to His Majesty the King-Emperor of India and his successors and there is also an undertaking that any person elected or appointed should faithfully discharge his duties as a councillor. If we are all agreed that union boards and taluk boards are going to be the training ground for the progressive realization of responsibility, there is nothing undignified in asking anybody to take an oath of this description. On the other hand, I think it highly necessary to have the right sort of people taking part in the administration of urban and rural affairs. It is there that we have to realize how exactly we can govern ourselves. Nothing is more useful than to bring home to the villager what exactly his needs are, how to remedy them and in every way make him realize how best to govern himself. Why is it necessary to have the right sort of people on such boards? It is because, having regard to the circumstances which are of a very difficult and complicated kind, which affect the work of district board presidents, taluk board presidents and chairmen of municipal councils, it is necessary to help them as far as possible in manning their boards with the proper sort of individuals. I quite recently had trouble from people who did not want to pay taxes and rates in unions. There are two unions now in my district which are giving trouble and I do realize that the trouble is not due to their desire to abolish all taxation, but it is due to adventitious causes. I do not want to refer to any non-co-operator or anarchist or anybody else but in the interests of the safety and the welfare of these units of self-government it is necessary to have people who are orderly and who respect order and peace instead of people who say 'well, don't pay rent. We do not want this union. What has the union brought to you? It has brought only taxes. Don't pay any rates.' We do not want such people on these union boards. It is asked 'how can this oath of allegiance mend matters? How does it help you in preventing the wrong sort of people entering the councils or

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India. But what is even more important is that in bodies in other countries in Great Britain, for example, similar to those of local boards and municipalities in India, although an oath is prescribed, this is not the form of the oath that is prescribed, so that you will notice, Sir, that it is making an invidious distinction, and if I may say so, against Indians that you must have an oath such as this. It will mean this: that there is something very peculiar to India, something in the general consciousness of the people who are likely to avail themselves of privileges of getting into municipal councils and local boards which requires to be specially guarded against and which can be guarded against by reminding them that they are subjects of His Majesty the King-Emperor, that they should truly and faithfully discharge the duties of their office and that they should see that nothing is done which would mar their allegiance to the Crown. My submission, Sir, is that unless we are satisfied that there is anything which necessitates our insisting upon this oath being taken, unless we are satisfied that the conduct of the generality of those likely to enter into the municipalities or local boards is such as to justify a well-grounded suspicion that they are not persons who are likely to be true to their office, so that they may be trusted to discharge their duties properly and, what is more important, so that they may be trusted to their keeping their allegiance to the Crown, this change in the law is absolutely unnecessary, especially when you have no precedent which will justify you in insisting upon this oath being taken. For this reason, Sir, I object to this Bill."

The Hon'ble the PRESIDENT:—"I undertook to allow the Honourable Member, Mr. Venkataramana Ayyangar, to speak for a few more minutes because he was not aware of the time limit at the time he first spoke. But it should be distinctly understood that he should not now take more than, say, three minutes."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Very well, Sir, I want to say only two things against this oath. I say it will be found unnecessary, and useless and, I shall even say, dangerous to have this as the Bill stands at present. A non-co-operator will come in and he will be there for three months and then go away without taking the oath; then again he will come for another three months as Charles Bradlough did; or one non-co-operator after another non-co-operator may come. Therefore the principle applicable to the oath of allegiance to be taken within three months after the election is simply useless and I won't use a stronger word.

"The other point is this: is it not necessary that we should get the co-operation of these people and not shun them out altogether? So long as they are kept out, there will be no opportunity given to them to change their views, to make them understand our views that the most useful and proper way of getting rid of our dependence is by constitutional agitation towards the goal of an early grant of colonial government under British raj. Is it desirable that at this stage, even supposing they are non-co-operators, we should not want them to join us and that we must shun them as much as possible? Then, it may be that they may form their own municipal councils and say, 'don't pay municipal taxes', and another Chirala or Peralai or even several more of them will be the result not in one place but in hundreds of places. In associating them with us wherever possible they may realise their responsibility. Although there are non-co-operators in many local boards, and in many municipal councils, even now, the difficulty has come in only in one or two places. I believe they will come round after a time and give up their non-co-operation and ask for colonial government as early as possible. Therefore, in the interests of constitutional agitation, it is better to give them an opportunity to come into these municipal councils. Probably they will do a little mischief at

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[Mr. C. V. Venkataramana Ayyangar] [16th December 1921]

first, but gradually they will come round. In these circumstances, I think this oath is absolutely unnecessary, useless and even dangerous."

3-30 p.m. Mr. O. TANIKACHALA CHETTIYAR:—"Sir, I am unable to understand why this oath of allegiance should be dreaded like a fire by some members on the opposite side, I say advisedly by some members on the opposite side. For, I find rule 9 of the Legislative Council instructions says 'every person who is elected or nominated to be a member of the Council must, before taking his seat, make at a meeting of the Council an oath or affirmation of his allegiance to the Crown in the following form, namely,' and then the form is given. I consider it a privilege and honour to take this oath. If it is considered a privilege and honour to take this oath at the highest Council of this presidency, why should it be considered not to be so in the case of other institutions from which we only rise by degrees to reach the stage of this Council? Therefore, there must be some other reasons than the ones urged before this House for saying that it is absolutely unnecessary. If it is absolutely unnecessary, what harm is there by taking it, by extending the privilege which we in this House enjoy to other Houses? That being so, I am afraid the real reason is not coming forward for the objection raised. Then it has been asked why it has been found necessary to introduce this amendment at this stage, at the fag end of the year. The most cogent reason exists in the fact that Mr. Jayakar speaking at the Akola Conference has found it necessary to say that Mr. Gandhi must adjust his programme to suit the requirements of certain sections of his followers. Mr. Jayakar said at a conference in Bombay 'we must revise our programme; I do not see why we should not go back to the courts, enter into the Councils in large numbers and carry out our programme after getting into them.' Therefore it is necessary that this amendment should be passed, now that this modification of the programme is propounded. I find, Sir, something appearing in the *Young India* of Mr. Gandhi. He finds that it is necessary to change the programme or adapt his programme to the requirements of Jayakar's followers. He says,

"There is room enough in our great country for as many parties as there are honest men. I would welcome an efficient and able organization containing men, who believe in using Government institutions, and finding what warmth they can give them, even as I would have all organizations to extend toleration to those whole-hoggers who wish to cut off all possible connexion with the Government. There is no reason why a province which can carry the people with it should not organize itself even on either basis."

"So Mr. Gandhi says that his followers may enter into the Councils and after having got into them can create mischief which they have been trying to effect from outside. Therefore it is, that it becomes the imperative duty of this Council to pass this Bill.

"Of course it has been suggested by my friend Mr. Siva Rao that even after passing this Bill people may enter into the Council and may do mischief if they are bent to do. Of course the Bill does not say as to how these people should be dealt with. But they will have to stand the disgrace of having misbehaved, of swearing one way and behaving in another way. They would stand condemned as being dishonest men.

"Then Mr. Siva Rao asked my friend the Hon'ble the Minister for Local Self-Government to say which district board, which taluk board, which municipal council has asked him to bring in such a legislation and whether there has been any misconduct on the part of any member to necessitate this kind of legislation. I venture to answer on behalf of the Hon'ble the Minister. He need not

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, 1915
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16th December 1921] [Mr. O. Tanikachala Chettiyar]

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"It has been said that this is a very badly drafted piece of legislation and therefore this ought not to be given effect to. For this I say that the Hon'ble the Minister is only responsible for the idea; but there are other people who are advising him in drafting the Bill and they might not have served him properly. I may say that the Bill is not properly drafted in another sense. In the sense that the oath of allegiance is to be taken within three months of the date on which his term of office commences. If I had any hand in it I would have said that they should make such a declaration when they put their signatures on the nomination papers themselves. As it is drafted let us pass it and if necessary, let us bring an amendment of the Bill and see that more care is exercised in drafting it."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir my Hon'ble friend Mr. Tanikachala Chettiyar charged some of these in this Council who did not see eye to eye with the Hon'ble the Minister for Local Self-Government in regard to this Bill with not assigning the correct reason for their opposition and that there was something else behind this opposition than the honest belief that this measure was not likely to further the very purpose for which the Hon'ble the Minister has chosen to introduce this Bill. At the same time the honourable member has himself assigned reasons for the introduction of this measure which if they had hailed from the Hon'ble the Minister I should have understood as the real object underlying the proposal. I must now, therefore, tell the honourable member that the real reason for introducing this measure has come out from my honourable friend Mr. Tanikachala Chettiyar, that this measure is intended to check the coming programme of non-co-operators,—that Mr. Jayakar said something to the effect that the whole programme would be changed and Mr. Gandhi has said some other thing to the same effect, and that this measure is therefore intended to prevent such persons coming into the Councils. If that is the object with which this measure is introduced, I think that that object will not be secured by this measure. Honourable members must have noticed the speech of His Excellency the Viceroy made quite recently in Calcutta in regard to this very question. He pointed out to the people in Calcutta that allegiance to the Crown is an entirely different thing from opposition to the existing Government and he said that both were mutually consistent. Allegiance to the Crown is absolutely due to the Crown as the sovereign head, and why people while opposing the existing Government should show any disrespect to the Crown, he did not quite understand. Therefore, Sir, a non-co-operator can enter the Council while being honestly loyal and taking the oath; so, I think that we are mistaken in thinking that this Bill is going to achieve the object for which it is intended. I do contend, Sir, that it is perfectly open to any member of the local board, on the authority of the statement of His Excellency the Viceroy, to take the oath of allegiance and honestly oppose the methods of the Government in a constitutional manner. That disposes of the preliminary question.

"Sir, if I make a few observations on this question to-day, it is entirely from the point of view of precedent and principle. Now, on the general question of allegiance, I need hardly recall to the honourable member the observations of a great Englishman that all subjects owe allegiance to the Crown and taking the

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oath is but a form of declaration of the same. According to the precedents established in England for centuries, there are many kinds of oaths: there is the oath of allegiance, the jurors' and witnesses' oath, the oath of office, etc. There is also the oath which is administered to the judges. All these oaths are settled by precedent and the appropriate form is also settled with reference to certain of these principles. I may also bring to the notice of honourable members the Act which deals with this question, viz., the Act of 1868. The oath of allegiance under that Act is imposed on high officers of the State such as the Lord Chancellor, the Lord Chief Justice of England, the First Lord of the Treasury and Admiralty, etc., and there is a schedule of all the high officers of the State who have to take this oath of allegiance. Then there is the Parliamentary oath which corresponds to the oath which Members of this Council take before they assume their office in this House. Then there is the oath of office. The oath of office is the oath which members of municipal corporations in England corresponding to members of our boards and municipalities with whom this particular measure deals, have to take. It is only a declaration accepting the office which is found in schedule 8 of the Municipal Corporation Act and it is in these terms:

'I, A.B., having been elected . . . for this Burrough do hereby declare that I take the said office upon myself and shall duly discharge the duties according to the best of my judgment and ability.'

"I, therefore, contend, Sir, that according to the English precedents there is considerable distinction between the oath of allegiance taken by the higher officials and the Parliamentary oath and the declaration or oath of office which is imposed on members of municipal corporations. This distinction is a very sensible one and if we are going to insist upon the oath of allegiance being taken by all and sundry, we really pull down the value of the oath of allegiance. That is the view which, I think, all Members of this House ought to take. Whether they do it or not, I feel bound, Sir, to proceed entirely on precedents established in countries where some form of constitutional Government is prevailing.

"I only wish to make one other remark, and that is on the question of the advisability of such a legislation in a local Legislative Council. I do not deny, Sir, and I am not prepared to deny that this Council is competent to pass such a legislation. But at the same time I should like to point out to this Council that the Indian Oaths Act which deals with judicial oaths is reserved for the Indian Legislative Assembly and I should wonder if, when the Indian Oaths Act is reserved for the Indian Legislative Assembly, legislation with a view to amend it can be introduced without the consent of the Government of India. I do not say that this Council has no power to do so. It is really a question of uniformity of legislation; because the Indian Oaths Act is an Act of the Government of India, any question of oath of allegiance is a question which ought to be dealt with on a uniform principle applicable to all provinces.

"There is one other remark, Sir, I ventured to ask my honourable friend, Sir Lionel Davidson, what is the form of oath he has taken as a Member of the Executive Council. He informed me that it was regulated purely by executive orders whereas in England this is a matter of statute. But whatever it is, if the Hon'ble Sir Lionel Davidson was required to take the oath of allegiance on the occasion of his assumption of office, would he like to see a village karnam or a village munsif who is equally a servant of the Crown taking the same oath?"

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"As it is a question addressed to me, Sir, I wish to say that I should have no objection whatever."

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Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"Honourable members seem to be very nervous that if anybody opposes this Bill his loyalty will be suspected. In a question such as this we, as

members of the Legislative Council, have to go by precedents; and if it is thought that the present situation needs such a Bill, by all means have it passed. I, for my part, do think that the present situation does not need this measure, and that there is nothing in it to prevent a non-co-operator coming into these councils and still opposing the Government if he chooses to do so. I trust that whatever I say will not be understood as endorsing the unfortunate activities of municipal councillors or local board members in various parts of the Presidency in setting up quite unnecessary opposition and refusing to receive Government grants. They will very soon discover that they cannot maintain themselves and that their very bodies will be left starving. In this way they will bring themselves into contempt. The only remedy for this state of affairs is for local public opinion to bring these gentlemen to their senses.

"Then, Sir, my honourable friend Mr. Patro stated that such a thing was not possible."

The Hon'ble Rao Bahadur A. P. PATRO (*interrupting*):—"In Ellore itself. I was speaking of Ellore municipality."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"I may tell my honourable friend that the Chairman of the Ellore municipality is not a non-co-operator and is still surviving as chairman. To-day I have in this Council an honourable gentleman sitting on the other side of the House and for whom I have great respect who stated that he would rather have non-co-operators in the Council than outside it. It is far safer that these gentlemen come in so that we can see what their performances are. I do not want to mention the name of the gentleman who is sitting on the other side of the House. I know him and I have every respect for him. He comes from my part of the country also. (Cries of Oh! Oh!). I do not want to say that these are differences which must exist. I do honestly think that this Bill is an ill-conceived one and if the Hon'ble the Minister chooses to get on with it he will have to provide for all sorts of difficulties which will crop up."

The Hon'ble Mr. P. RAMAYANINGAR:—"Sir, I have been carefully listening to the speeches of the members opposite and I must confess that I was not able to follow their line of argument. I was really at a loss to know whether they were arguing on behalf of the members of the local boards and municipal councils, or against them. If they argued in their favour, why should they deplore their being given a status equal to that of the members of this honourable council? Is this the spirit of democracy? They appear to be jealous of the high privilege enjoyed by the members of this House being given to the members of the local bodies."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*interrupting*):—"I did not say, Sir, I was jealous of any honour of this House being transmitted to the members of the local board or to anybody the Minister may choose."

The Hon'ble Mr. P. RAMAYANINGAR (*continuing*):—"I did not refer to the speech of Mr. Ramachandra Rao, in particular. I only said I was listening to the speeches of the members opposite. Mr. Ramachandra Rao cannot disown his

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having questioned Sir Lionel Davidson as to whether he would like the idea of the village magistrates being required to take the oath of allegiance like the members of the Government."

Diwan Bahadur M. RAMACHANDRA RAO Pantulu (*interrupting*):—"I never stated that Sir Lionel Davidson was jealous of this honour being passed to all and sundry."

The Hon'ble Mr. P. RAMARAYANINGAR (*continuing*):—"Is it so? Mine was a general observation. If on the other hand they were arguing against the interests of the members of local bodies why is this solicitude for them, why should they object to the obligation to take the oath of allegiance being imposed on the members of the local bodies. Another argument advanced by the members opposite is that the passing of the Bill will not achieve the object for which it is intended. Sir, if experience will show that the measure will not achieve the object for which it is intended, then the Government can think of other measures. Yet another argument advanced is that, after all, the idea of driving out non-co-operators from the local bodies will not be realized. I never said that it was the idea of the Government to drive out non-co-operators from the local boards or the municipal councils. (*Hear, hear*). The idea is that those who are not prepared to take the oath of allegiance to the Crown are not entitled to sit as members of local bodies (*Hear, hear*). One more point that has been raised is that a man who has to vacate his seat for not taking the oath can stand again and again and thus create a deadlock. As to creating deadlock by the man who is not prepared to take the oath standing again and again, it is quite open to the Government to amend the rules so as to debar the man who fails to take the oath from standing again within a limited time. Sir, I have already explained the urgent nature of the measure. The Bill cannot be delayed any longer."

The Hon'ble Sir LIONEL DAVIDSON:—"I move that the question be now put."

The closure was put to the House and carried.

The motion that the Bill be read in Council was then put and carried.

The Hon'ble Mr. P. RAMARAYANINGAR:—"I will now move, Sir, that the Bill be not referred to a select committee and request the Hon'ble the President to suspend the operations of Standing Order No. 39 and allow me to move that the Bill be taken into consideration at once."

The Hon'ble the PRESIDENT:—"Let us take one thing at a time; firstly that the Bill be not referred to a select committee."

The Hon'ble Kai Bahadur K. VENKATA REDDI NAYUDU:—"I second it."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I believe the Council is aware that there are several amendments of which notices have been given not only by the Minister but by some other members, just at the last moment and without sufficient time for consideration. Now, having reached the first stage in the progress of the Bill, I would ask the Council to consider whether it would be wise that we should just at the closing of the sitting take up these amendments regarding which there is likely to be some difference of opinion. So far as the first set of amendments are concerned, they more or less are of a verbal character. But the second set of amendments given by my friend Mr. Narasimha Acharlu have raised questions of a complicated character."

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Rao Bahadur T. M. NARASIMHACHARLU (*interrupting*):—"I do not propose to move my amendments, Sir."

Rao Bahadur A. S. KRISHNA RAO PANTULU (*continuing*):—"I learn that my friend does not propose to move his amendments. Even as it is, we have amendments for all the four clauses of the Bill without the Council having sufficient opportunity to discuss them in detail. It will also be necessary for the members of this Council to see whether further amendments are or are not necessary. There is no time to do so. It is, therefore, a case in which the Bill might safely be referred to a select committee. The select committee will then be in a position to consider not only the amendments by the Minister but also such other amendments which other members may place before the Council. We are all anxious that the legislation we pass must be such as will be really useful and effective. If we should carry out that object there is no justification for any hurry in carrying the measure through without reference to a select committee. For these reasons I oppose the motion for not referring the Bill to a select committee."

Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, I beg to associate myself with the honourable member for Nellore in requesting that this Bill may be referred to a select committee. It will be a good principle, Sir, that one should not make much of non-essentials; while as regards essentials one should be very firm. In a case like this which involves only a reference to the select committee, I do not see any reason why the Ministry should be so very unbending. I think it will be all to the advantage of the Ministry and of the House if this Bill receives further consideration at the hands of the members of this House and brought out finally in an unobjectionable form. I am sure that even if this Bill is passed, some of the things which the Minister was complaining of, for example, the introduction of a spinning wheel in a school or the purchase by somebody of a khaddar cloth, these, I think, are not going to be affected. So I think there will be no harm if this Bill is referred to a select committee; on the other hand, it would be to the advantage of all concerned if some more time were given to the consideration of it. Unfortunately we are having too many cases of this sort, e.g., we wanted to precipitate a measure like this in regard to the raising of the tolls. Therefore, I think it would be better to refer this Bill to a select committee and thus secure the goodwill and harmony of all concerned."

Diwan Bahadur M. KRISHNAN NAYAR:—"Generally, Sir, I may say at once that I am in favour of referring Bills to select committees. It may 4 p.m. be within the recollection of some of the honourable members of this House that on a former occasion with reference to another Bill amending the District Municipalities Act, when the motion was made not to refer it to a select committee, I put up a very strong fight and I was glad on that occasion that the motion was not carried. If Mr. Narasimhacharlu were to move his amendments, I should have heartily supported Mr. Krishna Rao in opposing the motion that the Bill be not referred to a select committee, for they are amendments which would involve some further consideration. The only amendments that are now before us are those of which notice has been given by the Hon'ble the Minister in charge. They are purely verbal amendments. They are amendments not affecting the substance of the Bill in any way. They are not in any manner likely to detain us for long. The Minister says that this is an urgent measure and he takes the responsibility for saying this. So seeing that it is an urgent measure and that no amendment of substance is proposed, I do not think there is necessity for referring it to a select committee."

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The Hon'ble Mr. P. RAMARAYANINGAR :—" Sir, I have already explained to the Council about the urgency of the case. The question was asked whether any of the presidents of taluk boards or district boards addressed the Government to introduce this Bill. I may at once refer to Mr. Seshagiri Rao, Mr. Sadasiva Bhat, Mr. Balaji Rao, Mr. Vijayaraghava Mudaliyar, the Raja of Ramnad, Mr. Foulkes of Salem and quite a large number of other presidents. It is a simple measure and does not require reference to a select committee."

The Hon'ble Sir LIONEL DAVIDSON :—" I move that the question be now put, Sir."

The motion for closure was put and carried; and then the motion that the Bill be not referred to a select committee was put and carried.

The Hon'ble Mr. P. RAMARAYANINGAR :—" I now request you, Sir, to suspend the operation of Standing Order 39 and allow me to move that the Bill be taken to consideration at once."

The Hon'ble the PRESIDENT :—" I take it that the Hon'ble Minister's assurance made some time ago that the Government consider this an urgent measure, continues. Under the discretion vested in me I hereby suspend Standing Order 39."

The Hon'ble Mr. P. RAMARAYANINGAR :—" I now move, Sir, that the Bill be taken into consideration at once."

The Hon'ble Rai Bahadur K. VENKATA REDDI Nayudu :—" I second the motion."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, putting aside all differences of opinion, I appeal to the members of this House to consider one important point. Hereafter if any member of the Government wants to bring an important amendment to a Bill or even an important Bill before the House, he is simply to bring it and then say that there is no time for any amendment whatever. Is it fair, I ask, to deprive us thus of any chance of proposing amendments? Now, Sir, this Bill has been put in. Even yesterday we had no intimation that this Bill would come to-day. Is it possible then, Sir, to suppose that the individual liberties of members, though they may be in the minority of one, should be curtailed like this?"

The Hon'ble Mr. P. RAMARAYANINGAR (*interrupting*) :—" May I rise to a point of order? Is the honourable member now discussing the President's decision?"

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*) :—" No, Sir, as a matter of principle I say that, Sir. What applies to me, what applies to some of my friends here, may apply to all. As a matter of constitutional right I put it and we know how Parliament has been very careful in safeguarding the rights of its members."

"Next, I wish to say, Sir, that the members of this House should be very careful in proceeding with this Bill at once. The Bill, as it is, is not correct, unless there are some amendments made. We will object to amendments being moved for want of sufficient time. Before exercising his right, we will request the President not to do so, because some of us object to that as there has been no previous notice given for those amendments?"

The Hon'ble the PRESIDENT :—" Order, Order. Do I understand the honourable member to indicate to me how I should exercise my discretion or to question the way in which I had exercised it?"

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Mr. C. V. VENKATARAMANA AYYANGAR :—" No, Sir, I know the powers and prerogatives of the Chair. I say that if the Chair were—I won't say, will—to say in view of the objections that we are sure to take that due notice should be given, I would appeal to the Minister himself: 'What will be the position of the Bill?' If the Hon'ble the President by virtue of the prerogative right vested in him were to object to the amendment being considered for want of notice what will be the fate of this Bill? It will be an absurd one from the beginning to the end."

"Next, Sir, granting that the amendment is allowed, the Bill itself far from being an amendment becomes a substantial Bill, whereas the heading is that it is an amending Bill. Are we not to propose an amendment to that and remove the absurdity of the heading? Amendments may have to come, I know, without notice. We have not had a day's time to give notice of amendments. If the principle of this Bill is to be granted, very important amendments have to be made. There are difficulties in the way as to the question what is to become for three months of those who do not take the oath on the first meeting. I beg of the Hon'ble Minister to see that once the principles of the Bill are assented to by a large majority, then a reasonable Act is passed. The Bill, itself, Sir, is new and I do not think that there is any Bill like this in any part of the world. And that Madras should have the credit of rushing in a Bill in the face of a minority by force, is I think, not desirable. I once more present the very considered reasoning of the minority to the Hon'ble Minister, so that we may calmly take the view into consideration."

The motion that the Bill be taken into consideration at once was put to the House and carried.

The Hon'ble the PRESIDENT :—" The duty now devolves upon me under Standing Order 48 of putting the Bill to the House clause by clause and I shall do it now."

Clause 1 of the Bill was then put and carried.

Clause 2.

Rai Bahadur T. M. Narasimhachari did not move the following amendment standing in his name and it was therefore deemed to have been withdrawn :—

Clause 2 (1-a). — Add at the end of sub-clause (2) the following words :—
'and he shall not be eligible for re-nomination or re-appointment for a period of two years after the lapse of the said three months.'

The Hon'ble Mr. P. Ramarayaningar then moved—

(1) Omit the words "the following shall be inserted as section 7-A of the Madras District Municipalities Act, 1920, occurring in the first three lines, the inverted commas and the figures 7 (a) occurring in line 4, and the inverted commas in the last line, and insert the words 'of a municipal council' after the word 'councillor' in line 5"

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU :—" I second it."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, under Standing Order 60, I object to the moving of the amendment on the ground of want of prescribed notice."

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The Hon'ble Sir LIONEL DAVIDSON:—"I request the President under the same Standing Order to exercise his discretion under it and suspend its operation."

The Hon'ble the PRESIDENT:—"I allow the amendment to go forward and suspend the operation of the Standing Order."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I rise to a point of order that it is not an amendment at all. For any amendment must be an amendment consistent with the object of the Bill. The first clause that we have now passed says that it is a Bill to amend the District Municipalities and the Local Boards Acts. If this amendment is carried, it is not at all a provision to amend the said Acts but a substantial law by itself. The reference to section 7-A, and section 369 of the Madras District Municipalities Act and to sections 9-A and 24 of the Local Boards Act all goes away. Since the amendment is thus inconsistent with the clause already passed, I raise this point of order."

The Hon'ble the PRESIDENT:—"Whether the amendment is right or not is not for me. What I have got to say is whether the amendment is out of order. I confess that, even after the Honourable Member's explanation, I have not yet grasped how the amendment is out of order."

Mr. C. V. VENKATARAMANA AYYANGAR:—"All that I say is that the amendment is unconnected with the Bill so as to convert the amending Bill itself into a substantial Bill. Hence I object that this amendment cannot be brought in."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"I do not think there is any difficulty at all with reference to that. For instance it is quite common in English Statutes to have a considerable number of Acts on the same subject. For instance the Companies Act is passed in a particular year, an amendment, the next year, and another amendment adding a few more provisions, the next year. All these Acts are called the Companies Acts and reference is made to the year of their passing. Every one of these starts by saying: 'An Act to amend the Companies Act.' From the drafting point of view instead of saying 'Amend the Act by the insertion of the following sections,' with which form we are familiar—we are not apparently familiar with other forms—it is quite in order to bring substantive provisions of this sort, adding to the principal Acts."

The Hon'ble the PRESIDENT:—"I am much obliged to the Hon'ble the Law Member and I overrule the objection. I consider that the amendment is quite in order."

The amendment was put and carried.

Clause 2 as amended was passed and added to the Bill.

Clause 3.

4-15 p.m. The Hon'ble Mr. P. RAMARAYANINGAR:—"Sir, I beg to move amendment No. 2 to clause 3 which runs thus:—

'(2) Omit the words, "the following shall be inserted as section 369 of the Madras District Municipalities Act, 1920:—" occurring in the first three lines, the inverted commas, the figure "369" occurring in line 4, and the inverted commas in the last line, and insert the words "of a municipal council" after the word "councillor" in line 5.'"

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU:—"I second it."

The amendment was put and carried.

16th December 1921] [Mr. A. Ranganatha Mudaliyar]

The following amendment standing in the name of Rai Bahadur T. M. Narasimhacharlu was not moved and was therefore deemed to have been withdrawn:—

"(3-a) Add at the end of sub-clause (2) the following words:—"and he shall not be eligible for re-nomination or re-appointment for a period of two years after the lapse of the said three months.'"

Clause 3 as amended was passed and added to the Bill.

Clause 4.

Mr. A. RANGANATHA MUDALIYAR:—"May I rise to ask, Sir, whether the mover of a Bill can propose amendments to his own Bill?"

The Hon'ble the PRESIDENT:—"Certainly, the mover being human might commit mistakes and later on he might detect them and want to rectify them."

The Hon'ble Mr. P. RAMARAYANINGAR:—"Sir, I beg to move the amendment No. 3 to clause 4 which runs thus:—

'(3) Omit the words, "the following shall be inserted as section 9 (a) of the Madras Local Boards Act, 1920" occurring in the first three lines, the inverted commas, and the figure "9 (a)" occurring in line 4, and the inverted commas in the last line'."

Mr. E. PERIYANAYAKAM:—"I second the amendment."

The amendment was put and carried.

The following amendment standing in the name of Rai Bahadur T. M. Narasimhacharlu was not moved and was therefore deemed to have been withdrawn:—

"(3-a) Add at the end of sub-clause (2) the following words:—"and he shall not be eligible for re-nomination or re-appointment for a period of two years after the lapse of the said three months.'"

Clause 4 as amended was passed and added to the Bill.

Clause 5.

The Hon'ble Mr. P. RAMARAYANINGAR:—"Sir, I beg to move the amendment No. 4 to clause 5 which runs thus:—

'(4) Omit the words, "the following shall be inserted as section 241 of the Madras Local Boards Act, 1920" occurring in the first three lines, the inverted commas, and the figures "241" occurring in line 4, and the inverted commas in the last line'."

Mr. E. PERIYANAYAKAM:—"I second the amendment."

The amendment was put and carried.

The following amendment standing in the name of Rai Bahadur T. M. Narasimhacharlu was not moved and was therefore deemed to have been withdrawn:—

"(4-a) Add at the end of sub-clause (2) the following words:—"and he shall not be eligible for re-nomination or re-appointment for a period of two years after the lapse of the said three months.'"

Clause 5 as amended was passed and added to the Bill.

The preamble was then put to the House and carried.

1924 A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920,
AND THE MADRAS LOCAL BOARDS ACT, 1920

[Mr. A. S. Krishna Rao Pantulu] [16th December 1921]

The preamble as passed was added to the Bill.

The Hon'ble Mr. P. Ramarayaningar moved that the Bill be passed into law.

The Hon'ble Rai Bahadur K. Venkata Reddi Nayudu seconded the motion.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, under Standing Order 49 (2) I object to the passing of the Bill into law at this sitting on the ground that amendments have been made. I reserve my right to make remarks on the main motion."

The Hon'ble the PRESIDENT :—" Under the same Standing Order 49 (2), I suspend its operation in the exercise of the power vested in me."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, I am afraid, I am constrained to make a few remarks at this stage on the final motion that the Bill be passed into law. As I stated at the outset, I may state again that I personally would not object to the clause which is proposed to be inserted in the District Municipalities Act, 1920, and the Local Boards Act, 1920. I personally would not object to the taking of the oath of allegiance to the Crown which is the only provision in the Bill which is now proposed to be passed into law. But, Sir, that is another matter. But the passing of this measure of vital importance, creating a new precedent in this country, a precedent which is not to be found in any of the other provinces in India and without adequately ascertaining the views of the public, is a piece of legislation which I cannot give my assent to. I would ask whether the object of those who have put forward this measure will be achieved and whether as the result of the measure all persons whose presence in the Councils or in the local boards would be objectionable will not get into those bodies. I for one am as anxious to have proper persons in the local bodies as any other President of a district board or taluk board or chairman of a municipal council who has appealed to the Hon'ble the Minister for Local Self-Government to have this legislation introduced. I fully appreciate the objects which they must have had in view in urging this piece of legislation. But, Sir, my only fear is whether any real necessity has been made out for the introduction of this measure at this stage, whether we are satisfied—notwithstanding the fact that the names of some of them have been given out owing to the kindness of the Hon'ble the Minister for Local Self-Government—that the conditions prevailing in all the districts have been taken notice of. I only wish the Council to note the fact that no attempt has been made to confer this dignity upon the Madras Corporation. If one or two municipal councils have done anything which has been considered or found objectionable, can it be stated that all the local bodies in this province ought to have this legislation imposed without any reference to them. We have yet no information on what principle the members of the Madras Corporation are excluded from the operation of this Act. I only wish to know why a distinction should not be made upon the same principle between the local bodies and the municipal councils who have been getting on satisfactorily without any difficulties and those which have been associated with the non-co-operation movement. Is there any justification for bringing such bodies who have not done anything objectionable within the operation of this measure?"

" Sir, there is another point for consideration. We all forget that we are now passing a legislation and placing it permanently on the statute book. We all deplore and object to the movement of non-co-operation and we all wish that it

A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920, 1925
AND THE MADRAS LOCAL BOARDS ACT, 1920

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will soon disappear from this country. Let us all realize that it is a passing phase in the political history of our country. Can we say that we are justified in having a permanent legislation introduced for the purpose of meeting a temporary situation? The legislation that is now proposed is not calculated to achieve that object. Without repeating the arguments already advanced by others, it is clear that this will not serve the object of those who have introduced this legislation. We need not consider question of dignity. It is open to us to confer the highest dignity possible upon the union boards. I, for one, would not be jealous of conferring the dignity upon union boards, as my honourable friend, Mr. Desikachari, rightly pointed out. Unless we are satisfied that it is a case of extreme necessity, unless we are satisfied that the object in view will be achieved by this measure, unless we are satisfied that this permanent piece of legislation is really in the best interests of the country, shall we be justified in giving our assent to this kind of measure? It is for these reasons, Sir, that I cannot give my assent to the passing of this Bill at this stage."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR :—" Sir, I am sorry I cannot give my assent to the passing of this Bill into law and my reasons are twofold. The first reason is one based upon the principle of the Bill. I have already to some extent endeavoured to explain why I think that this Council ought to be against the principle of the Bill in the way in which it is now sought to be enacted.

" Now, I will only content myself with making one observation in reference to what has fallen from my honourable friend Mr. Tanikachala Chettiar. He has pointed out that the non-co-operators are going to revise their programme so as to make it permissible for a non-co-operator consistently with his programme to enter into the Legislative Councils and carry on his work there. That revision of the programme is intended notwithstanding the fact that so far as this entry into the Council is concerned, the oath of allegiance is to be taken by him. That only accentuates the point that I have endeavoured to impress upon this Council, namely, that there is nothing in the policy of the non-co-operator as such which is inconsistent with his being the subject of His Majesty the King-Emperor. Even supposing that this oath of allegiance is allowed to go into the statute book, it is not likely to serve the purpose which, I take it, is at the back of the mind of those who are in support of this Bill that they will prevent the non-co-operator from getting into the municipal councils and local boards or that they will make their administration any the smoother or easier. My next objection, Sir, is something which relates to the drafting of the Bill. My submission is that this Bill, as it has been drafted, will not at all serve the purpose that my honourable friends who are responsible for the Bill have in view. I would only draw the attention of the Council to one particular portion of what we might call the important part of the Bill and that is to the nature of the oath that is to be taken.

" The oath is composed of two parts. One relates to the allegiance to the Crown and the other relates to a promise that the person who takes the oath will faithfully discharge the duty upon which he is to enter. Now, Sir, you will find that the expression that is used therein is 'faithfully discharge the duty upon which I am about to enter'. It is not the plural that is used, but only the singular. You will find that in cases where similar oaths are prescribed the expression that is used or the idea that is intended to be conveyed is *duties*. As it is, there will be compliance with this oath if only the member conscientiously performs the duty which he is about to enter. That will be the duty prescribed for the particular meeting he attends, or it may be the very first act that has to be done at the meeting. If he attends a meeting and if he behaves

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[Mr. L. A. Govindaraghava Ayyar]

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himself well he will have complied with the oath he has taken. I take it the object of the oath is to insist upon the person who takes the oath faithfully to discharge all the duties of the office so long as he continues to hold that office. I venture to think, Sir, that the language that has been adopted is not capable of achieving that object. If I am right in that view I think it will not at all do to pass the Bill in the imperfect stage in which it is at present."

Mr. A. RAMASWAMI MUDALIYAR:—"Mr. President, Sir, I had hardly any desire to take part in the discussion to-day but some of the observations of honourable members opposite, in the course of the debate, have made it incumbent on me to offer a few remarks.

"I was wondering why an innocuous and perfectly harmless measure like this, having for its sole object to require persons who are members of local bodies to take the oath of fealty to the Crown—a thing recognized by all responsible citizens—should evoke this heated discussion and repeated criticism at every stage of the Bill. I was wondering Sir, why honourable members opposite who had themselves taken the oath of allegiance in this Council should object to the same procedure being followed in the case of local boards as well and should raise a serious controversy over this question. My honourable friend Mr. Govindaraghava Ayyar in his present speech has, I believe, given the clue to the opposition and I shall place it before the other members of the Council as it may probably elucidate this mystery.

"The honourable member from North Arcot in criticising the Bill and especially the drafting of it said that the form of the oath prescribed was defective in that it required the member to state at the first sitting when the oath was administered that he will 'faithfully discharge the duty upon which he was about to enter'. The Honourable Member argued that the obligation would cease as soon as he had faithfully discharged the very first act he was called upon to perform and that thereafter he had no further obligation to faithfully carry out his duties. I do not wish to pursue my honourable friend in his interpretation of English language but I may be permitted to draw the attention of the House to the fact that the oath which we, as members of the Council, have taken is in exactly identical terms and that we were also called upon to faithfully discharge the duty upon which we were about to enter. Sir, it is obvious therefore that honourable members like my honourable friend Mr. Govindaraghava Ayyar are under the impression that by the very first act which they have done in this Council after taking the oath they have discharged their obligation under the oath and that the necessity to *faithfully* discharge their duty does not apply to their further acts. That, Sir, probably is the real explanation of the conduct of some of the honourable members who have opposed the measure and I would leave it to the House to judge how far such interpretation is reasonable and how far honourable members who are acting on such an interpretation are right in so doing.

"I now come to my honourable friend from Nellore, Mr. Krishna Rao. He has stated that this Bill is a matter of vital importance, that it is a matter of transcendental importance, that it is a matter of life and death importance to those who are members of local bodies and that this measure which seriously affects them should not be thrust on them without their willing acquiescence. I must confess, Sir, that I cannot understand this attitude. This is merely an act which every one of us, whether we are in the Legislative Council or in any other constituted bodies or outside them should only be too glad to perform, namely swearing fealty to the King-Emperor, an act which every one of us should

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consider a duty, a right, a privilege and a prerogative. I can only wonder why in this and in other countries every citizen is not called upon to enter on his duties, whatever they may be, with an oath of allegiance to the Crown. It is well understood that, whether we take the oath of allegiance or not, every responsible citizen is acting in the spirit and conforming ourselves to our several duties and avocations as if we had taken this oath of allegiance.

"Mr. Krishna Rao described this Bill as of far reaching importance, because members of municipalities and local boards have great obligations cast upon them without their willing assent. I think this is viewing the matter in a really strange light. I can only justify it on the hypothesis that the honourable member, Mr. Krishna Rao, and gentlemen of his persuasion are inclined to think that many of the members who are in these councils are at heart men of treasonable tendencies, men who do not believe in the British connexion, men who dare not say that they want to sever the British connexion and the Imperial rule merely because of the fear of the fines and penalties of the Indian Penal Code, men who when called upon to openly avow that spirit of allegiance to the throne may feel embarrassed. If that is their view I can understand it. But I must point out that even non-cooperators if they are to be believed, are bound by the spirit of the oath of allegiance and I cannot understand any substance in the objection raised by Mr. Krishna Rao and others.

"Sir, a great deal has been said in the course of the debate about minorities, about oppressed minorities. I am glad to see the welcome change that has come over the opposition—a welcome change, I say, because they seem to realize now what it is to be in a minority, *aye* in an oppressed minority. I welcome it all the more because though it comes at a very late stage still honourable members opposite may realize now what our feelings must have been when we were a minority, an oppressed minority, when we had no one to appeal to, when we had nobody to look up to for help and sympathy when we were at the mercy of a tyrannical majority. But, Sir, when honourable members talk of oppressed minorities in this Council, I ask them in all seriousness where is the oppression and where the oppressed minority. Sir, you, as President of the Council, can bear testimony to the fact that that minority is a most vociferous minority. It has been given every chance, every opportunity to speak and to bring forward every reason and argument that they can find. Mr. Ramachandra Rao who claims to be an authority on constitutional practice and parliamentary procedure, my friend Mr. Venkataramana Ayyangar, whose fiery eloquence has taken every one of us on this side of the House by storm, my friend Mr. Krishna Rao with his innumerable 'ifs' and 'buts', my friend, Mr. Siva Rao, whose plaintive eloquence we all admire, Mr. Govindaraghava Ayyar with his long, involved and interminable sentences, must carry conviction in this House to everyone whether they are Hon'ble Ministers or humble Council Secretaries like myself passing rich on Rs. 500 a month, thanks to the 'still small voice' of the Finance Department. If therefore all these honourable members with all their oratory and eloquence are not able to convince us, the reason is not far to seek and they cannot object to being treated as a minority. The reason is merely because their arguments are not strong, their reasons are but weak, and their purpose too something else than what is ostensibly put forward. It is because we see into their reasons and realize their obstructive tactics—it is because we see behind and beneath their spurious arguments and take a line of action of our own that the opposition in spite of its vociferousness has failed to convince us or influence this House.

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"There is only one other point I should like briefly to refer to. My honourable friend from Coimbatore told us in the course of the debate to-day that some of us are making a laughing-stock of ourselves. Sir, I have been now eleven months in this Council and have heard time after time innumerable speeches from my honourable friend and in all his speeches there is one statement that I cordially and whole-heartedly agree to—that some of us are making a laughing-stock of ourselves. May I only ask my honourable friend to go home to-night and in a chastened spirit carefully review the incidents of the past year and ponder over the deliberations of the Council and consider who it is that is making a laughing-stock of himself?"

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, I had no intention of addressing this House at this stage of the Bill. But my honourable friend, Mr. Ramaswami Mudaliyar's very interesting speech has put me on my legs. I must inform him, and with him the whole House, that our function as minority in this Council is not to give a silent vote. It may be that Mr. Ramaswami Mudaliyar may go round and canvass votes whenever any proposition is brought forward in this House."

Mr. A. RAMASWAMI MUDALIYAR (*interrupting*):—"I have no need to do it."

Diwan Bahadur M. RAMACHANDRA RAO (*continuing*):—"Well my honourable friend has to-day adopted a personal tone, and characterised some of my friends who are sitting on this side. I trust that we, in this House shall set a tone of criticism which is above personality. I am certain that in constitutional assemblies people will disagree. I, for my part, am certain, that I am echoing the sentiments of those who oppose Government in a constitutional manner, that we have a function to discharge. (Rao Sahib U. Rama Rao—Hear, hear.) If the honourable members opposite should think that we must say ditto to every proposal brought forward in this House, then we shall be surrendering our true function in this House. I am perfectly aware that my honourable friends have got an organized majority; I am aware that they have three Council Secretaries who are active whenever any important question or vote comes on. I am equally aware that some of the members who are sitting just opposite me are also equally solicitous to see that everybody who could be secured is secured. But so far as we are concerned, I may say that in due course constitutional opposition will also evolve a machinery. That is entirely for the future. Therefore my honourable friend need not gloat every now and then over the fact that he has got about 50 members of this House who will say ditto to every ministerial proposition." (Rao Sahib U. Rama Rao. Hear, hear. Uproar from behind the ministerial benches.)

Mr. A. RAMASWAMI MUDALIYAR (*interrupting*):—"Are the members of this House allowed to make such remarks? I seek the protection of the chair."

The Hon'ble the PRESIDENT:—"It is not an unparliamentary remark, nor is the other remark that the members of this House are making themselves ludicrous. (Laughter.) So far as the protection of the chair is concerned, it can be invoked only where a remark is unparliamentary. It is not the function of the chair to express an opinion on questions of taste. Not only has the chair to be impartial, but it has to recognize its own limitations. (Laughter.) I may mention that this question came up at the Presidents' Conference. And the Hon'ble Mr. Whyte is preparing a list of unparliamentary remarks (Laughter.) I hope to make the list available to members."

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Mr. A. RAMASWAMI MUDALIYAR:—"Is the casting of reflections on the members of this House a listed offence?"

The Hon'ble the PRESIDENT:—"Any reflection on the *bona fides* of a member, or on his character, would be unparliamentary. But it will not be such a reflection to say that certain members on one side or the other are foolish (Laughter). To say that a member's intentions are *mala fide* would be distinctly unparliamentary."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"I must thank you very much for the ruling that you have given. I trust that whatever may be our differences of opinion, we shall not infringe that good taste which ought to characterize the proceedings of this House."

"I have only one other remark to make. We on this side protested very early to-day against rushing through this legislation. If the Government are not considerate to us, if they do not afford us suitable opportunities for criticism, for discussion and for eliciting information from the Government, obstructive tactics will be adopted in any parliamentary assembly."

"My honourable friend Mr. Ramaswami Mudaliyar is perfectly aware of the way in which Mr. Parnell and his set of forty members defied the whole House of Commons for three years successively."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"It was then that the closure was invented, Sir."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"But there are rules under which even closure cannot be applied. If, therefore, my honourable friend is anxious to have our co-operation in the way of furthering the work of the Council, they should not think 'we have fifty members with us and therefore it does not matter whether we do this thing or that thing.' Let me also refer to the incident of yesterday—the question of the application of the Criminal Law Amendment Act to this Presidency."

The Hon'ble the PRESIDENT:—"Order, order. At present we are not dealing with the general attitude to one another of the different sections of the House, but we are dealing with the Bill."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"Subject to your ruling, Sir, permit me to say this that as an instance it would have been to the public advantage if a discussion and facilities for discussion had been given to this House. I do not wish to deal with the rights and wrongs of the question. I am merely suggesting that as an appropriate instance. I may go further, but I do not wish to talk on the question whether our proceedings are not regarded by the outside public as provoking amusement. That is what my friend Mr. C. V. Venkataramana Ayyangar has stated. I do not wish to subscribe myself to the statement that it has come to that as yet. Time may come when we shall have to describe ourselves, not exactly in the same language but in language quite not very far removed from it. I do not wish to go further. Let me assure my honourable friends that if suitable opportunities for discussion are not given, the only way for a minority in a representative assembly or in a parliamentary assembly such as this is to use every opportunity which they have under the rules to criticise, to block, to obstruct and to put every pressure upon the Government to come to more reasonable ways. If my honourable friend thinks that to-day they are in a position to push through this Bill, it is not because that they are more loyal than ourselves, or wish to be more loyal than ourselves."

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Mr. A. RAMASWAMI MUDALIYAR (*interrupting*):—"I did not mean any such thing, Sir."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU (*continuing*):—"Therefore our objection is merely by way of a protest against the way in which this Bill has been rushed through this Council."

Mr. C. V. VENKATARAMANA AYYANGAR:—"My name has been referred to, Sir, and I wish to say a few words in explanation. I thank all members who have done so. I receive all hits most gladly (Laughter). I have absolutely no complaint against anybody (Laughter). We are here to express our opinions, to hit and receive hits (Laughter). Therefore I do not complain of anything that has been said. I repeat that if this is passed to-day this Council, not Mr. Ramaswami Mudaliyar nor any individual members of this Council, but I say this Council will be the laughing stock."

Mr. A. RAMASWAMI MUDALIYAR (*interrupting*):—"I remember the words, Sir, that some of us are the laughing stock."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"That some are the laughing stock refers to past tense. That may be before we entered the Council or after we entered the Council. Whatever that may be I do repeat this that if this Bill is rushed through and passed into law to-day certainly this Council will be the laughing stock. You, Sir, have passed a ruling that the amendments were perfectly in order. Of course I bow to that ruling and to the opinion of the Law Member. I thank you, Sir, however for your ruling that I may use it as an argument for saying that the Bill should not be passed. No, Sir, when you have said that I may use it, it is left to me to use it in the best way I can. Now, let us see what is the Bill. 'A Bill to amend the Madras District Municipalities Act, 1920, and the Local Boards Act, 1920. Whereas it is expedient to amend the Madras District Municipalities Act, 1920, and the Madras Local Boards Act, 1920; It is hereby enacted as follows:—This Act may be called the Madras District Municipalities and Local Boards (Amendment) Act, 1921.' That forms the first portion of the Bill as to be passed. But when you go on with the Bill further not a word to amend the District Municipalities Act, not a word to amend the Local Boards Act, but all substantial penalties and offences. The purport of the amending Act is that as soon as it is passed the necessary amendment should be carried into the Acts to be amended in which case the amending Act goes away. But here I see not a word to amend the respective Acts. All that it says is two plus two is four and four plus four is eight."

The Hon'ble Mr. P. RAMARAYANINGAR (*interrupting*):—"I wish Mr. Venkataramana Ayyangar had noted the speech of Mr. K. Srinivasa Ayyangar. He cited the instances of English amending Acts which are of the same kind."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"He said that as a point of order and I bow to the Hon'ble the Law Member. All that I say is that I do not say that any opinion is wrong. Ruling is a ruling. The Bill as passed will go out to-day. What is the first clause? The first clause says, 'whereas it is expedient to amend,' etc., etc. What does the second clause say? 'The following shall be inserted,' etc., etc. The following what? There is nothing. Well, Sir, I will leave it to you whether we should pass this to-day or to-morrow or on the first day of the next sitting. You simply bring in some amendments because amendments can be brought without notice. So far as the Minister is concerned I will say

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that all that can be said here has been said. Now we can only appeal to the public outside to judge whether what we do is wrong or what we suggest is done with motives. I suppose my friends will forget the whole thing and consider that all of us have argued with the best of intentions (hear, hear). It has been suggested that there are two kinds of members of this Council, those who have got in on account of non-co-operation and those who got in in spite of non-co-operation. I do not say that it is so. Are the members of the municipal councils and the taluk boards not competent enough to compete with the non-co-operators in the election time? Let us not show to the world at large that we are afraid of fair competition. Let us not, Sir, lay ourselves to the charge of striking below the belt. Let us have a fair and profitable fight. We have been showing to the world and outside, in season and out of season, that non-co-operation is nothing, that they have no following in the world, that they all can be counted as one, two, three, that there is nobody there except some fantastic ladies—well the expression is some misguided ladies and some misled children—and that non-co-operation has no real force in the country. If that be so, why should we be afraid of a non-co-operation majority in our councils, local boards and district boards? Why should we be afraid that in every election, either of the chairman or of the members, non-co-operators will always come? Why should you be afraid of standing in competition with the non-co-operators both outside and inside the Councils? If I want to be a member of the municipal council or of a district board I should like to have this Bill passed in case I am afraid of the competition of the non-co-operators."

Mr. A. RAMASWAMI MUDALIYAR (*interrupting*):—"How are the activities of the non-co-operators relevant to the discussion here, Sir?"

The Hon'ble the PRESIDENT:—"I thought that the whole trend of the discussion was that this Bill is to some extent necessitated by the activities of the non-co-operators. I thought that one of the points raised in favour of the passing of the Bill was that. Non-co-operation has been so much in this discussion that it is too late to stop it."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"Thanks, Sir. When once the Bill is passed every one, majority and minority, is responsible for the consequence of it. Therefore, I am afraid, Sir, that if we pass this Bill we will be said that we are afraid of having a fair fight with the non-co-operators outside this Council and therefore we have invented this in this Council. Therefore, Sir, I appeal to this House even at this last stage—I know this is a cry in the wilderness—to just wait for a day or two. The heavens won't fall. According to the Bill, as they want it to be, three months' time will be there. All non-co-operators can be there for three months even if they do not take the oath. You can have it reduced to one month and have the Bill passed next month. I, therefore, only appeal to the House not to pass it now."

Mr. S. SOMASUNDARAM PILLAI:—"There is no legal objection to passing this Bill into law. All sorts of technical objections are raised against this emergent Bill. This Bill is intended as a measure of protection and prevention. This is to prevent non-co-operators from entering into the councils and protecting the co-operators from being tampered with by non-co-operators. Of course there are members here who speak with a good deal of Parliamentary experience, because they have visited England once or twice. I cannot claim parliamentary experience but I think that in one way I too can claim some knowledge of Parliamentary procedure. For I have seen some members of Parliament in India. It is a very serious thing that the subjects of the King-Emperor should be allowed to defy the

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A BILL TO AMEND THE MADRAS DISTRICT MUNICIPALITIES ACT, 1920,
AND THE MADRAS LOCAL BOARDS ACT, 1920

[Mr. S. Somasundaram Pillai] [16th December 1921]

Government officers and the Government departments. I know what they have done in Salem. They will do it every day. They do not want to recognize this Government. They think they are the subjects of Mr. Gandhi whose kingdom does not exist in this planet. So we want to bring in these amendments.

“We must avoid such people. It is for this purpose, I suppose, that this oath of allegiance is insisted upon. Supposing a man does not take this oath he will be expelled and he will be praised as a great patriot by the common people. For this cheap notoriety no sacrifice is necessary. But it is a very serious thing for it will spoil the illiterate masses. It is just like putting fire on the roof. It should be extinguished at once, else, it will catch fire and grow into a conflagration. Of course, it is said, what are these non-co-operators going to do? Sir, even a little poison is enough to do mischief. So we must put a stop to it. It is said simply because we oppose it we should not be taken as non-co-operators. There may be people who think so many things but are not bold enough to express them. We are not thought-readers. There are honest non-co-operators who defy every one and say the things they feel. There are some non-co-operators who are afraid of saying things. The man who hides his real intention but speaks with a friendly voice is not to be trusted. There are people who always flatter the Government while they think otherwise in their heart of hearts. It is said in a Chinese Book of Politics called “Plain Words”, that the sovereign who loves flatterers and withholds himself from the honest and true will soon see his kingdom fall. We can give so many instances like that.”

The Hon'ble the PRESIDENT:—“What have we to do with Chinese stories just now?”

Mr. S. SOMASUNDARAM PILLAI:—“I cite this as an authority for my statement. What I say is that we should be very careful when these people, whether it is here or anywhere, go on flattering. They are all hypocrites. The oath of allegiance is taken in this Council. Why should they object when it is extended to other councils? There is the necessity and urgency to pass this Bill. Our friend was kind enough to say that all of us lifted our hands like sheep. I am very sorry for that expression. We have as much brains as our friends on the opposite side and we consider deeply and act according to the best of our judgment. Though in his opinion we are not very sensible yet I can assure him that we have enough of common sense to find out those who are seemingly wise, while as a matter of fact they are foolish. I too can give utterance to such expressions. But I am not going to retort. For revenge is base. So, I request our friends whether they have sense or whether they are foolish and without any common sense, to understand whether it is right or wrong to pass this Bill.”

Mr. A. RANGANATHA MUDALIYAR:—“Sir, the object of this Bill seems to be to shut out from the various municipal councils and local boards such persons as would object to taking the oath of allegiance referred to in it. Well, Sir, those people who really have a conscientious objection to taking an oath of allegiance are in my opinion the least troublesome of the whole lot. The people who really cause much trouble are those who, while professing non-co-operation with their lips, never put their principle into practice, i.e., those vakils who are non-co-operators and yet do not abstain from the practice of their profession, those merchants who are trading in foreign yarn and cloth but vow swadesi with their lips, those parents who advise other students to abstain from going to school while they are particular in seeing that their own children regularly attend the school.

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The Act or the Bill, Sir, does not go to the root of the evil. That is my complaint about it. In the course of the discussion it has been made abundantly clear that there are many points which require to be attended to and some defects which require rectification. The honourable member Mr. Tanikachalam Chetti himself referred to some of them. For example he said—and I think very rightly—that if he had his way he would certainly so amend the Bill or he would have framed the Bill in such a manner as to see that those people who object to taking the oath of allegiance are not even nominated. So there is many another thing which would easily come to our mind. The point is, is it worth while, while there are so many things to be attended to, to rush this Bill in such a hasty fashion. The objection taken to the Bill is not so much to the oath mentioned therein as to the method in which it is sought to have this law enacted. That is the point really at issue, and I think there is very good reason why this Bill should not be so hastily made into an Act. One other thing I wish to appeal about to the Ministers and others in this House. In view of the coming of His Royal Highness the Prince of Wales I would earnestly ask all of them not to contribute anything to the already disturbed atmosphere. I think that very soon we shall have a clearer atmosphere when Bills such as these may easily be brought in and calmly discussed and passed into law.”

The Hon'ble the PRESIDENT (addressing the Hon'ble Mr. P. Ramarayanin-gar):—“Does the Honourable Member wish to say anything in reply?”

The Hon'ble Mr. P. RAMARAYANINGAR: “I have nothing more to add except to thank you and the honourable members of this House for having allowed the Bill to reach this stage, in view of the Hon'ble Mr. Ramachandra Rao's confession that the objection to the Bill is more or less the result of spirit on the part of the members opposite, I need not trouble the Council with further observations.”

Mr. P. SIVA RAO:—“May I ask the Honourable Member in charge why he has exempted the Madras Corporation from the purview of this Bill?”

The Hon'ble Mr. P. RAMARAYANINGAR:—“The reason is that while the presidents of the district boards and the taluk boards and the chairmen of municipalities pressed for this legislation, the members of the Madras Corporation or its President did not ask for it. The Government do not like to move in the matter *suo moto*. If the President of the Corporation asks for similar amendment of the Madras City Corporation Act the Government will certainly introduce a bill to amend that Act.”

The motion for passing the Bill into law was then put and carried.

The Bill was accordingly passed into law.

V

DEMAND FOR SPECIAL GRANT FOR AGRICULTURAL PURPOSES.

The Hon'ble the PRESIDENT:—“I have received an urgent notice from the Hon'ble the Revenue Member in regard to a supplementary grant. He has not given us the usual notice, and if there is a general feeling that it should not be taken up, I shall defer to it. But this happens to relate to advances to cultivators, which is probably an urgent matter. So if it is the pleasure of the House to allow the Hon'ble Member to move the grant I shall allow him to do so.”

The leave was granted, all honourable members agreeing.

[The Hon'ble Mr. Habib-ul-lah Sahib] [16th December 1921]

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—“Sir, I am indeed thankful to the House for having allowed me to intervene at this stage and ask for a grant at their hands in what I regard as a very urgent matter. If it was in the least possible that I could have waited until the next meeting of the Legislative Council on the 19th of January I would not have ventured to have either troubled you, Sir, or the House to accede to my request, particularly at this fag-end of the day, when we have been listening to very interesting speeches on a very interesting legislation. The House probably will remember that a few days ago I had the honour of moving a similar vote in respect of a sum of six lakhs for distribution amongst the agriculturists in the famine districts of Bellary, Anantapur and Kurnool and the House was then good enough to give me that grant. I am now asking not on behalf of districts where famine has already been declared or famine exists, in respect of which the House was good enough to sanction a liberal grant on the last occasion, but I am now asking on behalf of the districts where there is no famine and where I am anxious to prevent famine. So many as eight districts in the Madras Presidency have asked for certain allotments for distribution amongst the agriculturists in those districts. Liberal provision had been made in the current year's budget of no less than twelve lakhs of rupees for distribution of loans amongst the agriculturists in the Province. But, Sir, on account of the drain on those funds by the famine districts of Bellary, Anantapur and Kurnool, very little of that allotment remained for distribution in non-famine districts. So that we have now reached a stage when we have either to tell the non-famine districts to go away without funds for distribution of loans during the rest of the year or we have to improvise means for the purpose of supplying them with what we had originally intended to give, but which on account of the altered conditions we find ourselves unable to do. Through the courtesy of the Hon'ble the Finance Member I have somehow unearthed a possible item from which I hope to induce the House to sanction me this additional grant of one lakh. There is a sum of 70 lakhs which was lent to us by the Government of India and from which I have been able to ascertain that there is a sum of 6.18 lakhs yet unallotted for any specific purpose. Of course, I know purposes may be found, applications may be forthcoming and probably the Finance Member may be willing to grant that balance. Before ever the whole of that sum has been claimed by others, I thought I had better approach the House and ask for their leave to appropriate one lakh out of it for what I regard as a very necessary and urgent purpose. We had, Sir, before coming up to this House written to and asked some Collectors, to whom similar allotments had been sanctioned whether they could not surrender 25 per cent of the allotments which had already been placed at their disposal, so that I might not trouble the House for this additional allotment. But I am sorry to say that no Collector to whom allotments had already been given is in a position to surrender any part of it, much less to agree to the 25 per cent. As a matter of fact, experience shows that every district wants the money for distribution amongst agriculturists. My only alternative, therefore, in these circumstances, Sir, is to ask for the vote of the House in respect of one lakh which I want on behalf of 8 districts which have applied for this additional allotment. The Board of Revenue is constantly pressing that these applications of theirs should be sanctioned. If the money is not distributed in time, the utility of the distribution will be considerably militated from, and therefore they ask that early orders may issue. For there is, as I am told, a fear in some districts regarding the failure of the north-east monsoon. The cultivators seem to need money very badly at this juncture and I am now confident that just as in the past this House

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has been liberal in sanctioning the grants which I have asked on behalf of the agriculturists, they will on this occasion also be carried away by the same impulse and sanction this grant in favour of the agriculturists.”

The Hon'ble the PRESIDENT:—“The motion before the House is ‘that the Government be granted an additional sum of Rs. 1,00,000 under Class I—Loans—Advances to cultivators, grant of Loans under Land Improvement and Agriculturists' Loans Acts, to the ryots in the non-famine districts.’”

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—“I have only a slight inquiry to make as to whether this amount is to come from the funds at the disposal of Government for loans or whether it is to come from the current revenues. If, as a matter of fact, it is to be from the loan funds, there should be absolutely no objection. But if it is a question of meeting it from the current revenues, it is for the Hon'ble the Revenue Member and his colleague the Hon'ble the Finance Member to consider.”

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—“I am sorry that probably the honourable member who was interrogating me did not hear me at all. I specified that there was a loan of 70 lakhs taken from the Government of India and that out of that loan there is yet an unallotted sum of 6.18 lakhs. Several applications may be forthcoming and this balance may disappear. Before it is surrendered for other purposes I wanted to move the House at once to appropriate one lakh out of it.”

MR. M. SURYANARAYANA PANTULU:—“I only request to know, 5-15 p.m. the names of the districts to which those allotments are to be sanctioned.”

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—“The districts are Vizagapatam, North Arcot, Salem, Trichinopoly, Madura, Ramnad, Coimbatore and Chittoor.”

MR. A. RANGANATHA MUDALIYAR:—“I just want to know, Sir, whether the words ‘ryots in the non-famine districts’ should find a place there. My reason is this. It is just possible that this one lakh of rupees may not be utilized in those districts, and it was remarked by the Hon'ble the Revenue Member that to avert famine in certain districts, he was very anxious that this amount should be granted as a loan. Unfortunately, if it should so happen that one of these districts should be declared a famine district, then according to this resolution the Honourable Member may not be in a position to give any amount out of this to that particular district. So, I would rather suggest that those words ‘ryots in the non-famine districts’ may be omitted.”

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—“Sir, it is deliberately intended for the non-famine districts, inasmuch as very liberal provision has already been made for the famine districts and the money that has been placed at the disposal of these Collectors is not likely to be utilised to the fullest extent. I have already received a communication from the Collector of Bellary to say that he will be surrendering very nearly a lakh of rupees, and all that will be earmarked for famine districts only.”

The demand was then put and agreed to.

The Hon'ble the PRESIDENT:—“His Excellency the Governor will be here in a few minutes. He has sent a message that he wants to address the House.”

[His Excellency the Governor] [16th December 1921]

VI

HIS EXCELLENCY THE GOVERNOR'S SPEECH.

His Excellency the GOVERNOR then came to the House and addressed it.

HIS EXCELLENCY THE GOVERNOR :—" Mr. President, I have taken this opportunity to say a few words to honourable members before this meeting of the Council closes, because I think it my duty as head of the administration to lay before you certain observations with reference to the general situation in the country, and more especially to the very serious happenings in various parts of India.

"I understand that there has been some anxiety felt by some honourable members with reference to our decision to apply Part II of the Criminal Law Amendment Act to the whole of our presidency, and I feel that some explanation of our action in this matter is due to this House more especially at a time like the present sitting, which has afforded such conspicuous evidence of the unwillingness of honourable members to do anything to embarrass the Government. I, therefore, take this opportunity of assuring the House that, when we extended the Act, we did so purely as a precautionary measure and that it is our profound hope that we may have no reason to make use of it. But we have seen certain action being taken by certain people and combinations of people in other parts of India which has been a direct challenge on their part to the constitution and the Government, and I am sure that I shall receive the full approval of every member of this Council when I say that it is our bounden duty to take every precautionary measure necessary to prevent any revolutionary agitation of this character. (Hear, hear.) It is true that political memories are sometimes very short, but not short enough surely to make us forget all the ghastly horrors and tragedies of the Malabar rebellion which was mainly brought about by a similar agitation.

"What the real object of the agitators is it is difficult to divine, but if we are to judge them by their acts and by the results of their acts, it is nothing but revolution and anarchy. What you gentlemen stand for, as your presence here shows, is constitutional Government, which you hope soon to make fully responsible. (Hear, hear.) I can say with absolute sincerity that I believe that you are moving forward rapidly along the road to that end (hear, hear), and it is largely for that reason that I so greatly regret to see this agitation against all rule and authority which, unless it is checked, will bring, and undoubtedly bring, further riot and disorder in its train and set back the clock of progress for years.

"It is the duty of my Government and in doing that duty I claim the support not only of every Honourable Member of this Council, but of every loyal and law-abiding citizen, to see that constitutional authority is upheld, that law and order are maintained within the whole area of our administration; it is our further duty to see that every citizen is left to carry on his ordinary avocations without molestation or intimidation. That duty we shall faithfully carry out. And if that authority is openly challenged by any one who intends to break the law, we shall feel bound to take up that challenge and to ensure that law and order are securely maintained. We are often told that this carrying out of our duty to the people is the adoption of a repressive policy. I deny this entirely, for there is not a man in this Presidency who need fear the terrors of the law if he chooses to keep the law. Nor, I believe, is there any fear of the law, or of the instruments of the law, on the part of the ordinary citizen. What he fears, and with good reason, is the action of irresponsible persons who try to compel him to do things which he does not want to do by actions that are outside the law, and in

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preventing that we are not repressing him, but saving him from an oppression which has on numerous occasions been proved to be of a very serious nature indeed.

"I feel sure that I shall not have to claim the support of members of this Council in vain. But for the one great tragedy that I have alluded to, the Malabar rebellion, the reputation of Madras for steadfastness, for commonsense and loyalty is untarnished (hear, hear) and I feel sure that the whole Presidency desires to wipe out the stigma of Malabar. I appeal to you, gentlemen, not because there is any doubt of your personal support, but because you are all men of influence and authority in the towns and districts in which you live, and because I want you to shoulder the burden of responsibility that is already yours, and that will soon be devolved upon you in larger measure, and to use your influence and the authority among the people, among those by whose choice you share in the deliberations of this Council. There is much to perturb them in the events occurring in their midst and events elsewhere of which they hear. They cannot be expected, as you can, to realize fully that the forbearance of Government does not imply that its hands are paralysed, or to recognize the measure in which they, through their representatives, are expected now to share in the responsibility for maintenance of law and order with which their own interests, both private and public, are intimately concerned. I appeal to you, therefore, to do everything in your power to allay apprehensions, to reassure the people as to the objects which the Government have in view, and to encourage them to show a united front against intimidation and violence and to evince by active loyalty and co-operation with the Government that they are conscious of the duties and responsibilities attached to the new privileges which have been conferred upon them.

"For the credit of the Madras Presidency, for the fair name of India, I appeal to every Honourable Member, I appeal to every loyal citizen, to support the Government in their efforts to secure obedience to the constitution of this country and to ensure thereby a rapid advance to the accomplishment of the great destiny which we believe is in store for you." (Cheers).

His Excellency then left the Chamber.

The Hon'ble the PRESIDENT :—"The House will now adjourn and meet again at 11 a.m. on the 14th January 1922*."

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

* Since altered to 13th January 1922.

Proceedings of the Second Session of the Legislative Council of the Governor of Madras assembled for the purpose of making Laws and Regulations under the provisions of the Government of India Act (5 & 6 Geo. V, Ch. 61, 6 & 7 Geo. V, Ch. 37, and 9 & 10 Geo. V, Ch. 101).

VISIT OF HIS ROYAL HIGHNESS THE PRINCE OF WALES TO THE COUNCIL.

The Council assembled at the Council Chamber, Fort St. George, at 11-30 a.m. on Friday, the 13th January 1922, the Hon'ble Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E., President, presiding.

His Excellency the Governor arrived at the Council Chamber with his staff at 11-45 a.m. and proceeded to the dais where he was received by the Hon'ble the President. His Excellency then took his seat on the dais.

The Hon'ble the President, accompanied by the Hon'ble Mr. P. Ramayaningar and Diwan Bahadur T. Desika Achariyar, then proceeded to the door of the Chamber to receive His Royal Highness. His Royal Highness arrived at the Council Chamber at 12 noon; on the arrival of His Royal Highness the standard of His Royal Highness was unfurled at the flag post of the Council Chamber. The Hon'ble the President introduced to His Royal Highness the two Honourable Members accompanying him and escorted His Royal Highness to the dais in procession, His Royal Highness' staff proceeding first, then the two Honourable Members of the Council, then the Hon'ble the President and then His Royal Highness. His Royal Highness took his seat in the centre of the dais, amidst loud cheering, with His Excellency the Governor to the right and the Hon'ble the President to the left. All the Members of the Council rose as His Royal Highness entered the Chamber and remained standing till His Royal Highness' permission was obtained to their resuming their seats.

The Hon'ble the PRESIDENT then said :—

“MAY IT PLEASE YOUR ROYAL HIGHNESS,—On behalf of the Madras Legislative Council I beg to tender Your Royal Highness a most respectful and cordial welcome. It is extremely kind of Your Royal Highness, in the midst of your multifarious engagements, to have found time to visit us; and we consider this a very high honour indeed. We beg of Your Royal Highness to convey to His Majesty the King-Emperor our feelings of profound loyalty and devotion to His August Throne and Person. It is just twelve months since this Council was, by His Majesty's Command, inaugurated by His Royal Highness the Duke of Connaught; and the weighty words uttered by His Royal Highness on that occasion are fresh in our minds. In humble response to His Majesty's high purposes, which were then impressed on us, we have been endeavouring to the best of our ability to realize them, and to bring about, so far as in us lies, the early consummation of that full measure of responsible government which we are assured is in store for us.”

His ROYAL HIGHNESS replied as follows :—

“GENTLEMEN OF THE MADRAS LEGISLATIVE COUNCIL,—I thank you sincerely for the welcome which your President has extended to me in such

[H.R.H. The Prince of Wales] [13th January 1922]

graceful terms. It is a great pleasure to me to meet all the members of your Legislative Council and to see the Chamber in which the deliberations of the Council of the oldest Presidency in India are carried on.

"Only a year has passed since my uncle the Duke of Connaught, as representative of His Majesty the King-Emperor, inaugurated your new reformed constitution. I am informed that in this brief space, under the able guidance of your President, you are justifying the extension of the wide powers which have been given you under the Reforms Act and are making an advance by wise and gradual steps to your goal of full responsible government.

"I am sure that you realize the heavy responsibilities which rest on you as representatives of the people of this Presidency, and I feel confident that you will always act with steady purpose and balanced judgment to secure the progress and prosperity of all classes and communities.

"It will give me great pleasure to convey to His Majesty the King-Emperor your message of loyalty and devotion.

"I wish you all success and assure you that I shall follow your future with all the greater personal interest after the visit that I have paid you to-day."

After the conclusion of His Royal Highness' speech, which was followed by vociferous cheering for several minutes, His Excellency the Governor and the Hon'ble the President, accompanied by the two Honourable Members representing the Council, and preceded by the personal staff of His Royal Highness, escorted His Royal Highness to the door of the Chamber.

Immediately after the departure of His Royal Highness, the Hon'ble the President returned to his seat and formally adjourned the House to 11 a.m. on the 19th January 1922.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

The Council met at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 19th day of January 1922, the Hon'ble Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E., President, presiding.

I

QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

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

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

Contract to remove prickly-pear in Mally village.

1175 Q.—MR. R. APPASWAMI NAYUDU : Will the Hon'ble the Member for Revenue be pleased to state—

(a) whether it is a fact that in order to remove prickly-pear from the tank bund of a village named Mally in Srivilliputtur taluk, Ramnad district, a contract was given to one Irulappa Pillai of Srivilliputtur for Rs. 2,500 (two thousand five hundred) in the year 1920 ;

(b) whether it is a fact that after strong protestations from the said villagers on the ground that the contract was extremely high, the original contract was cancelled and a fresh contract was given to one of the villagers for Rs. 300 (three hundred) ; and

(c) whether it is a fact that the prickly-pear was completely removed for Rs. 200 (two hundred) ?

A.—The Government have no information.

Repairs to the anicut in Kalingapatti village, Tinnevely district.

1176 Q.—MR. R. APPASWAMI NAYUDU : Will the Hon'ble the Member for Revenue be pleased to state—

(a) whether it is a fact that in the village of Kalingapatti, Sankaranayinarkoyil taluk, Tinnevely district, the anicut in the river that brings water to a tank in the said village was breached some three or four years back and the water is wasted in the river itself without filling the tank ;

(b) whether it is a fact that in order to fill the tank with water the villagers repair the anicut every year temporarily at a cost of about four hundred rupees ;

(c) whether it is a fact that the irrigation tax has been collected from them regularly as if the tank were being kept fully supplied with water, through Government agency ;

(d) whether it is a fact that in spite of strong representations from the villagers for repairs, the authorities have postponed them ; and,

(e) if so, whether the Government propose to take steps to see the said anicut repaired ?

A.—The Government have no information

[19th January 1922]

Assistant Director of Industries.

1177 Q.—Rao Bahadur V. APPASWAMI VANDAYAR: Will the Hon'ble the Minister for Development be pleased to state—

(a) whether the present cadre of the Assistant Directors of Industries is to be retained or modified; and

(b) what the Government propose to do in the matter of developing technical education?

A.—(a) It will probably be modified; the question is now under consideration.

(b) The Government propose to appoint a Committee shortly to go into the whole question and to make recommendations.

Enhancement of pensions of the lower grades.

1178 Q.—Rao Bahadur T. BALAJI RAO NAYUDU: Will the Hon'ble the Member for Finance be pleased to state whether any steps are going to be taken now or in future about the enhancement of pensions of the lower grades in the light of the views expressed by the Government of India in the September meeting of the Legislative Assembly, that they could not accept a resolution relating to the subject on the ground that they could not force the hands of the Local Governments who are to bear 93 per cent of the total expenditure?

A.—The Government are not taking any steps at present in the matter.

Memorial from muchis and attenders in North Malabar.

1179 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the Hon'ble the Member for Revenue be pleased to state—

(a) whether the Government have received a memorial from the dufterbands, muchis and attenders in the various revenue and magisterial offices in North Malabar, in the early part of January 1921; and

(b) what action has been taken thereon?

A.—(a) The Member presumably refers to memorials for increase of pay. Such memorials were received from the menial establishments in different parts of the Presidency.

(b) The attention of the Member is drawn to the revised rates of pay shown at page 9 of G.O. No. 215, Finance, dated 14th March 1921, which has been placed on the Council table.

Order of the Collector of Ganjam regarding interviews between the Divisional Officers and the Superintendent of Police.

1180 Q.—Sriman BISVANATH DAS MAHASAYO: With regard to my question No. 1087 answered at the meeting of 18th November 1921, regarding the order of the Collector of Ganjam asking the Divisional Officers to meet the Superintendent of Police, will the Hon'ble the Home Member be pleased to ask the Collector of Ganjam for the information and place it on the table?

A.—The Government see no necessity to call for the information.

[19th January 1922]

Memorial from Taluk Shroffs' Association.

1181 Q.—Rao Sahib S. ELLAPPA CHETTIYAR: Will the Hon'ble the Member for Revenue be pleased to state if there was a memorial to the Government from the Taluk Shroffs' Association, Madras, praying for the increase of their salary similar to the scale allowed to the Revenue subordinates and what orders, if any, have been passed thereon?

A.—Memorials have been received from taluk shroffs praying for similar treatment as taluk clerks and these are under the consideration of Government.

Toddy contractors cancelling their contracts.

1182 Q.—Rao Sahib S. ELLAPPA CHETTIYAR: Will the Hon'ble the Minister for Education (Excise) be pleased to state—

(a) the number of toddy contractors in the Presidency who requested the Government to cancel their contracts after bidding at the recent toddy sales; and

(b) what action has been taken on the request?

A.—(a) A copy of petition said to have been submitted through the Collector of Coimbatore by fifteen toddy contractors of Coimbatore and Avanashi taluks has been received in advance.

(b) The Collector's report is awaited.

The District Court Sarshtadur, Chittoor.

1183 Q.—Rao Bahadur P. C. ETHIRAJULU NAYUDU: Will the Hon'ble the Law Member be pleased to state whether the recent Government order regarding the appointment of more non-Brahmans was communicated to the District Judge, Chittoor?

A.—Yes.

Polling boxes in the last election.

1184 Q.—Mr. A. T. MUTTUKUMARASWAMI CHETTIYAR: Will the Hon'ble the Law Member be pleased to state—

(a) the number and names of the polling stations where the polling boxes were found empty in the last election, in November 1920;

(b) the names of the village officers who were present in the polling stations and did not vote on account of non-co-operation; and

(c) whether the Government have taken any action about those officers?

A.—(a) & (b) The Government have no information.

(c) No.

Municipalities without vice-chairmen.

1185 Q.—Mr. A. T. MUTTUKUMARASWAMI CHETTIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) how many municipalities there are without vice-chairmen; and

(b) why those municipalities have not elected vice-chairmen?

[19th January 1922]

A.—(a) Forty-four.

(b) The Government have no information. Under section 12 (3) of the Madras District Municipalities Act, 1920, it is not obligatory on a municipal council to elect a vice-chairman.

Educational Councils without vice-chairmen.

1186 Q.—Mr. A. T. MUTTUKUMARASWAMI CHETTIYAR: Will the Hon'ble the Minister for Education be pleased to state which are the Educational Councils that have no vice-chairmen; and why?

A.—The District Educational Councils of North Arcot, South Arcot, Chingleput, Chittoor, South Kanara, Madura and Ramnad have not yet elected vice-presidents. Under section 6 of the Madras Elementary Education Act, 1920, it is open to any District Educational Council to elect one of its members to be its vice-president. The Government are not aware why the councils referred to above have not availed themselves of this provision of the Act.

Manager of the office of the Inspector-General of Police.

1187 Q.—Mr. V. P. PAKKIRISWAMI PILLAI: Will the Hon'ble the Home Member be pleased to state—

(a) whether the present manager of the office of the Inspector-General of Police is a Brahman;

(b) (1) whether it is a fact that he has been the manager of the said office since 1912;

(2) for how many years the present manager of the office of Inspector-General of Police has been in the same office;

(c) whether it is a fact that he was promoted as a Deputy Superintendent of Police last year (1920);

(d) whether it is also true that retrospective effect to this was given from 1912;

(e) whether the Government can point out any other instance where retrospective effect was given for such a long period;

(f) whether he has ever been in executive service;

(g) how many persons were superseded by this promotion (with retrospective effect from 1912); and

(h) what his general and departmental qualifications are?

A.—(a) & (b) The person referred to is presumably Mr. Vittal Rao who is a Brahman. He was appointed Manager of the Inspector-General's Office on 21st July 1912 and held the post till 27th April 1919 when it was abolished. Since then he has been a Deputy Superintendent attached to the office.

(c) The date of the order appointing Mr. Vittal Rao as Deputy Superintendent was 19th August 1919.

(d) No.

(e) The question does not arise.

(f) The Government have no information.

(g) There was no such retrospective supersession. Mr. Vittal Rao was appointed directly to the third grade of Deputy Superintendents on the pay he was already drawing.

[19th January 1922]

(h) General—B.A.

Departmental—Criminal Higher, Accounts Higher, Præcis, Police Orders and Practice.

Non-Brahman graduate employes in the Revenue Department, Chittoor.

1188 Q.—Mr. V. P. PAKKIRISWAMI PILLAI: Will the Hon'ble the Member for Revenue be pleased to lay on the table (1) a statement showing

(a) the number and names of non-Brahman graduate employes (Indian Christians, Muhammadans, Hindus) in the Revenue Department, Chittoor district, on Rs. 50 and upwards, on 1st October 1921,

(b) the pay actually drawn by them on 1st September 1921,

(c) the capacity in which they are employed,

(d) the total service of each, and

(e) special test qualifications, if any, possessed by each; and

(2) a similar statement as regards the Brahman employes in the Revenue Department in the Chittoor district?

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

The Government Press Building.

1189 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Member for Finance be pleased to state whether the building next to the Government Press once occupied for Medical Stores and subsequently for Army Clothing Stores is now vacant?

A.—The reply is in the affirmative. The military authorities have been moved to transfer the building to the Civil Government with a view to increasing the accommodation available for the Government Press.

Defalcation in the Madras Public Works Workshops.

1190 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Minister for Education and Public Works be pleased to state, with reference to my interpellation No. 326 (5th August 1921) regarding defalcation in the Madras Public Works Workshops, whether any enquiries have been made on the subject, and, if so, whether the Government will kindly place on the table the result of such enquiries?

A.—Enquiries have been made. The relevant papers are placed on the table.* As the enquiries by the Assistant Accountant-General and the Police did not disclose sufficient evidence of defalcation having taken place, Government did not consider it necessary to pursue the matter further. The system of time-keeping has since been improved with the object of reducing the possibility of defalcations.

* Vide Appendix I on pages 1952 to 1956 *infra*.

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QUESTIONS AND ANSWERS

[19th January 1922]

Graduate clerks in the Public Works Secretariat.

1191 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Member for Revenue and the Hon'ble the Minister for Education and Public Works be pleased to state—

(a) whether it is a fact that a large number of graduate clerks in the Public Works Secretariat (General and Irrigation) are doing upper division work but are only drawing lower division pay; and

(b) whether it is a fact that the number of upper division clerks sanctioned for this secretariat is proportionately smaller than that sanctioned for the other secretariats?

A.—(a) The Honourable Member is referred to the answer to part (a) of question No. 799 at the Legislative Council meeting held on 13th October 1921.

(b) Yes.

Third Assistant Secretary in the Finance Secretariat.

1192 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Member for Finance and the Hon'ble the Minister for Development be pleased to state whether it is proposed to sanction a third Assistant Secretary in the Finance Secretariat and an Assistant Secretary for the Development Secretariat and to state the necessity therefor and the cost involved thereby?

A.—A Deputy Collector has been placed on special duty in the Finance Department during the budget season when the pressure of work is extreme. The pay of the officer including duty allowance is Rs. 580 per mensem and the total cost for four months will be about Rs. 2,300.

No addition to the Development Department has been made or is proposed, but the official designation of one of the officers in it and with it the allowance paid has been altered. The immediate extra cost involved in this alteration is Rs. 100 per mensem while the average extra cost is Rs. 57½ per mensem.

Officers in the various Secretariats.

1193 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Home Member be pleased to lay on the table a list of Registrar-Assistant Secretaries in the several Secretariats, their qualifications, service, pay and the nature of the responsible work they are doing?

A.—A list of the Assistant Secretaries is appended.*

The duties of an Assistant Secretary have been assimilated to those of an Under Secretary, that is to say, he controls a section of the office and deals with papers arising in it, disposing of those of minor importance and submitting the more important ones with notes or drafts to the Secretary under whom he is working.

* Vide Appendix II on page 1966 infra.

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Conveyance of convicted persons from Malabar to jails outside.

1194 Q.—Diwan Bahadur M. RAMACHANDRA RAO: Will the Hon'ble the Home Member be pleased to state—

(a) whether in regard to the conveyance of convicted prisoners from Malabar by rail to jails outside the district any orders other than those contained in Police Orders 565 to 569 (pages 108 and 109, Volume I of the Orders of the Madras Police) have been passed, and, if so, to place the same on the table;

(b) whether under the orders above quoted it was incumbent on the local officials in Malabar to convey the convicted prisoners to jails outside the district by rail in reserved compartments or carriages intended for ordinary third-class passengers and whether any of the local officials were at liberty to deviate from the above rules without express authority of the Government; and

(c) the names of the prisoners who died on account of the Podanur wagon tragedy on the 20th of November last and to state also the period for which each of the deceased prisoners had been sentenced?

A.—(a) & (b) The Government do not consider it desirable to answer these questions pending receipt of the report of the committee appointed to enquire into the incident.

(c) The Government have no information.

Season tickets in the Madras and Southern Mahratta Railway.

1195 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Home Member be pleased to state—

(a) whether it is a fact that the Madras and Southern Mahratta Railway Company have abolished the system of issuing quarterly and half-yearly season tickets on their line; and

(b) whether it is a fact that under the new system season tickets are available only with effect from the 1st of each month and not from any day in the month?

A.—(a) Yes.

(b) The Member is referred to paragraph 14 (e) on page 82 of the Madras and Southern Mahratta Railway Time Table for December 1921 to February 1922.

Mr. A. RANGANATHA MUDALIYAR:—“Is the Member for the Government aware that in the Great Indian Peninsular Railway a similar system, i.e., that of issuing quarterly and half-yearly season tickets is in force? It is so.”

The Hon'ble Sir LIONEL DAVIDSON:—“If, Sir, as the Honourable Member says, ‘it is so,’ I can hardly suppose that his supplemental question is a request for information.”

Mr. A. RANGANATHA MUDALIYAR:—“May I request the Hon'ble the Home Member to inform me whether he will communicate that fact to the Madras and Southern Mahratta Railway Company so that they may take whatever action they may think necessary in the matter?”

The Hon'ble Sir LIONEL DAVIDSON:—“I think, Sir, it will suffice if I say that the Government of Madras have already been in communication with the railway authorities in regard to this matter.”

[19th January 1922]

The Chairman of the Anantapur municipality.

1196 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) who the present chairman of the Anantapur municipality is, and when he was elected to his office;

(b) whether any meetings were held, after the new Municipal Act came into force, for the election of a chairman, and, if so, with what results; and

(c) whether any name of the councillor so elected was notified in the *Fort St. George Gazette*, and whether, if so, he has assumed charge of his office, and if he has not, the reasons for not doing so?

A.—(a) The present chairman is M.R.Ry. T. Venkataramanappa Chetti Garu. He assumed office on the 24th October 1921.

(b) Two meetings were held for the election of chairman of which one was invalid. At the other meeting M.R.Ry. T. Venkataramanappa Chetti Garu was elected as chairman.

(c) The name of M.R.Ry. T. Venkataramanappa Chetti Garu was notified in the *Fort St. George Gazette* and he has assumed charge of his office.

Assistant Secretary for the Development Department.

1197 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Minister for Development be pleased to state whether the Government intend to sanction the employment of an Assistant Secretary in the Development Department of the Secretariat?

A.—The attention of the Honourable Member is invited to the answer given to question No. 1192 [1307].

Juvenile offenders in the Malabar rebellion.

1198 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Home Member and the Hon'ble the Law Member be pleased to state the number of juveniles sentenced to various terms of imprisonment in connexion with the Malabar rebellion and the number out of those now in the Bellary district jail between 7 and 14 years of age, respectively?

A.—The Government have no information but will enquire.

Mr. A. RANGANATHA MUDALIYAR:—"I asked for information as to the number of juvenile offenders imprisoned in connexion with the Malabar rebellion and the number out of those now in the Bellary district jail between 7 and 14 years of age, and the Government in their answer have promised to enquire. May I have the information as soon as it is ready?"

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Certainly."

"The Town Nuisance Act" in the Ceded districts.

1199 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Law Member be pleased—

(a) to state for each of the Ceded districts—

(i) the towns and villages in which the Towns Nuisances Act is in force,

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(ii) how many out of them form the headquarters of the trying magistrates,

(iii) whether, and if so, in how many of the other villages and towns, the magistrates concerned are required to go to and dispose of the nuisance cases pertaining to them; and further

(b) to state for each of the Ceded districts for the quarter ending 30th September 1921—

(i) the number of nuisance cases enquired into in the towns and villages referred to in (a) (iii) above,

(ii) the number of other cases enquired into in the said villages and towns,

(iii) the number of days occupied in journeys to and from the said villages and towns and in enquiry into the cases there,

(iv) the total sum drawn for (a) the travelling allowance of the magistrate and (b) of the establishment and (c) the conveyance of records respectively, and

(v) the total amount realized by way of fines from the nuisance cases disposed of in those villages and towns?

A.—(a) (i) The following are the places in the Ceded districts in which the Madras Towns Nuisances Act, 1889, is in force:—

*STATEMENT.**Anantapur.*

Bukkapatnam, Dharmavaram, Gooty, Hindupur, Kadiri, Kalyandrug, Madakasira, Penukonda, Tadpatri, Uravakonda, Yadiki, Guntakal (excluding the hamlet of Kottala), Singanamala, Konakondla and Yellanur.

Bellary.

Alur, Hadagalli, Hampi, * Harpanahalli, Hospet, Kampli, Kudligi, Kuruvatti, * Mailar, * Rayadurg, Siruguppa, Yemmiganur and Kantalam.

Cuddapah.

Akkayapalli, Badvel, Booggalapalli, Chembupett, Chennur, Chinnachowk, Chinta Kommadinne, Chitvel, Gudur, Jammalamadugu, Kamalapuram, Kokkarayapalli, Kopperti, Mamillapalli, Mundlapalli, Pabbapuram, Palampalli, Patha Cuddapah, Prodat-tur, Pulivendla, Pushpagiri, * Putlampalli, Rajampet, Ramarajupalli, Royachoti, Royalapantulapalli, Ruthrayagaripalli, Sidhout, Tadigotla, Viswanathapuram, Vukkayapalli and Vutkur.

[Places to which the Act will apply only for definite periods are marked thus.*]

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Kurnool.

Ahobilam, * Atmakur, Cumbum, Gorantla, * Kairupalli, * Koilkuntla, Mahanandi, * Markapur, Mundalapad, Nandikotkur, Nandyal, Owk, Pattikonda, Pyapalli, Srisaillam, * Tartur, * Voravakallu, Kodumur and Maddikira.

[Places to which the Act will apply only for definite periods are marked thus.*]

(a) (ii) & (iii) and (b) The Government have no information.

Rampuram anicut.

1200 Q.—MR. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Member for Revenue be pleased to state—

(a) whether it is a fact that the crest of the Rampuram anicut, Bellary district, is so irregular that even in the dry season much water runs to waste and, if so, whether any steps are being taken to avoid the waste;

(b) whether it is a fact that during the last seven or eight years there have been complaints about insufficiency of water in the Rampuram channel and whether in 1919 and 1920 ryots owning lands under the channel sent petitions to the Revenue and Public Works Department officials inviting their attention to the repairs required to be done to the channel and, if so, what action was taken thereon;

(c) when the silt in the channel was last removed;

(d) whether it is a fact that the width of the channel has, owing to growth of shrub or any other cause, become reduced in many portions of it;

(e) how many of the sluices of the channel are more or less leaky and whether orders have been issued for their repairs so as to prevent the waste of water, even when they are shut; and

(f) whether a vanka known by the name of "Gangri Reddi vanka" lets in a quantity of sand and silt into the channel and whether its diversion is proposed to be undertaken?

A.—Government have no information but have called for it.

Mappilla convicts in luggage vans.

1201 Q.—MR. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the Hon'ble the Home Member be pleased to state—

(a) whether it is a fact that Mappilla convicts are conveyed in luggage vans each measuring $19 \times 9 \times 7\frac{1}{2}$ feet;

(b) whether such wagons were used previous to 19th November 1921 for carrying Mappilla convicts or other convicts and with what result;

(c) why the Government have thought it feasible to convey convicts in such ill-ventilated luggage vans on the previous occasions;

(d) the time, the number of Mappilla convicts taken in each luggage van, and the dimensions of it as used on previous occasions without any evil effects;

(e) whether there is any provision in the Martial Law Ordinance for conveying convicts in ill-ventilated luggage vans;

(f) the persons responsible for the death by suffocation of more than 60 Mappillas in the train; and

(g) the steps taken for punishing adequately such persons?

A.—The Member is referred to the answer to question No. 1185.

[19th January 1922]

Embezzlement in the office of the Director of Fisheries.

1202 Q.—MR. S. SOMASUNDARAM PILLAI: Will the Hon'ble the Minister for Development be pleased to state—

(1) whether it is a fact that, within the last three years, there was an embezzlement of about three thousand rupees in the office of the Director of Fisheries in Madras;

(2) whether it is a fact that this case was not reported to the police for investigation to find out the culprits;

(3) whether it is a fact that the amount was arbitrarily collected by the Director of Fisheries from some of the clerks; and

(4) whether it is a fact that one of them was obliged to sell his ancestral properties in order to pay the amount that was demanded from him?

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

(2) & (3) The case was not reported to the police as the Director was of opinion that with the evidence available there was no certainty of establishing criminal liability and of recovering the money and as the persons responsible offered to make good the loss.

(4) The Government understand that M.R.By. T. S. Ramalinga Mudaliyar Avargal, the officer chiefly concerned in the affair, had to sell his family properties and jewels to repay the amounts for the loss of which he was responsible.

MR. S. SOMASUNDARAM PILLAI:—"It is said in answer to this question that the persons responsible offered to make good the loss. Was that offer made voluntarily in writing and executed jointly?"

THE HON'BLE RAI BAHADUR K. VENKATA REDDI NAYUDU:—"I shall make enquiries and let you know."

Scholarships to students of depressed classes in the Presidency.

1203 Q.—MR. G. VANDANAM: Will the Hon'ble the Minister for Education be pleased to state—

(a) how many scholarships there are in the Presidency for the students of depressed classes, and how many are made use of by them and in what districts they are not made use of; and

(b) how many students of depressed classes are reading in the lower forms and how many in the higher forms of secondary schools?

A.—(a) Twenty-seven in higher elementary schools and sixteen in secondary schools. Last year the former were fully utilized, but two of the latter were surrendered, one from Bellary and Kurnool circle, the other from South Kanara.

(b) In the lower forms 346 boys and 60 girls.
In the higher forms 131 boys and 5 girls.

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APPENDIX I.

[Vide answer to question No. 1190 asked by M.R.Ry. Rao Sahib U. Rama Rao Avargal at the meeting of the Legislative Council held on the 19th January 1922, page 1945 supra.]

(1)

Letter—from the Superintending Engineer, V Circle.
To—the Chief Engineer, Public Works Department.
Dated—the 2nd August 1921.
No.—151 (Confidential).

I enclose herewith copies of the following papers :—

(a) Letter No. 58-A.G., dated 11th April 1921, from the General Superintendent, Public Works Workshops, to the Accountant-General.

(b) Letter No. 166-S.E.V., dated 7th May 1921, from the General Superintendent, Public Works Workshops, to the Superintending Engineer, V Circle.

These letters show that the General Superintendent who enquired into the matter of certain false musters in the shops with the help of a Special Accounts Officer and of the Police decided that no defalcation was proved but was morally certain that some muster rolls had been manipulated with entries of names of absentees. He was not able to give any figure indicative of the probable loss to which his moral certainty extends. The General Superintendent has since taken sufficient steps for obviating the possibility of such malpractices for the future.

ENCLOSURES

(a)

Letter—from W. P. ROBERTS, Esq., M.I.MECH.E., General Superintendent, Public Works Workshops.
To—the Accountant-General, Madras.
Dated—Madras, the 11th April 1921.
No.—58-A.G.

With reference to your No. 2047, W.M. 100 (Confidential), dated 15th February 1921, I have the honour to state that a few days prior to my interview with you on 4th February 1921 my suspicions were aroused as to the reliability and complete accuracy of the existing method of entry of attendance and check of daily labourers employed in the workshop and consequently of the amounts paid and allocated to Works.

2. On beginning to look into the matter, I found that in several directions it was possible for records to be manipulated, and the sum total of the amounts payable to be improperly increased.

The weak points in the existing procedure were :—

(i) that the daily labour sheets were initialled after verification at the foot at the printed designation, leaving blank spaces in which the names of absentees could subsequently be inserted ;

(ii) the main muster roll was not invariably entered up in ink in the first instance, so it would be possible with (i) above to subsequently show an absentee as present.

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3. I was unable to definitely prove such a practice as being prevalent, but fairly certain that it had taken place, though it is not possible to say how often, as under the circumstances the books and vouchers naturally agree. I am therefore unable to state any monetary value for the total amount of over-payment which may or may not have occurred.

4. On 4th February 1921, the time-keeper demanded leave in a written application and disappeared at mid-day without having received permission to do so. I also heard that he had large numbers of the daily time sheets in his house. I therefore placed the time-keeper under suspension, and obtained the assistance of the Police, who took possession of the documents in question on the same date and kept them, and I only obtained delivery of them on 22nd March 1921. A general scrutiny of these papers showed that they were mostly old ones, and that they did not bring to light any more definite proof of defalcations than those available in the office.

5. I on the same date interviewed you on the matter and requested the assistance of your office in investigating the matter, and instituting a more efficient method of checking the accuracy of the record for daily labour and allocation of costs.

Mr. Chanter, Deputy Accountant-General, visited the workshops next morning and discussed the matter and arranged that Mr. Hodson would be sent to hold a special inspection.

6. Pending this special inspection which has taken place for the past few days I have drawn up in detail a set of rules for guidance in this matter, a copy of which I enclose for information.

These rules are based on the previously existing system with some slight modifications, and specially indicate the responsibility of the various members of the staff regarding their work, and the manner in which it should be done, which was never clearly laid down in writing in the past.

7. I have discussed these rules with Mr. Hodson, and made some few additions at his suggestion, and he did not see anything to object to in them. So far as I can see, if these rules are conscientiously followed they remove any opportunity for improper manipulation of the time and cost records. I am therefore putting the revised procedure into force from the 8th instant, the beginning of the first half-monthly muster roll for the financial year 1921-22.

8. I request the favour of your views on the sufficiency of these rules, and in particular of the advisability of the introduction of the "Cost allocation Books" instead of this allocation being done on rough sheets as hitherto, and no permanent record being maintained, from which to be able to readily trace the source of any excessive labour costs on any particular work orders.

9. I wish to apply for necessary sanction of Government for the standardization of this form, and of the gang register referred to in paragraph 5 (ix) which are the only forms proposed to be introduced under these rules ; and for the present plain books with pasted-on fly leaf headings being used for the purpose. I also propose that the rules should be printed, if approved, and have been tested in actual use, so that each member of the staff can have a copy.

[19th January 1922]

No. 132-S.E.V., dated 11th April 1921.

Copy forwarded to the Superintending Engineer, V Circle, for information with reference to this office No. 46-S.E.V., dated 4th February 1921, and his No. 56-P.W.W., dated 16th February 1921.

The late time-keeper M. Venkatakrishnama Chetti has not appeared since 4th February 1921, and two registered letters sent in reply to those received from him with addresses in Cuddalore and Trichinopoly have been received back through the Dead Letter Office.

I also understand from the Police that more than one warrant has been issued against him by various parties in Madras during the past few weeks.

I therefore consider that he should be considered as dismissed from 4th February 1921, the date of his absence without leave; and that the value of certain padlocks in his custody, and not forthcoming at the time of his leaving, should be deducted from such wages as were due to him at the time.

W. P. ROBERTS,

General Superintendent, Public Works Workshops.

(b)

Letter— from W. P. ROBERTS, Esq., M.I.MECH.E., General Superintendent, Public Works Workshops.

To—the Superintending Engineer, V Circle.

Dated— Madras, the 7th May 1921.

No.—166-S.E.V.

With reference to your endorsement No. 149-P.W.W., dated 21st April 1921, I have the honour to state that my suspicions were first aroused on receipt of an anonymous letter alleging that malpractices prevailed in entering the time sheets and muster rolls of the labour employed. As already explained no definite charges could be framed against the time-keeper nor was there any necessity to frame such charges as it is not possible to clearly prove them. He stayed away on the afternoon of the day on which enquiry into the procedure was made and has not turned up since. Two registered letters written to him to addresses he gave have not been delivered as has already been pointed out, and I, therefore, propose that he should be considered as dispensed with.

As regards materials due from him I was given to understand that he had certain records in his house and with the assistance of the Police recovered these, which consisted for the most part of old day labour time sheets, and thirteen locks out of the sixteen in his charge for use in the office were also recovered from his house.

The value of the three missing locks, viz., Rs. 4-12-9, inclusive of centage charges for the three still accounted for, should be adjusted against the three days' pay due to him.

(2)

Letter— from J. D. WAY, Esq., M.B.E., General Superintendent, Public Works Workshops.

To—the Superintending Engineer, V Circle.

Dated— Madras, the 6th September 1921.

No.—368-S.E.V.

At the beginning of February last Mr. Roberts received an anonymous letter informing him that certain men Nos. 505, 174, 134, who were absent

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from work during the period 6th to the 20th January, had been marked present by the time-keepers and that pay had been drawn for these men for this period. It is a fact that the muster rolls show these men as present, and pay has been drawn against them.

The time-keeper M. Venkatakrishnama Chetti was called upon to explain this, and he explains in his letter, dated 2nd February 1921, that he did not notice the spurious entries as he was engaged in other work during the period and he was not able to check the entries. The time-keeper M. Venkatakrishnama Chetti received a telegram on 3rd February 1921 from Cuddalore saying that his wife was dangerously ill, and applied for leave on 4th February 1921 to go to Cuddalore—without being granted leave he absented himself from duty at noon on that date, whereupon on 4th February 1921 Mr. Roberts requested the Sub-Inspector of Big-Parachery Police Station to search the time-keeper's house with a view to recovering documents of an incriminating nature, as he suspected him of fraud. This was done. On 9th March 1921, the Deputy Commissioner of Police, Northern Range, was requested to return the papers and records of the office which were found in the time-keeper's house as, to use Mr. Roberts' words, "From the check that has been made of the correctness of the time-keeper's work, I consider the available evidence would be insufficient to sustain a clear case in court." My investigations do not bring forth anything further.

The total amount of pay which has been drawn for the three absentees during the period 6th to 20th January amounts to Rs. 25-5-10. This amount has been drawn by some persons unknown on account of Nos. 505, 174 and 134 and so is not recoverable and will be written off as a loss.

As regards the Police investigation, they recommended that a special audit should be held to see if any clear cases of defalcations could be found. This had already been done by Mr. Roberts with the result that nothing definite could be proved and which led him as the Police to go no further in the matter.

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APPENDIX

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APPENDIX II.

[Vide answer to question No. 1193 asked by M.R.Ry. Rao Sahib U. Rama Rao Avargal at the meeting of the Legislative Council held on the 19th January 1922, page 1946 supra.]

Name of officer.	Qualification.	Service.	Pay.
(1) Chief Secretariat.			
M.R.Ry. V. Sekhara Menon ..	B.A.	YES. 31 MS. 11	Rs. 660 in the grade of Rs. 600-60-800.
(2) Revenue Department.			
M.R.Ry. Rao Bahadur V. Ponnayya.	B.A., Revenue (Higher), Précis-writing, Account (Higher), Translation (Higher), Tamil.	25 6	Rs. 600.
(3) Law Department.			
M.R.Ry. Rao Bahadur C. Ramannuja Achariyar	B.A.	24 0	Rs. 600.
M.R.Ry. R. V. Krishna Ayyar (acting).	B.A., M.L.	11 0	Rs. 600 plus Rs. 50 (acting allowance).
(4) Local Self-Government Department.			
M.R.Ry. T. K. Annachala Ayyar.	B.A., Account Test (Higher), Revenue. Criminal, Précis-writ- ing.	29 0	Rs. 600.
(5) Development Department.			
Mr. C. J. Paul	B.A., Revenue (Higher), Account (Higher), Criminal (Higher), Translation (Lower), Tamil, Second Class, Vernacular test for Deputy Collectors, Equitation Test.	11 11	Rs. 500 in the grade of Rs. 500-60-800.
(6) Public Works Department.			
Mr. G. D. Plummer	Matriculate	34 6	Rs. 800 plus (personal allowance).

OATH OF OFFICE

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II
OATH OF OFFICE.

NEW MEMBER.

M.R.Ry. MARIADAS RATNASWAMI MUDALIYAR Avargal made the prescribed oath of allegiance to the Crown and then took his seat.

III

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

The Hon'ble the PRESIDENT then announced that the undermentioned Acts received the assent of His Excellency the Governor on the dates noted :—

The Madras District Municipalities (Amendment) Act, 1921	30th December 1921.
The Madras District Municipalities and Local Boards (Amendment) Act, 1921	3rd January 1922.
The Madras City Tenants' Protection Act, 1921	Do.

IV

AMENDMENTS TO THE STANDING ORDERS.

The Hon'ble the PRESIDENT :—" Mr. C. Natesa Mudaliyar has given notice of the following amendment to Standing Order 54 :—After the words 'a matter of general public interest', add the following : 'which shall include, beside other matters, individual hardships, personal wrongs and grievances of public servants, involving injustice, ill-treatment, injury to self-respect, abuse of power, infringement of Board's Standing Orders, Rules and Regulations of Government'. Has the Honourable Member the leave of the House for bringing forward this amendment? Does any honourable member object?"

The Hon'ble Sir LIONEL DAVIDSON :—" Yes, Sir. I object."

The matter was then put to the House and it was found that more than 20 members rose in support of leave being given.

The Hon'ble the PRESIDENT :—" More than 20 honourable members having risen in support, I hereby declare that the Honourable Member, Mr. Natesa Mudaliyar, has the leave of the Council to bring that amendment forward. The draft amendment has now to be referred to a Select Committee of which I shall be the Chairman, the Deputy President, the Advocate-General and a Chairman of the Council to be nominated by me shall be members. The remaining members, six in number, have to be elected by the House by means of the single transferable vote, and I have to prescribe a period within which notice may be given by any member desiring to propose a member or members for election. I hereby prescribe that 3 p.m. this afternoon shall be the hour within which nomination are to be put in."

V

DISCUSSION ON RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The following motion which stood in the name of Mr. K. Gopalakrishnayya was not made, the said member not being in his place, and it was deemed to have been withdrawn :—

"188. That this Council recommends to the Government that immediate steps be taken to aid the special Sanskrit schools which have of late sprung into

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existence in certain places of the Gôdâvari, Kistna and Gunlûr districts and which, among other branches of secular education, have for their specific object the teaching to non-Brahman pupils of the Veda and the Vedic rites that hitherto have been practically denied to non-Brahmans."

Rao Bahadur T. NUMBERUMAL CHETTIYAR:—"May I move resolution 188 in place of Mr. Gopalakrishnayya, Sir?"

The Hon'ble the PRESIDENT:—"I fear the honourable member has not been sufficiently alert. I paused after stating that the Honourable Member (Mr. K. Gopalakrishnayya) was not in his place. The honourable member (Mr. Numberumal Chettiyar) should have risen at once. Now that I have passed resolution 188, the honourable member had better table it afresh."

Appointments and promotions of inspectors and sub-inspectors of Police in the City of Madras without racial distinctions.

MR. C. NATESA MUDALIYAR:—"Sir, Mr. President, I move—

189. *That this Council recommends to the Government that a Government Order be passed directing the Commissioner of Police, Madras, not to make any racial distinctions in the matter of appointments, promotions, etc., of inspectors and sub-inspectors in the City of Madras and that at least half the number of posts of divisional inspectors in the City be reserved for Indians.*

"In moving this resolution, I beg to point out the disappointment that exists among the city sub-inspectors of police who have been recruited from respectable families with decent education after the reorganization scheme of the City Police in 1907 in accordance with the recommendations of the Police Commission. These people entered service with the full hope that by dint of their ability and industry they might rise to the topmost post in the department. But now, after many years of service they realize that they are hoping against hope and that they have not risen even a single step above the one which they accepted when they entered service, for out of the nine divisional inspectors, there is only one permanent Indian. Their grievances were aggravated when in 1919 the cadre of the City Indian sub-inspectors was separated from that of the European sub-inspectors to the disappointment of many of the Indian sub-inspectors. Their humiliation is further accentuated by their being denied the advantage of a horse and sword, while their European brethren have the privilege of it. In bringing forward this resolution, let me not be understood that I do not appreciate the services of the Europeans in the department. I cannot but appreciate the services to the city of Mr. Nicholas, not to speak of young Mr. Upshon and others who did so much in the recent Puliantope troubles. And my thanks are also due to the City European sub-inspectors who have taken so much care during the recent visit of His Royal Highness the Prince of Wales to our city. I appreciate certain qualities in Europeans, whatever position they may occupy in the Government service. Love of work, thirst after knowledge, sincerity of purpose and, above all, the maintenance of discipline are the few among the many virtues which characterise them. We want them in numbers as occasions need them. But I am convinced at the same time that Indians, if given an opportunity, are capable of occupying not only the highest positions under the Madras Government but any place in the gift of His Majesty. So I request the authorities concerned not to make any

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distinction between European and Indian sub-inspectors. But the European sub-inspector may be given an oversea allowance or some other allowance to maintain himself decently. I request that opportunities may be afforded of promoting City sub-inspectors to the grade of inspectors proportionate to their number, always maintaining absolute proportionate communal representation."

MR. W. P. A. SAUNDARA PANDIA NADAR:—"I second the resolution."

The Hon'ble Sir LIONEL DAVIDSON:—"May I, Sir, on rising congratulate the honourable member on his appearance in the House 11-15 a.m. to-day? We had heard from the newspapers that he had suffered a great disaster recently and I am glad to see that that is not the case."

"I venture next to invite attention to a slight inconsistency in the terms of the resolution. The major proposition is that there should be no racial distinctions in the matter of appointments and promotions to inspectors and sub-inspectors. That is followed, Sir, by another sentence in which the honourable member proposes that at least half the number of inspectorships should be reserved for Indians."

"I recognize, Sir, that the honourable the mover of this resolution is fully alive to the importance of their being some European element in the City Police. I agree with him. A matter in regard to which perhaps we are not equally agreed is the question of the reservation of a definite proportion of the higher appointments for Indians or for Europeans. The view taken by the Commissioner of Police and by the Inspector-General, Mr. Armitage, who himself has had long experience of the conditions of service in the City Police, is that promotions to the rank of Inspectors should always be by selection. Some such posts are, perhaps better suited to the Indian and others to the European. As an illustration of the former case I need only mention the obvious desirability of appointing Indians as Prosecuting Inspectors or as inspectors of the Intelligence Branch. In the absence of Europeans possessing special qualifications these posts would naturally be better filled by Indian officers. On the other hand it is probable that the posts of inspector of the Reserve of the Marine division and possibly also of the traffic control branch would normally be better filled by European officers. But while mentioning these practical aspects of the case I would deprecate most earnestly any endeavour to lay down a hard and fast rule on the subject. It is much wiser to continue the present policy of selecting those men whom the Commissioner of Police for the time being considers best qualified to fill any appointment of inspector which may fall vacant. So much for the inspectorships, except that in passing I may invite attention to the fact that section 96 of the Government of India Act is definitely opposed to a policy of racial discrimination."

"Coming next to the case of sub-inspectors, I venture to think that Mr. Natesa Mudaliyar is not quite accurate in the data he gave as in regard to the promotions of sub-inspectors recruited many years ago. For, the information given to me is to the effect that at one time—only a matter of four years ago—three out of the eight divisional inspectorships were held by Indians. I have also been supplied with the information that two Indian inspectors have secured higher appointments by promotion to the grade of deputy superintendent. It is, therefore, Sir, not the case, I venture to say, that there has been only one case of an Indian inspector."

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"Now, Sir, I will deal with what is probably the main basis of the resolution. And that is the change introduced in 1918 when separate cadres for Indian and European sub-inspectors were drawn up. That change originated in a very unsatisfactory condition of affairs which had come into being during the course of the war. Most of the European subordinates in the City Police were most anxious to get away to the front and fight for the country: all honour to them for it. The consequence was that we were confronted with a succession of resignations and departures to join the army. It was a matter of exceeding difficulty to fill the vacancies thus created and to preserve an adequate proportion of European officers in the City Police. Various expedients were considered. One amongst these was that which Mr. Netasa Mudaliyar has mentioned, viz., the grant of something in the nature of an overseas allowance (at that time the phrase 'overseas allowance' was—I think—hardly known in common parlance). That particular expedient was definitely rejected although it was fully recognized that some improvement in the pay and prospects of the European element in the City Police was absolutely essential if the requisite proportion was to be maintained in service. At the same time it was recognized that the rates of pay then prevailing were adequate for the class of Indians who could be recruited for the rank of sub-inspector. The solution which Mr. Armitage after very much consideration put forward was the determination of the arrangement under which all sub-inspectors were borne on a common list irrespective of race and institution of play of racial feeling which I deprecate in common with the mover of this resolution. So long as these men were borne on a common list, if vacancies in the higher grade of Inspector arose it was necessary either to depart from the policy of appointing Europeans to posts for which they had special qualifications in the grade or to select Europeans from lower down on the list and to promote them over the heads of Indian sub-inspectors making above them. Nothing could have been more calculated, I think, Sir, than to produce discontent and ill-feeling between the two sections of the common cadre of sub-inspectors. On the other hand if vacancies in the grade of Inspectors were filled in accordance with the requirements of the time and the nature of the vacancy from the senior officers on the Indian or the European cadre the same feeling of discontent and supersession would be obviated. That was the reason of Mr. Armitage's proposal. Mr. Gillman, my predecessor, himself an experienced Inspector-General of Police, was not in favour of the proposal in the first instance. But before a year had expired he was satisfied that nothing less would meet the requirements of the case and the change was sanctioned in one of the last orders which he passed before his lamented death. The two cadres have been in existence from that date to this. That is how the distinction came about and I would again emphasise that the reason for it was to avoid discontent based on racial grounds.

"I have only to add that, so far as appointments to the grade of inspector are concerned, the Government feel that they must abide by the principle of selection of the best men. And I would deprecate any categorical reservation of a fixed proportion of the inspectorships either for Europeans or for Indians."

Mr. C. NATESA MUDALIYAR:—"Sir, if the interests of the Indian sub-inspectors of police are to be safeguarded, I do not want to press this resolution. I would only request the authorities to see as much as possible

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that it is done. And it will be good that the selection is impartial; because there is a feeling that Indian sub-inspectors are neglected and they are not promoted to the grade of Inspectors. If the Hon'ble the Home Member would take care that no partiality would be shown and that justice would be done, I have no objection to withdraw this resolution."

The Hon'ble Sir LIONEL DAVIDSON:—"I am quite ready, Sir, to bear this consideration in mind and, if it will gratify the honourable the mover of the resolution, I will undertake to communicate a copy of this resolution and the debate to the Commissioner of Police in order that he may also bear it in mind."

The motion was then by leave of the House withdrawn.

Vernacular publication of certain Acts, etc., for the benefit of rural population.

Mr. T. SIVASANKARAM PILLAI:—"The motion that stands in my name reads as follows:—

"190. That this Council recommends to the Government that steps may be taken (a) to devise and bring about a compilation, in different vernaculars, containing the Village Panchayat Acts, the Elementary Education Acts, the Village Courts Act, the Local Boards Acts and the Manual of Village Accounts with short and appropriate notes, explanations and prefaces, making the same available for sale at a nominal price through the Publicity Bureau and (b) to institute an annual examination with the said compilation as a text and award prizes to successful candidates."

"I do not think that I need dwell at length on the importance of the suggestion contained in this resolution. It is admitted on all hands that there is any amount of need for educative work of the kind. There is no doubt that the amount of work on these lines that is being done by the Publicity Bureau by means of pamphlets is great but there is considerable room for improvement. What I mean is that many people do not read these things. It is absolutely necessary therefore, that further steps also should be taken to see that these people in the villages read and understand these things. The spread of non-co-operation is to some extent due to want of definite knowledge with regard to some of these local Acts which would go to the development of the sense of responsibility of the population in respect to new conditions. There are many things in these small Acts intended to regulate and develop public life in villages, much of the time, energy and intelligence of the people which is being now exploited by non-co-operators may be diverted into useful channels near home by this means. It would be useful to have these Acts translated—they are going to be translated, I am sure; but so far as the method of translation is concerned some greater care has to be taken to convey the exact idea to the people. I would therefore recommend a small explanatory note, a preface or some such thing to be attached to each Act so that the readers may know what the object of the particular enactment is.

"Now, by way of example, I would say one or two things, as to how this step is absolutely necessary in villages. There is, for instance, the Elementary Education Act. Under this Act the local body is given power to levy a certain tax. I have heard even from the educated people who ought to know better, who have been practising lawyers for a long time and who have not cared to study the provisions of

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the Act, why there should be this additional tax in the shape of an education cess. There are some elementary principles to be explained to them. I have had an occasion to explain to an enlightened audience these things. They were satisfied only after my explanation. While that is the case with regard to the English educated people, greater is the need among people who are not acquainted with the English language for educative work on the lines indicated. So in this view of things it is absolutely necessary to educate the villagers in the manner suggested. There is the Village Panchayat Act going to come into force. This and other Acts are unreadable in the vernacular and we should give a resume of them in a narrative form to make them more intelligible. There is again the Village Courts Act. We have to constitute their village courts and perhaps many a literate in the village may like to know something about it so that he might take part in the election proceedings or in the constitution of the court and such things. The villagers should therefore be educated for all these things. It is not possible for itinerary preachers to go about and read these things to them. In the next place, I propose to tack on the institution of an examination which may not cost us much. Some money is being every year spent by the Publicity Bureau and supposing we set apart some five or six prizes for the best of candidates in each district it may not cost us more than five thousand rupees. Taking into consideration the inducement that the system is likely to hold out, it would be a very useful step by way of educating the people in the new responsibilities that are now before them. We are now set out on the task of instructing the people in the advancement of the system of responsible government. That has to be done in villages to begin with and I should think this is the best method of doing it."

Mr. A. RANGANATHA MUDALIYAR :—" Sir, I beg to second the resolution moved by my friend, the honourable mover. The suggestion contained in this resolution is not only necessary but very urgent also. With the extension of the franchise we are getting in the various local boards and panchayats persons who only know the vernacular, in larger and larger numbers. In Kurnool district, for example, there are two presidents of taluk boards one of whom knows English only nominally and the other knows nothing of it at all. When it is so with regard to the presidents of taluk boards it need not be said that the need is all the greater in the case of the members, most of whom are gentlemen who know only the vernacular. If they are to take any intelligent interest in the proceedings of their respective boards and panchayats, I think it is a matter of urgent necessity that these Acts should be translated in the vernacular. I need not say that the translations should not be mere wooden translations but translations which convey some sense and contain some explanatory notes and even case law if necessary. I am not quite so sanguine about the annual examination system but if the translations are made it would be quite enough."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—" Mr. President, Sir, the idea of educating the villagers in their duties and responsibilities is one which certainly appeals to me. But I think that that education had better be done by patriotic and public spirited citizens like my friend, Mr. Sivasankaram Pillai, and other members of this Council. The precise manner of achieving that object as suggested in this resolution is to my mind wholly impracticable. We have as a matter of fact translations in different languages of every Act

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which is passed, in order that the translation may be of any use, it should be literal for otherwise it will really mislead people in understanding the statute as passed. Now, Sir, the suggestion is made of commentaries on the Acts in the various vernaculars by persons, I presume, who are fit to make these comments and the suggestion of my friend, Mr. Ranganatha Mudaliyar, is that there should be reference to law reports also. I do not know whether he wants to go further and to have all the Indian Law Reports also published in the vernaculars for the consumption of the ordinary people. I have been a lawyer and it has been my misfortune to read a considerable quantity of this kind of literature and I may tell you, Sir, the normally minded person would not touch it if he can help it. The Publicity Bureau as a matter of fact oftentimes publishes small pamphlets drawing the attention of the people to the beauties of the particular Acts. I think that is all that the Government can hope to do. Then, Sir, there is the system of examination. I have had some experience of it. I have got to repeat that no normally minded person would ever be attracted to any examination whatever may be the reward, not certainly by this particular reward of prizes. It would not certainly induce me and I believe not one member of this Council would care to appear for an examination whatever might be the reward. I therefore think the proposal is really impracticable. We have to be content with what the Publicity Bureau does. The proposal really aims at shifting the responsibilities of honourable members of this Council on to the shoulders of the Government. It is their duty to undertake it and I hope they will do it."

Mr. T. A. RAMALINGA CHETTIYAR :—" Mr. President, Sir, I was very much disappointed to hear the reply of the Hon'ble the Law Member to this question. I thought, Sir, it was the duty of the Government, especially after the Government has become at least partially popular, to undertake the education of the people. To say that the duty of educating the people is with the patriotic people and not with the Government is a thing which I cannot at all understand. The Hon'ble the Law Member was also good enough to say that the normally minded person would not read the Law Reports; at the same time he himself claimed to be abnormal in more than one respect. I do not know whether a person who claims to be abnormal is the proper person to judge about the normal person or to venture opinions about him. Whatever that may be, it seems to me, Sir, the only basis of his argument is not at all acceptable. It is the duty of all Governments to give education to the people especially in matters like the Acts mentioned in the resolution and at the present moment there is a very special need why such an undertaking should be taken by the Government. It has been said that the non-co-operation movement is making very rapid progress and very largely the progress is due to the fact that the people do not believe that they have got many rights and they think that they are helpless, unable to do anything at all. Giving them the knowledge of their real powers is, I believe, the proper way of counteracting this movement. It is only by educating the people and telling them that they have got already certain powers which can be increased legitimately that the movement can be arrested. Instead of doing that the Hon'ble the Law Member wants us to keep quiet and allow the movement to go on. If there is anything that is urgent, it is the popularization of a knowledge of the real responsibilities and the real powers of the people. And the Acts which are mentioned in the resolution are those which really contain the powers and responsibilities of the people and a

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knowledge of them is likely to counteract the non-co-operation movement. The Hon'ble the Law Member found fault with Mr. Ranganatha Mudaliyar for saying that the authorities from the law reports should also be given in these publications. I do not know whether the Hon'ble the Law Member is aware that in the mafussal people are put to very great inconvenience by not knowing what the law is. I can say that many rulings of the mafussal courts which are contrary to the decisions of the High Court are allowed to stand, not because people are satisfied with these decisions but because they do not know the real law or they are not prepared to incur the expenditure to go to the High Court. So, Sir, a reference to the Law Reports is likely to be of much use and especially in cases when the magistracy is not quite sympathetic or does not take the proper view of things. Probably it may cost us something to have a lawyer to annotate these Acts. Even if that is not possible and if it be considered costly, I think there is absolutely no objection whatever to make these Acts available in the vernaculars to the people and the expenditure is not after all going to be very much. A lot of money is being spent on the Publicity Bureau publications and I think the publication of these Acts in the vernacular is not likely to cost us very much more than the cost of many leaflets now published some of which seem to be unnecessary and useless. On the whole, Sir, so far as the first portion of the resolution is concerned, I cannot understand the opposition of the Government. I hope this Council will support that part of it whole-heartedly. With regard to the second part, it seems to me, Sir, an examination is quite unnecessary in a matter like this and I therefore request the mover to confine himself to the earlier portion of the resolution and to delete the latter part thereof."

Mr. T. SIVASANKARAM PILLAI:—"Sir, I have heard the Hon'ble the Law Member and I must confess that I am not convinced of his reasons. He says that it is impracticable. I do not know why it should be. Mr. Ramalingam Chettiyar has said that he was not able to support clause (b) of the resolution. If that is not given effect to, I would submit that the first suggestion is also useless. What I would suggest is that we may not only take the horse to the water to drink but also aim at some step by which we can make it drink. We know there are vernacular publications of these Acts. I do not know if the Hon'ble the Law Member has read any of them. They are intended to be read and understood by the people at large. What I say is that these publications are so badly conceived, so unintelligible to the ordinary reader that I propose that something should be done to make them more intelligible.

"My object is not only to make it easy for them to read but also to hold out certain inducements for them to read. I do not know where the impossibility comes in. Five prizes can be set apart for each district. The first prize may be one of Rs. 40, the second one of Rs. 30, the third one of Rs. 20, and there may be two more prizes of Rs. 5 each. It will amount to a total of Rs. 100 for each district, and the total for the whole Presidency will be 25 x Rs. 100, or Rs. 2,500. So much money is spent by the Publicity Bureau that this small sum may be set apart for this experiment. There are a large number of people who form raw material for non-co-operators, give these men something to read, something to compete for, and all these young men may be taken away from objectionable

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fields, and may take to these as a pastime or sport. The experiment is worth trying, and it costs only a very little sum of money. Lot of money is being spent by commercial firms in advertisement. This is a very important matter, namely, the spread of education with regard to responsible Government. What has the Government done? My friend, the Hon'ble the Law Member, says that the imparting of education is not the duty of the Government. The Government has started responsible Government and is determined to develop it. How is it going to do it except by means as the one suggested in the resolution? There is nothing impracticable in the proposal. The Hon'ble the Law Member has referred to the Law Reports and the terror with which he looked on them. I am not asking that the Law Reports should be translated, but only to give a resume of the Acts referred to. Let the ordinary people understand the purpose for which these Acts have been passed, and it will enable them to understand the movement. It is absolutely certain that the Acts are published in the vernacular to be read by the people. I have read these vernacular versions, and I have found not understandable. I also want to give some inducement as far as possible for people to read; and if they do not read, it will not be the fault of the Government."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"I do not know whether Mr. Sivasankaram Pillai has envisaged for himself this idea of examination without which he says that the first portion is useless. How many examinations do you want? All persons who have some experience in conducting examinations can understand how impossible it is to examine a large number with any kind of uniformity.

"Then I pass on to the first portion. When I said it was impracticable, I meant that we could not really induce persons to read this kind of literature, however simple we make them. The only way of giving them the sort of education contemplated by the honourable mover is by the honourable members of the Council speaking to their constituents, teaching them elementary rights and duties without worrying them about particular sections of the Children Act or other Acts. If more is wanted, I would suggest that the honourable mover or some others should undertake to publish the whole in book form, and I will induce the Hon'ble the Minister for Education to prescribe it as a text-book; and it is not for the Government to undertake a thing which I am absolutely certain will be perfectly useless and to spend money on a thing which is bound to fail."

The motion was put to vote and was declared lost. A poll was demanded and taken with the following result:—

Ayes.

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| 1. Mr. K. Adinarayana Reddi. | 16. Mr. C. Ponnuswami Nayudu. |
| 2. Dr. Appalarasayya Nayudu. | 17. " P. T. Rajan. |
| 3. Mr. R. Appaswami Nayudu. | 18. Rao Bahadur A. Ramayya Punja. |
| 4. Rao Bahadur P. C. Ethirajulu Nayudu. | 19. Mr. K. Sarabha Reddi. |
| 5. " V. Appaswami Vaidyan. | 20. " W. P. A. Saundara Pandia Nadar. |
| 6. " K. Gopalakrishnayya. | 21. " R. K. Shanmukham Chettiyar. |
| 7. Mr. K. P. Gopala Menon. | 22. " A. Subbarayudu. |
| 8. Rao Bahadur I. A. Ramalingam Chettiyar. | 23. " K. C. Venkatachala Reddiyar. |
| 9. Mr. O. Tanikachala Chettiyar. | 24. " P. Venkatasubba Rao. |
| 10. " B. Muniswami Nayudu. | 25. " W. Vijayaraghava Mudaliyar. |
| 11. " P. C. Muttu Chettiyar. | 26. Diwan Bahadur R. Venkataratnam Nayudu. |
| 12. " A. T. Muttukumaraswami Chettiyar. | 27. Diwan Bahadur M. Ramachandra Rao Pantulu. |
| 13. " M. Narayanaswami Reddi. | 28. Diwan Bahadur M. Krishnan Nayar. |
| 14. " C. Natesa Mudaliyar. | |
| 15. " V. Pakkiriswami Pillai. | |

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Ayes—cont.

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| 29. Rao Bahadur A. S. Krishna Rao Pantulu. | 40. Diwan Bahadur L. A. Govindaraghava Ayyar. |
| 30. Sriman Biswanath Das Mahasayo. | 41. Mr. K. Prabhakaran Tampan. |
| 31. Rai Bahadur T. M. Narasimha Charlu. | 42. Saiyid Diwan Abdul Razzaq Sahib Bahadur. |
| 32. Dr. C. B. Rama Rao. | 43. Munshi Muhammad Abdur Rahman Sahib Bahadur. |
| 33. Rao Sahib U. Rama Rao. | 44. Mr. V. Hamid Sultan Marakkayar. |
| 34. Mr. M. R. Seturatnam Ayyar. | 45. „ M. C. Raja. |
| 35. „ T. Sivasankaram Pillai. | 46. „ L. C. Guruswami. |
| 36. „ M. Suryanarayana Pantulu. | 47. „ M. C. Madurai Pillai. |
| 37. „ S. Arpudawami Udayar. | 48. Diwan Bahadur Govindoss Chaturbhujadoss. |
| 38. „ A. T. Palmer. | |
| 39. „ G. Vandanam. | |

Noes.

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| 1. The Hon'ble Sir Lionel Davidson. | 11. Mr. K. Chattukutti Nambiyar. |
| 2. „ Sir Charles Todhunter. | 12. „ S. T. Shanmukham Pillai. |
| 3. „ Khan Bahadur Muhammad Habib-ul-lah Sahib Bahadur. | 13. „ S. Somasundaram Pillai. |
| 4. „ Mr. K. Srinivasa Ayyangar. | 14. „ T. C. Tangavelu Pillai. |
| 5. „ Rai Bahadur K. Venkata Reddi Nayudu. | 15. „ A. T. Muttrikumanicka Achariyar. |
| 6. „ Rao Bahadur A. P. Patro. | 16. Rao Bahadur C. V. S. Narasimha Raja. |
| 7. Mr. F. J. Richards. | 17. Mr. M. Ratnaswami. |
| 8. „ E. Periyannayagam. | 18. The Raja of Ramnad. |
| 9. „ P. Subbarayan. | 19. Mr. J. A. Richardson. |
| 10. „ C. W. E. Cotton. | 20. „ A. D. M. Bavotti Sahib. |
| | 21. Khan Bahadur Muhammad Usman Sahib Bahadur. |
| | 22. Mr. A. M. MacDougall. |

The motion was carried, 48 honourable members voting for the resolution and 22 against.

Mr. K. Sadasiva Bhat who had given notice of a resolution on the 'Revision of district manuals' was not in his seat when his name was called by the Hon'ble the President. Mr. A. Ranganatha Mudaliyar who offered to move the resolution was permitted by the Council to do so.

Revision of District Manuals.

Mr. A. RANGANATHA MUDALIYAR :—“I beg to move the following resolution :—

‘191. That this Council recommends to the Government that the revision of such of the district manuals as have not yet been revised in recent years be undertaken at an early date.’

“I think, Sir, very few words are necessary to commend this proposition for the acceptance of the House. As one who frequently consults the manuals of the districts with which I am concerned, I am aware of the advantages which one derives from them. I think that the appendices to these volumes should be brought up to date as early as possible. I only hope that the Government will not incur very heavy expenditure but will ask the collectors and other departmental heads concerned to bring the appendices up to date and revise the manuals.”

Rao Sahib U. RAMA RAO :—“I beg to second the resolution. I know as a matter of fact that the Manual of South Kanara has not been revised for over thirty years; I find there are many inaccuracies in that. I am quite sure there will be other district manuals where there will be similar inaccuracies. So I heartily second the resolution.”

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB :—“I can assure both the honourable mover and the honourable seconder that the

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Government fully realize the utility of district gazetteers, and that they are fully alive to the need of keeping them revised from time to time. I will explain briefly for the benefit of the House the efforts made by the Government since 1903 in that direction, the results achieved so far, the volume of work yet remaining to be done and the causes which operated to retard further progress. In 1903, as I already said, the Government investigated the question as to the necessity of revising the district gazetteers. As it was impossible to do the work simultaneously in respect of the entire province, as it was also impossible to secure the required number and standard of intelligence of officers who can be entrusted with that work, and, may I add, as it was impossible to secure the necessary finances to undertake a provincial job of that description, the Government came to the conclusion that all the district gazetteers which had been edited between the years 1868 and 1879 should be undertaken forthwith.

“Eleven such districts were selected for the purpose and before the work began, it was noticed that four districts were still under redistribution by reason of Sir William Meyer's bifurcation scheme. Therefore, the revision of the remaining seven districts was undertaken and completed. When a similar investigation was conducted for the purpose of ascertaining the order in which the revision of the remaining districts should be undertaken the census of 1911 was close on hand. It was, therefore, decided that the revision of the remaining districts might be undertaken after the completion of the census. This was also undertaken and under instructions from the Government of India the remaining districts were divided into two groups, the first group consisting of districts in regard to which settlement operations were either going on or were soon to be undertaken, while the second set of districts included those where there was no near possibility of settlement operations and in which the district gazetteers had to be undertaken without reference to the settlement operations. Two special officers were appointed, Mr. Francis and Mr. Hemingway. Mr. Francis was entrusted with the task of revising the A volume of the district gazetteers referred to, while Mr. Hemingway was deputed for the work of revising the B volume of all the districts. So far as the special duty of Mr. Francis was concerned, it was completed within a reasonable period, so also that of Mr. Hemingway. But in regard to the districts whose revision was proposed to be entrusted to the special settlement officers who were in charge of special settlement parties, difficulty was experienced as regards their being able to do the work. It has to be realized that to be an expert in special settlement work is different from being an expert in editing district gazetteers. The two qualifications cannot necessarily be combined. Difficulty was therefore realized in compelling the special settlement officers to complete the revision of the manuals of the districts where they were conducting resettlement operations. They had not even the time to do so, for the House, I hope, will bear with me when I say that the work of a special settlement officer hardly leaves any spare moment to devote to other work. We, therefore, went up to the Government of India with a suggestion that another special officer might be appointed for the purpose of completing the revision of such of the manuals as had not undergone revision: I mean those which were expected to be revised by the special settlement officers. But unfortunately just at that time the finances of this province, as indeed of the whole of India, had been considerably paralysed on account of the great war. The Government of India asked us to let them know what the probable

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expenditure of a scheme like that would be and when we communicated the figures to them we were told in reply that we might wait until the financial condition of the province would admit of a definite allotment being made in its own budget for the purpose of carrying out the revision of the manuals which had not been revised. We are, therefore, still at that stage. It is merely a question of finding the necessary money for the purpose of revising the remaining manuals. If money is forthcoming, the Government are quite ready to start the work to-morrow and I am not sure if in the present financial condition of the province it will be possible for me to secure the necessary funds either at the hands of the Finance Member or at the hands of this House, but if this House assures me that I can get the required money, nobody will be gladder than myself to finish the revision of all the remaining manuals which I fully realize are absolutely necessary not merely for the offices of the Government, but also for the edification of the public at large. I said that all the B volumes of the whole province are ready. There are only about twelve districts in regard to which A volumes have yet to be completed. The work, therefore, to be done is nearly a third of the sum total of the work that had to be done and if, as I have already stated, I am likely to get the necessary money, I shall be only glad to undertake it forthwith. With this assurance I hope the honourable mover and the honourable seconder will not press this resolution."

Mr. A. RANGANATHA MUDALIYAR:—"I wish only to know, Sir, why, if B volumes are all ready, they should not be published. Is it necessary that the publication of these statistics should be delayed till the A volumes are also prepared and published?"

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"So far as I am aware, each volume is published as soon as it is ready. If there had been any delay in any particular case, I will enquire."

The RAJA OF RAMNAD:—"May I ask the Hon'ble the Revenue Member what the cost of the compilation is likely to be?"

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I think, Sir, it is no use quoting the old statistics. It was in the year 1914 or so that we had tabulated the figures and we found that the total cost for the remaining A volumes would be Rs. 88,185."

Mr. A. RANGANATHA MUDALIYAR:—"I withdraw the motion."

The motion was by leave withdrawn.

Stationing military units in the Mappilla tracts.

Diwan Bahadur M. KRISHNAN NAYAR:—"The motion that I beg to make is this—

'192. That this Council recommends to the Government that, with a view to prevent or minimise the possibility of Mappilla outbreaks in the district of Malabar, particularly in the taluks of Ernad and Walluvanad, three military units, each comprising one hundred men with the requisite officers and equipments, be permanently stationed, one at Malappuram, another at Perintalmanna and the third at Mannarakkat.'

"Sir, after Malabar came under the British sway, there have been since 1836 up to the present time 31 Mappilla outbreaks. In those 31 outbreaks the present outbreak which is no less than a rebellion is not included. The most protracted of these outbreaks lasted only for about ten days; that is, from

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the 25th of August 1849 on which it broke out till the 5th of September of the same year. In consequence of this outbreak which lasted for ten days, which at that time was considered a pretty long period and in consequence of some other minor outbreaks that occurred subsequently, a company of troops was stationed at Malappuram in 1852. Since then, though there have been many outbreaks, none of them was protracted for a period of ten days. This company of troops which was stationed in Malappuram in 1852 was withdrawn only recently. It is easy to be wise after the event. When this company of troops was withdrawn recently, nobody could have anticipated, neither the Government nor the people, that its retention there would have been of immense use in suppressing the present rebellion. Sir, I have submitted to this House that there have been 31 outbreaks since 1836. Most of these outbreaks took place in the two taluks of Ernad and Walluvanad and I may say at once, Sir, that it is in these two taluks that the places mentioned in my resolution where I recommend military units may be stationed are situated. A small number of these outbreaks took place in North Malabar and one or two in the taluk of Ponnani in South Malabar. But, as I stated, most of these were in the taluks of Ernad and Walluvanad. Though with reference to the total population in the whole district of Malabar the Hindus predominate—according to the census of 1911 the total number of inhabitants in the district of Malabar, I am speaking in round numbers, is 30 lakhs and the total number of Muhammadans, i.e., Mappillas, is about ten lakhs—the number of Mappillas in the taluk of Ernad is very large. The Mappillas are very much larger than the number of Hindus in that taluk. The Ernad Mappillas and the Walluvanad Mappillas have their good points. These Mappillas are thrifty, frugal, industrious and enterprising and, in accordance with the tenets of Koran, are total abstainers from alcoholic drinks. But they are extremely fanatical and ignorant and what education they have consists in their getting by heart certain portions of Koran whose meaning they do not know. They do not know Arabic and they are thoroughly ignorant of the sound and moral maxims embodied in that great and sacred book. When their religious passions are aroused, they are ferocious as the most ferocious of wild beasts. I may say that all the outbreaks that have occurred in Malabar, even the present one to some extent, are in some way connected with religion. Generally, these outbreaks have occurred in the holy month of Ramzan. These

12-15 p.m. ignorant Mappillas believe that, if they fight and kill the infidels or die in that month, they go straight to heaven. Sometimes these outbreaks were connected with the reconversion of Hindus who were forcibly converted to Muhammadanism.

"I do not for a moment say, Sir, that if the company of British troops that had been stationed in Malappuram from 1852 till recently had been retained there, the present outbreak, which is on an unprecedented scale, would not have occurred. The present rebellion, which, in point of magnitude, in point of rapidity with which it spread, in point of the horrors which these rebel Mappillas have committed, and in point of destruction to properties which has been caused, has few parallels, I do not for a moment assert, would not have occurred if that body of troops had been retained at Malappuram. But I do believe, Sir, that it would have been possible, if that company of troops had been stationed there, to minimise the magnitude and the extent of these horrors. Till the end of December, we have been told by the Hon'ble Sir William Vincent the Government had to spend about

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15 lakhs of rupees in controlling and trying to put down this rebellion. Still it has not been put down though it has been raging for the last five months. And it must certainly cost the Government a very large amount, many more lakhs than 15 lakhs, to restore the old condition of things. It has also been elicited in the Imperial Assembly that the number of forcible conversions has been about 1,000. The tearing up of railways on a very large scale, the cutting down of telegraphic wires, the destruction of bridges and public offices, the burning of public records, the wholesale pillage and plunder of private houses, the molestation of women sometimes resulting in death, the forcible conversion on a very extensive scale, and even murders, have been perpetrated; and the extent and enormity of these horrors could, I believe, have been reduced if this body of troops that had been recently taken away from Malappuram were retained there. I shall illustrate my point. I shall prove my assertion with reference to the event that took place at Pookkattur. I believe this event was on the 26th of August. You, Sir, and the honourable members of this House may probably remember that the first outbreak in connexion with this rebellion occurred at a place called Tirurangadi. I may say for the information of my honourable colleagues that this place is also in Ernad. The first act of outbreak in Tirurangadi was on the 20th August last year. What was the state of the country for about five or six days from that date till the 26th August? There was not then enough of troops for the authorities to send to the disturbed area. The minds of these fanatical and ignorant Mappillas had been inflamed to a large extent by wild Khilafat preachings. All the Mappillas of Ernad and Walluvanad taluks are *Sunnis*. They are greatly attached to their Caliph the Sultan of Constantinople and have considerable reverence and respect for him. Now, as the subsequent events have shown, there was previous preparation for this outbreak. The rapidity with which it spread over practically the whole of the two taluks of Ernad and Walluvanad and portions of the Ponnani and Kallkode taluks showed that preparations must have been going on. As I submitted, Sir, when this outbreak occurred at Tirurangadi on Saturday the 20th August, enough troops were not available. What was the consequence? Since the night of Sunday (21st August), wholesale looting of Hindu houses in the neighbouring localities in Malappuram and other places went on. Malappuram is the name of a pretty large area. In certain villages near Malappuram the situation was extremely grave. The Mappillas really believed that the British Raj had come to an end because no soldier was seen, no troops were seen. I may mention here, Sir, that there were a very small number of soldiers of the Leinster Regiment and about 20 members of the special police force stationed at Malappuram. Malappuram, as I said, consists of pretty large number of villages; but Malappuram proper consists of a hill. It is in that hill that many of the public offices, the barracks and the Sub-Collector's office are situated. Be it said to the credit of Mr. Austin, the Sub-Collector, that with this small number of 34 Leinsters and 20 policemen he was able to prevent looting taking place on the top of the hill, which also contains some private houses. There are some houses also at the foot of the hill. In these houses also looting did not take place. But in other places in Malappuram looting went on for five or six days. Absolute mob rule, Mappilla fanatic rule, prevailed, and from Wednesday the 24th the situation became very grave. Fortunately, Sir, on the 26th August, it was quite by accident, and not by design, a small body of Leinsters consisting of about 100 men and 20

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policemen left Calicut and went to Malappuram. Malappuram is at a distance of 30 miles from Calicut. When they reached the place called Pookkattur, which is about 5 miles from Malappuram, they had no intention whatever of giving battle to the Mappillas. They reached this place early in the morning at about 9 o'clock on the 26th and they found themselves surrounded all on a sudden by about 3,000 Mappillas, who till then had hid themselves in houses, bushes and trees. For over five hours a fierce battle ensued with the result that according to official figures about 400 Mappillas were killed and according to popular impression about 1,000. But whatever the correct number of those who were actually killed may be, the battle saved the situation. The thanks of the Malabar district to this small band of heroic Leinsters cannot be adequately expressed in words."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"And to the Police also."

Diwan Bahadur M. KRISHNAN NAYAR (*continuing*):—"Yes. But for this unexpected and un contemplated action of the Leinsters and the Police I cannot contemplate what the situation in Malabar would at the present day have been. Instead of the 15 lakhs which the Government had to spend till the end of December for suppressing this rebellion, if the Pookkattur action had not taken place, probably it would have been many times 15 lakhs."

"Sir, I have already stated that the situation in and around Malappuram had become very grave about that time. The attitude of the Mappillas, even of those who were considered friendly to the Hindus and respectable, became more and more menacing hour after hour. After this Pookkattur incident which lasted for about 5 hours the attitude of the Mappillas was completely changed. Malappuram which is a Mappilla centre is a fanatical area and always acts like a nerve centre in respect of other Mappilla areas. What I submit is this that, if a body of troops be permanently stationed at Malappuram and other places mentioned in my resolution, though it may not completely prevent, it will in any case minimise the possibility of Mappilla outbreaks in future."

"Now one word with reference to the localities mentioned in my resolution. Malappuram, Perintalmanna and Mannarakkat are three places which are situated in the two taluks of Ernad and Walluvanad. Malappuram is more or less in the centre of the Ernad taluk. Perintalmanna is the capital of the Walluvanad taluk and more or less occupies the westerly portion of that taluk. Mannarakkat forms more or less the eastern extremity of the Walluvanad taluk. There are no railway communications connecting these places. The nearest railway station from Malappuram, that is, Tirur, is, 16 miles. The nearest railway station from Perintalmanna is Pattambi and that is at a distance of 15 miles; and the nearest railway station from Mannarakkat is Olavakot which is at a distance of 20 miles. Though there is no railway connecting these places, fortunately these places are situated on the high road passing from Calicut through these taluks to Palghat and Coimbatore. Thus, even if there be no railway communication, if troops are stationed in these three stations, i.e., Malappuram, Perintalmanna and Mannarakkat, with the necessary equipment, they can be moved at a moment's notice along the road to the storm-centres of Mappilla outbreak. At the present moment, there are, of course, troops stationed in Malappuram, Perintalmanna and Mannarakkat. But my recommendation in the resolution is that these troops should be stationed there permanently. Again, Sir, the most notorious of the ringleaders of this rebellion, of whom we have been hearing, is

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Varian Kunnath Kunhamad Haji. I understand that his grandfather or father was transported on account of complicity in a previous outbreak. What I submit is that the native place of Varian Kunnath Kunhamad Haji is only 6 miles from Malappuram and he was able to strike so much terror and inflict so much injury upon men, women and children. The native places of the other notorious rebels, Chembrasseri Tangal and Seethakoya Tangal, are respectively Chembrasseri and Mannarakkat. Chembrasseri is on the borders of Ernad and Walluvanad taluks and Mannarakkat is, as stated already, in the eastern parts of Walluvanad taluk. I refer to this for the purpose of showing and emphasising the need for having troops in these three places.

12-30 p.m.

"I may say one word, Sir, with reference to the events that have happened since the date on which I sent up this resolution. This resolution was sent up—I do not remember the exact date—soon after the present rebellion broke out. It was five months ago that the rebellion broke out, i.e., on 20th of August. After this resolution was sent up many changes have taken place. The Government have established other institutions in Malabar though not permanently. They have instituted, organized and brought into existence bodies of military police. I believe the strength of this military police consists of 600 men. They are being sent to different places and are doing excellent work. In addition to that, a territorial army also is being organized now, i.e., after the date of this resolution. Thus, conditions have changed since the date on which this resolution was sent. I understand that it is not meant to keep this military police in this district permanently. If it is only a kind of temporary arrangement, then that is not an answer to my resolution. In any case, I submit, Sir, that there is need and considerable need for stationing permanent bodies of troops in these three places. I know that it will involve some expenditure to the Government. These are, however, items of expenditure which, in spite of financial stringency, cannot be put off. There are already barracks in Malappuram. It is only quite recently that the troops living in them were sent away. With regard to Perintalmanna and Mannarakkat where troops have to be stationed, barracks have to be constructed and for this purpose a certain sum of money has to be spent. I may anticipate what the Hon'ble the Home Member may say, viz., that the sanction of the Government of India will be necessary for stationing the military there. But I am sure that, if sanction is applied for by this Government, the Government of India, having regard to the statements they have been making from time to time with regard to this matter in the Council of State as well as in the Legislative Assembly, will accord the sanction. So that, if that difficulty does stand in the way, I hope this Government will make the necessary appeal to the Government of India for giving their sanction for the stationing of troops permanently. I believe, Sir, I have made out a case for the acceptance of this resolution. In fact, these are the salient features. I do not wish to go into details. With these few words I submit the resolution for the acceptance of the House."

Mr. K. PRABHAKARAN TAMPAN :—"Sir, I beg leave to formally second this resolution as I agree with the principles underlying it. I am one of those who believe that this rebellion would not have assumed the gigantic proportions into which it has now developed if a strong military force had been stationed at Malappuram. But at the same time I think it is too early to come forward with proposals of this nature. In the first place, there are already

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more than 100 soldiers stationed at present in all these places. Then, Sir, in the light of experience gained during the course of this insurrection it may be found necessary to station some sort of military in Nilambur, Vandur and such places in Ernad. It may be found expedient to station more than 100 soldiers at Malappuram, while in all other places a unit of 50 or a contingent, the military police recently started in Malabar, would be adequate. It may be necessary also to open wireless telegraph field-stations in these places, for ordinary telegraphic wires are easily destroyed by the rebels. These measures of reconstruction and prevention require deep consideration and can very well wait until the rebellion is completely quelled. I would, therefore, request my honourable friend not to press this resolution to a division if the Government oppose."

The Hon'ble Sir LIONEL DAVIDSON :—"Sir, this House is well aware that the distribution of military forces is not a matter within the powers of any Local Government and on that ground it would have been permissible for His Excellency the Governor to disallow this resolution, but it was not His Excellency's desire to do so, because the Madras Government welcome the expression of the opinion of this House on the very important question of the necessity for the existence of military forces to back up the police of the Malabar district for the purpose of preventing Mappilla outbreaks in future. Another reason, Sir, is that this is a question in regard to which the Government of Madras will in due course have to make their recommendation to the Government of India. What this recommendation will be I cannot, at the moment, say; for, the rebellion has not yet been completely quelled and the considered opinion of the military officers in charge of the martial law area is not yet before the Government, nor can their final opinion yet be formulated. A little while ago we had reason to hope that the rebellion would come to a close more rapidly, but a recrudescence, on a minor scale compared to what preceded, has deferred the realization of that hope, and compelled postponement of recommendations."

"We welcome the discussion of this resolution for yet another reason, Sir, namely, that it has enabled Mr. Krishnan Nayar with his personal experience of the Malabar district publicly to emphasize the very serious extent of the insurrection which has disfigured that district during the past five months. In other parts of India—not so I am glad to say in Southern India except at the very outset—there has been a deliberate campaign to minimize the depredations and the atrocities committed by the insurgents suggesting that their actions were merely a retaliation to provocative policy on the part of the Government officials and have had nothing whatsoever to do with the Khilafat movement and generally making little of the terrible calamity which has befallen us in Southern India. I am very glad, Sir, that Mr. Krishnan Nayar has publicly contradicted these misleading accounts of what has taken place in Malabar."

"As regards the question whether the presence of a military force at Malappuram in the month of August would have prevented the Mappilla outbreak, I express no opinion, but I have no hesitation in concurring with the view stated by the mover and, I think, also by the seconder that if a body of troops had been stationed at Malappuram, it would have been much easier to check the spread of the insurrection in the first instance. It will, Sir, be of distinct assistance to the Government of Madras if this House takes advantage of the present opportunity to express very clearly its recognition of the

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gravity of the insurrection in Malabar, though I presume that Mr. Krishnan Nayar will not wish to press his resolution to the vote after what has been said by his seconder. Indeed there is no need to press it, if only for the reason that it is clearly premature definitely to state at what particular stations military forces should be located or what should be their number. These, Sir, are points in regard to which we must largely be guided by the military commanders and the General Officer Commanding the Madras district. I can assure the honourable mover and this House that these questions are being very seriously considered both by the military officers responsible and by the Government of Madras, but it is premature to say exactly whether troops should be stationed in addition to the military police whom we have already entertained. Personally, Sir, I have no doubt that some measure of military force is required in the district of Malabar. That has always been my view and when it became inevitable that the troops stationed in Malabar should be withdrawn to meet the greater needs of other parts of the Empire and of India, the Government of Madras assented to the withdrawal only because they recognized those needs, and Sir, as I have said, the distribution of troops is not within the powers of the Madras Government. In regard to these matters all that we can do is to make our representation to those who are responsible and I can assure this House that the recommendations we make will be forcible, and will not advocate half measures. I may add that one means of strengthening our hands will be for members of this House to take this opportunity of expressing their opinion as to the extent and gravity of the disturbances which have taken place in Malabar and as to the imperative importance of doing all that is humanly possible to prevent a recrudescence of insurrectionary movements in that very inflammable area."

Mr. K. P. GOPALA MENON :—" Sir, for the last two weeks it has been my privilege to stay in Calicut not because I went there to see the rebels or refugees but because some good clients of mine took me there in connexion with their cases. It so happened that the Special Tribunal Court had adjourned a case of mine and it gave me an opportunity to tour round these disturbed areas and come into contact with some of those people—most of them Hindus—who had suffered at the hands of the Mappillas.

" I must also express my thankfulness to the privilege that I have had in coming in contact with some of those officers in or about Calicut, especially to Mr. Fraser, I.C.S., who has done yeomen service in the village of Tamaraseri. I am proud of the privilege that I had in conversing with Mr. Fraser, who though belonging to the Indian Civil Service has taken great pains in this humanitarian work and who had stationed special force in places where the so-called Aby Beker and his army were roaming about the hills. I had first-hand information from Mr. Fraser and I also met certain other gentlemen who were all of opinion that if only a military contingent had been stationed at some place in Malabar like Cannanore or Malappuram, the so-called Malabar rebellion would have been stopped in a day. As it is, the outbreak took very serious proportions on or about the 22nd August 1921 and went on straightway with dire magnitude for about a week. If only military aid had come within a week, the Mappilla fanatics would have very easily surrendered and the rebellion might have been crushed at the outset. Then again, I came to know—I am not prepared to disclose the source of my information—that early in August 1921, the

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officials in Malabar had sent reports to the Government to the effect that certain of these unwholesome organizations were being formed in some outward places. Even then the Government probably thought that they should not be guided by such alarming reports and I believe they did not want to give room for any provocation on any matter. If only the Government had acted on the report of the Collector or some other official which stated that some unwholesome organizations were being formed in some places of Malabar and if only the Government had stationed some military contingent in Malappuram or in Cannanore, then this rebellion would have easily died down. My honourable friend Mr. Krishnan Nayar, acting on the proverb 'Prevention is better than cure' has brought forward this resolution to warn the Government against the possibility of such things happening again. I agree with my honourable friend Mr. Prabhakaran Tampan that it is not enough if military contingents are stationed only in the places recommended in the resolution. They should be stationed in various other places. The disturbances are quite likely to occur again and it is therefore necessary to station some contingents in other places also. In fact I have got first-hand information about the fact that in certain taluks of Walluvanad where the Mappillas have surrendered after undertaking to appear again when wanted, they had returned to the villages and had put on a defiant attitude towards the Hindus. I came across certain respectable Hindu gentlemen at Calicut in the refugees' camp who have personally told the Collector that they were not prepared to go back to their villages for fear of the defiant attitude which the Mappillas are taking in those villages. They say that the Mappillas might at any moment turn again fanatics. These Mappillas seem to tell the Hindu jenmis "We have surrendered to the British Government and not to you. The lands are ours." That seems to be the attitude and that seems to be the sort of declaration that was made by Mappillas even after surrender. Therefore it is highly necessary that we should anticipate such things in the case of Mappillas and that we should station military contingents in all places where there are chances of trouble recurring irrespective of the fact that our financial condition is not very bright. The Government ought to take this step at once if only they care to safeguard the life and property of the many persons that live in Malabar. I know even poor Mr. Fraser, the gentleman with one eye, was about to lose the other eye in attacking the Mappillas. Such things had happened to very respectable gentlemen in Malabar during the days of the rebellion. It is therefore highly desirable that the Government should spend some money and try to station a strong military contingent in all those places where appalling atrocities were committed by the Mappillas. I got all this first-hand information because I had the privilege of going to Malabar. I therefore strongly support the resolution of Mr. Krishnan Nayar; at the same time I agree with Mr. Prabhakaran Tampan that we shall not stop with the stationing of the military units in these three places alone. Let us wait and see where again the difficulties crop up and then we can station military contingents wherever they are found necessary and also be guided by the reports of the officers in charge."

Rao Bahadur Dr. C. B. RAMA RAO :—" Sir, I have just returned from Malabar from the very area where these atrocities have been committed and have also interviewed gentlemen who have suffered at the hands of these Mappillas. I have also gone to the interior with some of the members of the

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Servants of India Society with whom I have been working. I have seen first-hand the real state of affairs and I can bear out the truth of all that my honourable friend Mr. Krishnan Nayar has said. I am also of the same opinion as my honourable friend Mr. Prabhakaran Tampam that the actual needs have not been outlined nor is it possible to do so in the present state of things. The country, Sir, is very much convulsed, and people have been very much frightened, and as my honourable friend Mr. Gopala Menon said many of the refugees who were sent back to the villages have returned back to the camps because they could not find safety in the villages. One of my friends interviewed the Special Civil Officer who is working there, and he stated that it was not possible to give any assurance whatsoever as to whether a certain amsam was safe or not, because it might seem safe to-day and to-morrow a gang of Mappillas might descend in the course of the night from the adjacent mountains and make a raid upon the villagers; so that the whole question of safety is one of doubt and diffidence. The officials are no doubt working at their very best and everything possible is being done. Those living in the plains can have no possible conception of the difficulties that the workers encounter there. The country is so hilly, full of dales and valleys that people in the plains cannot conceive the difficulties that are undergone there. It is only the fast-footed Mappilla who is accustomed to those regions that can climb up and disappear in a very short time. Therefore the difficulty of capturing them and bringing the insurrection to an end has been enhanced a hundred times. The main ring leaders having been caught, the revolt might be said to have come to an end. The recent public communiqués have declared to that effect; but from what I have personally seen, I may say that little bands are still at work and having done their very worst they are still not prepared to surrender and are resolved to carry on their work to the very last. So it appears that the trouble will continue for some time longer and the area will be disturbed not for a month or two but for many months if not for years. To give complete satisfaction to the people that the country is safe, a very large contingent of army and special police will have to be stationed at many places at the outset. I am not of opinion that the word 'permanently' is going to be allowed to be retained in the resolution which may be passed. Anything by way of remedy should only be tentative and should be such as to be capable of modification in view of the great deal of improvements made in the state of affairs from time to time. I therefore think that the resolution is somewhat premature and that we might wait for the report from the military and civil officers. It will then be time enough for us to take up the question not only as to what military help is necessary but also what other kinds of help by way of providing educational facilities and so on would be necessary to prevent a recurrence of these atrocities."

Mr. J. A. RICHARDSON:—"Sir, on behalf of the community I represent, a community which has suffered heavily in both life and property, I wish to strongly support the resolution proposed by my honourable friend Mr. Krishnan Nayar. At the same time I agree with the seconder of the resolution that the stage has not yet been reached when the number and location of troops can be fixed and this is a matter for consideration later on."

Diwan Bahadur M. KRISHNAN NAYAR:—"I have a very few remarks to make by way of reply. The Hon'ble Sir Lionel Davidson stated that the

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Government are glad that there has been an opportunity for this Council to express its opinion with reference to the enormity and the magnitude of this insurrection. With reference to this I may say, Sir, that it is only we who live in Malabar who know the real enormity and the magnitude of this notorious insurrection. It is all very well for those who live in Upper India like Mr. Hazarat Mohini to say that this insurrection is a crusade not against Hindus but against the Government. There are many respectable persons even among Mappillas in Malabar and I can personally count among my friends many loyal Mappillas. But I must say that with regard to the characterization of the insurrection by Mr. Mohini—I am not using any unparliamentary expression against any member of this council—it is absolute nonsense to say that it is a crusade against the Government. Mr. Mohini is really ignorant of the state of affairs in Malabar. In fact there is such an impression abroad and I do not know whether Mr. Mohini is responsible for that statement and in any case if he has made such a statement, to put it mildly, it is not very creditable to him. There is an impression in many quarters and in some minds like Mr. Mohini's that all that has appeared in the newspapers regarding these atrocities is not all true. As a matter of fact, and with a due sense of responsibility as an elected member of this House, a responsibility which I owe to my constituents, I say that the accounts that have appeared in the papers about these atrocities are certainly not accurate, but not in the sense in which inaccuracy is understood in some quarters. They have no adequate idea as to what occurred really in these places. In fact the real state of affairs is very

1 p.m. much more serious than what one is induced to believe from a perusal of the accounts in the newspapers. Naturally,

Sir, the ravishing of women, which in some cases resulted in death, and things of that sort, do not appear at all in the press. The tendency is to suppress this kind of information from the public and the women concerned certainly will not allow such news to appear in public; and even to their best friends, they will communicate these things only in whispers. That is with reference to one aspect of these atrocities. With reference to other acts also, there are many things which have not appeared in the press. With reference to conversion, I am glad to find that the newspapers have set up an agitation that it has done no harm whatever to the Hindus who have been forcibly converted into Islam. The best minds of Islam are against such conversion both in this House and outside it. The newspapers also said that there was no objection to reconversion. Of course it is so, but even though they may be received back into Hindunism, I do not know whether the difficulties will disappear. The question in Malabar is the difficulty of re-admission of these converted people into their own community and this difficulty is all the greater among the Nambudiris, and I am afraid that in the case of many of these Nambudiris, they have lost their caste. The public do not know these things.

"In my opening remarks I submitted to you, Sir, that some of these outbreaks have occurred in the past because some Hindu who had been converted to Islam was reconverted to Hinduism. The Mappillas in Malabar regard it as their sacred duty which the Koran has imposed upon them—that is their belief, mistaken of course—to do away with the person who was once converted into Islam and has relapsed. So that in the case of these thousand converts, that is the figure that was given in the Imperial Legislative Council,

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I suppose many of them have to live in Malabar, and many, I believe, have to live in the place where they were born, that is, in the Ernad or the Walluvanad taluks, in the midst of these ignorant, fanatical and ferocious Mappillas, and I do not know what their fate will be. It is certainly not too much to say that for many many years, they must continue to live in fear of death. These are serious consequences which have cropped up from this outbreak and the people outside do not know these consequences. It is very easy for people far away from the scene of disaster and from the dwellings of persons who suffer daily, to say 'Oh, all these Mappillas are innocent. They are acting in defence of their religion against the Government and so forth'. That is an unmitigated slur more upon the Government than upon the Hindu community. In the notorious proclamation of Tippoo of 1789, he ordered his twenty thousand troops—no doubt they were very brave troops—to confer the benefits of Islam upon all the Hindus of Malabar and when people fled and hid themselves in jungles, they were ordered to run after them to find out their place of concealment and to convert them forcibly, and if they were found reluctant to be converted into Islam even at the point of the sword, to put them to death. Perhaps there has been no such thing in Malabar since that time. Then the Government of Tippoo itself was against the people, but here it is only the ignorant Mappillas.

"Having made these observations, Sir, and having regard to the remarks made by my friend, who also comes from Malabar and who, in a way, though not personally, was a slight sufferer at the hands of these Mappillas—because I may say from information received that his revolver was taken away from him, though he subsequently got it back—and also by my friend the Hon'ble Sir Lionel Davidson and my other friend Mr. Richardson, that I should not press this resolution to a division, because it is premature, as the Hon'ble Sir Lionel Davidson said, to state anything now definitely, before this insurrection has been completely quelled, as to where the troops should be stationed, and how many, etc., if the House will kindly give me leave to withdraw my resolution, I will not press it."

The Hon'ble Sir LIONEL DAVIDSON:—"Sir I only rise with reference to one remark made by Mr. Gopala Menon which, I think, might be misinterpreted if I did not take this opportunity of contradicting the information given to him. I understood him to suggest that early in August the local officers asked for additional troops and did not get them. I should like, Sir, to say that the Government of Madras received a report of the facts immediately after the occurrence of the 31st of July when Inspector Narayana Menon was in grave danger of his life. In consequence of that report, we made immediate arrangements with the military commander to send a staff officer to Calicut to investigate the situation, and in consultation with the local officers, arranged for the despatch at the earliest possible moment of a detachment of Leinsters to strengthen the troops stationed at Calicut. I think this detachment joined about the end of the second week in August, a movement as rapid as was reasonably possible. It was their presence which made it possible for the little body of 34 Leinsters to save Malappuram from possible disaster, and which rendered it feasible to carry out that ill-fated raid upon Tirumangadi—ill-fated I say because of the terrible deaths of Mr. Rowley and Mr. Johnson and because of the hardships which the little force of troops and police underwent in fighting their way back to Calicut. That raid itself was absolutely necessary I have not—and never have had—

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the slightest doubt. It was the touch-stone necessary to decide whether or not Malabar was in a condition ripe for a general insurrection, or whether it was merely one of the Mappilla outbreaks of the old days which could be nipped in the bud if grappled with firmly and at once. It was necessary to put this to that test, and we knew that either the trouble would be crushed at once, or a very serious situation would arise which would necessitate the calling out of all the resources of Government. Throughout the early stages the Government of Madras received the utmost possible assistance from the General Officer Commanding the Madras district, and nothing was greater matter for gratification than the extraordinary rapidity with which the military officers responsible got the movable column into the Malabar district. Here in Madras we did not hear of the outbreak in Malabar until the early afternoon of the Sunday, and before midnight on the Monday a movable column of all forces from Bangalore had reached Podanur and was advancing into Malabar. Nothing more efficient and nothing more rapid than the arrangements made by the staff of the Madras district could well be imagined."

The Hon'ble the PRESIDENT:—"The honourable the mover has already intimated his wish to withdraw the motion."

At this stage Mr. Abbas Ali Khan Bahadur got up to speak.

The Hon'ble the PRESIDENT:—"Do I take it that the Hon'ble Member Mr. Abbas Ali Khan is rising to show reasons for not giving permission to withdraw the motion?"

MR. ABBAS ALI KHAN Bahadur:—"No, Sir, I thought that my silence would be misunderstood and I want to say something on the question. We have heard the most distressing and the most shameful account of the atrocities committed by the Mappillas upon our Hindu brethren in Malabar. If all the allegations that we have heard be true, we certainly do condemn them. Lest we be misunderstood as sympathizing with the Mappillas, or being unwilling to extend that support to which our Hindu brethren are justly entitled, and even though the mover of the resolution has already expressed his intention to withdraw the resolution, I asked permission, Sir, to speak a few words on the Mappilla trouble. Sir, times without number, I have expressed my own personal opinion to individual members and also our own Moulvis and Ulemas have told the public, that these forced conversions are no conversions at all because they have been made forcibly and much against the will of the Hindus. These conversions were made at the point of the bayonet and in the eye of the Muhammadan Law, in the eye of the Muhammadan jurisprudence and in the eye of the whole of the Islamic world, such forcible conversions cannot be tolerated at all and all the Hindus who have been so converted continue to be Hindus.

"I pass on next to other points, about the ravishing of females. It was a most distressful story to hear and I am sure that the whole of the Mappilla community will not tolerate it. I think there are also some members of the Mappilla community who have not taken part in this wholesale ruination of families and committing havoc among the Hindus of Malabar. I am sure, Sir, that when this resolution comes up in proper time, the Muhammadan members also will give their cordial support, not only for the safety of our Hindu brethren, but also for their own safety. For, how many Muhammadan

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families have lost their bread winners, how many fathers have been deprived of their sons and how many wives have lost their husbands and children? Acute distress exists among the Muhammadan people and, for their own safety and for their own benefit also, it is necessary that certain safeguards and certain restrictions should be placed in the movements of the Mappillas, so that in future such kinds of insurrection may become impossible."

The resolution was by leave withdrawn.

Committee to report on irrigation facilities in the Vizagapatam district.

1-15 p.m. Mr. M. SURYANARAYANA PANTULU:—"Sir, Mr. President, I move the resolution which runs thus for the acceptance of this Council—

‘193. That this Council recommends to the Government of Madras that a committee consisting of officials and non-officials be appointed to enquire into and report as early as possible on the possibilities of improving the irrigation facilities of the Survasiddhi and Golyonda taluks of the Vizagapatam district.’

"I believe the honourable members of this House are aware that the Golconda and Sarvasiddhi taluks are the only two taluks, besides, of course, the Palkonda taluk, that belong to the Government in the Vizagapatam district. The Sarvasiddhi taluk is irrigated by a river called the Sarada and another river called the Varaha and the Government villages irrigated by these two rivers are situated at the fag end or rather the tail end of these two rivers. It is not necessary for me to repeat the history of these two rivers, where they rise, what tracts they traverse and where they go into the sea. Suffice it to say that the Sarvasiddhi taluk is at the fag end and there are something like six or seven auctents all owned by zamindars and proprietors, the upper riparian owners, and it is only when you come to a place beyond Kasimkota belonging to the zamindar of Kasimkota that the Government taluk begins. Now, the difficulties which the Government jirayati ryots of the Sarvasiddhi and Golconda taluks experience are twofold. The first is want of water at a time when it is most required at the time of transplantation, for rearing the seed-grains and so forth. The second is the submersion of crops at a time when water had better be discharged into the sea. These twofold inconveniences in the Sarvasiddhi taluk are being agitated for a very long time. In the year 1905, I am quite sure, that a question was first asked by the Hon'ble Mr. B. N. Sarma who was then a member of this Council, and from that time forward questions were being asked from time to time as to what the Government had done to ameliorate the condition of the ryots of the Sarvasiddhi taluk and those under the Varaha river and times without number we were told that investigations had been going on, that everything possible would be done and so forth. Times without number, honourable members have asked in this House as to whether the Government would be pleased to place on the table papers showing the nature of the investigations that have been carried on, by the Engineering officers and times without number we were told by the Government that it was absolutely useless to place on the table the papers connected with the matter. I am really very sorry that the Government should have treated the non-official members of this House in the matter of irrigation with such scant courtesy. I am really very sorry that the Government should have considered these papers relating to irrigation to be State papers, to be papers, for instance, connected with the foreign powers,

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or as papers affecting the relations with the Native States and so forth. I really cannot understand what danger there will be to the Government if the nature of the investigations that have been made by the irrigation officers with regard to the possibility of improving the irrigation resources of these taluks had been placed on the table. All that we wanted to know was whether the Government had exhausted all the possible means of seeing that help could be given to the ryots of these two taluks. And the Government tell us, 'No. We shall not say as to what we have done.' I have been therefore, Sir, obliged to table this resolution in view of making it possible for the report of the Committee at least to be placed before the House, so that the people of the Golconda and Sarvasiddhi taluks, the Government taluks, may come to the conclusion that it is not man that is responsible for the misfortunes they are suffering from, but that it is only God. Let it be shown to the people that the Government have done everything that they possibly could. Let the Government tell us that it is not possible to do anything whatever, that the malady is incurable, that it is only palliatives that can be prescribed, and that wholesale remedy is impossible, so that these people may be satisfied. All that I ask for is that something should be done.

"Now, coming to the facts themselves, I submit, Sir, that the Government told us in answer to a question of mine that about 6½ lakhs of rupees or thereabouts would be required for improving the ayacut of the Kondakalla reservoir and that the interest that it would pay to the Government would be something like two per cent or so. Very well. What I ask is, what is the amount that the Government is spending every year, or rather that the Government has been losing every year by reason of the failure of the river? Now, I find that for 38 years, from fasli 1295 to fasli 1323, in one year there was a remission of almost the whole of the revenue that the Government has been realizing from the Sarvasiddhi taluk. I take it that it is about Rs. 1,10,000,—it may be a little more or a little less,—from the Sarvasiddhi taluk, and the remission granted in fasli 1306 was Rs. 90,000. For two years, almost three-fourths of the total revenue was remitted. In four years about one-fourth of the revenue was remitted, and in another four years about Rs. 10,000 was remitted, that is, about one-tenth. I have made a table of the remissions that the Government was obliged to grant from fasli 1295 to fasli 1323, and I find that the remissions granted were of Rs. 72,387 in fasli 1301, Rs. 36,000 in fasli 1311, Rs. 62,000 in fasli 1313, Rs. 19,000 in fasli 1314, Rs. 40,000 in fasli 1315, Rs. 34,000 in fasli 1318, Rs. 32,000 in fasli 1322, and in the last fasli 1330, the sum of Rs. 60,000, I believe—I speak subject to correction—was granted. I have no doubt that in the present fasli also for which figures are not available the Government, I am quite sure, will be obliged to grant a large amount of remission. Supposing you take a capitalised value of all these amounts of remission (the average of the remission they were granting to the people) it will come to something like 5 lakhs of rupees. This sum of 5 lakhs spent on irrigation sources would probably not necessitate the granting of any remission whatsoever. And if in addition to that, you will be able to augment the revenue of the taluk by way of water-tax or by way of increasing the revenue, certainly you will be able to get a far larger revenue than what you are getting now. However, irrespective of the question as to whether you will be able to get a larger revenue or a commensurate dividend for the amount spent, it is absolutely

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necessary, I submit in the interests of thousands of ryotwari ryots, that the Government should do something to ameliorate their condition. We know for a fact that there are five works which are called protective works. If it is not possible for the Government to commercially improve the Sarada and Varaha rivers, they can as well take them as protective works. These are matters which do not concern us immediately, and I need not go into them at present. The question will be as to whether it is possible to do anything to help the ryots under the Sarada and Varaha rivers, to any degree. If the committee that I desire should be appointed should report that it is perfectly possible to help them but that the cost would be so monstrously large that it will be impossible for any Government to embark upon it, then that is another matter. But if, on the other hand, this special committee report that it is perfectly possible and perfectly within the means of the Government, then there is no reason why they should not do it. All that I desire at present is that a committee should be appointed for the purpose of investigating into the question, and I also desire that non-official gentlemen should be co-opted with official experts only for this reason. The official expert, coming as he does from a foreign country, may not be acquainted with the geography of the place, and he may not also be acquainted with the gentlemen living in those villages who are likely to give the best information possible. Therefore, I am quite sure that the officers will be benefited by the local information which these gentlemen have, and they will be able to get more information with regard to the manner in which the whole thing should be worked out. It is for that reason that I said that non-officials should be co-opted with officials.

"One other difficulty which the Government taluks in this part of the Presidency suffer from is submersion. The Varaha river, the Sarada river, as also small nallas Suragedda and Malagedda and a few others, all empty themselves at Vathada at the same place. I understand that the Varaha river comes rapidly and about the end of the river or so, when floods are great, the river carrying water very forcibly, enters into the sea. And until the waters empty themselves into the sea the Sarada and other nallas will not be able to empty themselves into the sea, with the result the waters they back up, and this backing up extends to something like seven or eight villages higher up, and hundreds of thousands of acres of land would be under water, and submerged. What I submit therefore is that it must be possible for us to ascertain as to whether it is not possible to see that this submersion does not occur. That is also another point, which the committee I desire to be appointed will have to report upon.

"One other thing. The flood water of all these irrigated fields, I understand, goes into a small gedda through an opening which is not said to be wide enough for the passage of the large quantity of water that comes over the fields, with the result that this water also backs up and causes submersion. I submit, Sir, that it is impossible to believe that there can be no remedy for this state of things and all that I want is that a committee should be appointed for the purpose of ascertaining whether it is possible to give any redress. I am not unaware of the fact that there are a number of upper riparian owners who have got vested interests and perhaps it may not be possible to make an adequate and suitable arrangement with them with regard to this water-supply. But I may be pardoned if I submit that the Government, or rather the officials of the Government, have not approached these upper

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riparian owners, these zamindars and proprietors, in the manner in which they ought to. I am quite sure that an amicable understanding or a settlement could be come to and that is one of the objects with which I have proposed a committee. If there are non-official gentlemen on the committee, I think they will enter into the spirit of the whole matter and will be able to speak to the zamindars and the upper riparian proprietors in a manner acceptable to them more than the officials themselves. With these few words, I commend this resolution for the acceptance of the House and for a sympathetic reception at the hands of Government. One thing more I wanted to say. I have not said much with regard to the Varaha system and I leave it to my honourable friend Mr. Narasimha Raju who, I hope, will second this resolution."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, Sir, the investigation regarding the improvement of the irrigation facilities in Sarvasiddhi and Golconda taluks, as far as the Government ryots are concerned, had been done hitherto on account of various questions that were put in this House on previous occasions and also on account of the deputations that waited upon His Excellency the Governor whenever he visited the district and also on account of the resolutions passed by the District Conference of Vizagapatam several times suggesting many schemes. All those schemes were investigated, but the main defect of the investigation was that it was made from a purely technical standpoint. At the time of the investigation, the opinions of the non-officials were also not taken. No doubt, as has already

1-30 p.m.

been suggested, there are various difficulties on account of vested interests of zamindars and other riparian proprietors. But it is hoped that the appointment of a committee as suggested in the resolution would tend to something good and substantial good may be expected to result therefrom for the two taluks. The main aspect from which this question should be viewed is the total amount of remission that is being granted year after year in these two taluks. It may be safely asserted that hardly a year passes without any remission being given and at least once in two years the total assessment on wet land is generally being given as remission. When we view the cost of improving the irrigation facilities with the possible saving in revenue, most of the processes that have already been investigated will prove to be satisfactory. If this process is simply viewed from the mere fact that the expended capital does not show a proper return, it may be very unsatisfactory. But if the question is coupled with the other question of the remission, I am sure most of these schemes that have been investigated can very well be said to be productive. Of course, the question of improving the irrigation facilities in the past was quite different as compared with the present state of things. In the past all productive works had to be sanctioned by the Government of India. But after the introduction of the Devolution rules such a distinction cannot be made. It is entirely in the field of the local Government and they can launch on the productive works without the consent of the Government of India. The question has therefore to be viewed in this light. The necessity for a committee is very important because if the Public Works Department officers investigated a scheme, they did it simply from their standpoint without much information as to the various facilities that could be obtained by any scheme; and when the scheme is referred to the Revenue officers they view it entirely

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from their own standpoint. A committee consisting of Public Works Department and Revenue officers and a few non-officials acquainted with the local conditions might usefully be appointed to develop a scheme which would be useful to the country and save the country from the fast growing famine conditions. With these few words, Sir, I second the resolution."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Sir, before I say anything in regard to the merits of the resolution, I wish to submit that the honourable mover of the resolution grew somewhat eloquent when he told the House that the Government had treated this House with very scant courtesy in trying to withhold from it informations in regard to schemes of irrigation even though definite requests had been addressed to Government from time to time. He was beginning to imagine to himself that Government regarded informations even on irrigation schemes in the same way as they do in regard to secret matters of international importance. May I contradict that statement with all the vehemence that I am capable of by drawing attention of the honourable mover of this resolution to a definite interpellation which was asked in this very House not long ago by the honourable seconder of the resolution asking the Government to place on the table a full and comprehensive list of schemes investigated in Vizagapatam district? The answer was that the Government had laid the information on the table."

Mr. M. SURYANARAYANA PANTULU:—"Sir, may I correct my honourable friend? In question No. 468, dated 22nd March 1921, the Hon'ble Mr. Narasimha Raju asked if any investigation of possible irrigation projects was ever made in the Vizagapatam district and has also asked for the connected reports to be placed on the table. The answer was that the Government did not consider that any useful purpose would be served by placing the reports on the table."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I am sorry, Sir, that the honourable mover has not taken the trouble to read further in the same book. Another question asking for the irrigation projects that had been investigated in the district of Vizagapatam was answered by laying on the table the necessary information. I therefore maintained and continue to maintain that the vehemence with which he had attacked the Government for treating these things as secret is wholly unjustifiable and undeserving. However, whatever that might be, Sir, I am asked to agree to a committee of officials and non-officials. I gladly welcome the investigation of any question by a committee if the investigation would be of real and practical utility to Government. But I would earnestly invite attention of the honourable mover of the resolution to the fact that a similar resolution was moved by the honourable seconder of the resolution in this very House wherein he had asked for a similar committee for the purpose of investigating irrigation schemes. I then explained to the House how the appointment of a committee at that stage was unnecessary, inasmuch as I had placed before the House a brief statement of the programme of the work that I had laid for myself in regard to the irrigation improvements in this province. I told the House that I had created a separate division and deputed a special officer for the purpose of examining all schemes previously investigated either fully or partially as also schemes which required investigation. I attempted to convince the House then that while labours in

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that direction were in full swing, there was nothing for the House to proceed definitely upon, as to which scheme needed special attention; it was, therefore, premature for the House to agree to anything like a committee of officials and non-officials at that stage. I asked them to be good enough to give me time until the special officer had finished his investigations and until I had decided which schemes should be eventually undertaken. I also pleaded to be allowed a little discretion to call to my aid a committee of officials and non-officials for that purpose. The honourable seconder of this resolution who was then the mover was good enough to see through probably the fairness of the representation which I made and he had withdrawn the resolution.

"Now, Sir, similar condition of affairs still prevail; the special officer, as I already mentioned, who has been appointed for a period of one year still continues and he will be in office for a few months more. He has been sending reports as to schemes he is investigating from time to time. I shall take great care to prepare a programme which I shall consider it my duty to lay before the House. It is, therefore, premature to ask the House for a committee for the specific purpose of investigating the possibilities of one or two taluks in one district of the whole province of Madras. We are undertaking the investigation of the entire province and we are undertaking also the investigation of schemes which in the past have not been fully investigated. In fact, after the receipt of this resolution I have intended to instruct the special officer to make investigations in these two taluks also. After that is done, I shall prepare the main programme and I know perfectly well that I shall then be wanting the aid of the House to help me with the necessary finances. I should certainly be very glad to take counsel and wisdom from some of the non-officials of this House as to which schemes should be rushed through and which schemes, for financial considerations, should be postponed. Until that stage has come, Sir, I think, it is absolutely unnecessary to appoint a committee on this subject—not that I have no sympathy for these two taluks in particular, but in view of the existing state of affairs and in view of the definite statement that I have made that I have decided to request the special officer to devote his attention to these two taluks also. I hope that, as on the last occasion, my appeal would have a similar effect on the honourable mover."

Mr. M. SURYANARAYANA PANTULU:—"Sir, the Hon'ble Member for Revenue was pleased to say that a committee had been appointed for the purpose of investigating the schemes not only in regard to the two taluks but with regard to the whole province and that it would be his concern to see that every one of these projects had been thoroughly investigated. I do not say that no effort has been made for the purpose of investigating these schemes. I am only afraid in the language of the Telugu proverb 'కలిగినవాడు నాడే తినకపోతే తేనెవాని ప్రాణం పోయినది' 'by the time the rich man opens his granary, the poor man has lost his life'. That would probably be the effect of these investigations by the Government. By the time the entire schemes of the Presidency of 25 districts are finished and when they come to the fag-end, almost the northern most districts of the Presidency, by the time they come to the taluks in the Vizagapatam district, I do not know how many years these ryots will have to pass through without water. As I have already submitted, supposing it is one lakh of

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rupees that the Government gets as revenue, supposing that five times the rental is the gross revenue, it follows that five lakhs worth of grain is being lost by the ryots, whereas the Government loses only one lakh. I ask whether it is meet that the people should be made to suffer to such a large extent as that. What I want is either of these two things: either water at the time of the commencement of transplantation or prevention of the submer-sion of the crop. I want either this or that at a very early stage. I think that any investigation that may be made by the special officer appointed by the Honourable Revenue Member may not probably be able to do much for us, for the Honourable Member has already told us in his reply that all the schemes excepting Kondakarla Ava are impracticable. Hence it comes to this that every scheme excepting that of the Kondakarla Ava reservoir has been pronounced by the irrigation authorities as impracticable. If that is so, I submit it is all the more necessary that there should be a committee so that the officials may co-opt with them the non-officials in view to ascer-taining the irrigation facilities of the area. After all the small committee will not cost us much. This resolution does not commit this House to an expenditure of any definite sum of money on irrigation sources and that immediately. There is the special officer already from the Engineering Department and one or two non-official gentlemen may be co-opted and all form a committee to consider the question. The members need not travel all the distance, say from Malabar, Travancore or Tinnevely, but they may be in the same taluk, much nearer to the place where the investi-gations are to be carried on. The travelling allowance may not come to too much. I submit, therefore, that a small committee for the purpose of giving prominence to the irrigation facilities of these two taluks ought not to be grudged by the Government or by this House. It is a very small matter and I beg that the Hon'ble Revenue Member will reconsider and accept this resolution."

The House then adjourned for lunch at 1-30 p.m. and reassembled after lunch at 2-30 p.m.

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB
2-30 p.m. Bahadur:—"Sir, I have got only one or two words to say in reply. The honourable member has naturally a sort of temerity as to what chances there may be for the schemes that he has at heart being sanctioned in connexion with that large programme of irrigation schemes about which I mentioned and which I have under contemplation. I may assure him, Sir, if my assurance is of any avail, that in the process of drawing up the programme of works, great care will be taken to give prefer-ence and priority to the schemes relating to tracts where no irrigation facilities exist at the present moment. The special officer who is now investigating schemes both old and new has been given definite instructions to do so and I hope that he will devote a major part of his attention in that direction. These two taluks have, as has been pointed out by the honourable mover, suffered in the past necessitating large amounts of remission having to be granted and I assume that these two facts constitute sufficient justifica-tion for giving them a priority, after the workable schemes are evolved. He, as is usual with him, very humourosly quoted a certain Telugu proverb and asked significantly whether the beggars of these two taluks have to wait until the granary of the rich Madras Government is opened for them and

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whether they might not die in the meantime. All that I can say is that these beggars have been starving from 1905 onwards as the honourable mover himself has confessed. Until now, they did not find the granary within sight. Now that the granary is within their sight and there are efforts being made by the rich possessor of that granary to throw it open for the use of the beggars, I think they ought to be thankful for the position in which they find themselves now. I do not at all want this committee to interfere with the course of events which, as I have already convinced the House, are proceeding very satisfactorily under the superintendence of the special officer. The interference of such a committee might, I am afraid, retard work rather than help it. But, however, in view of the special difficulties which the honourable mover has brought to my notice, namely, not merely the engineering aspect of the question which may have to be taken into consideration in devising schemes for these two taluks but also certain other riparian rights which probably will have also to be carefully investigated, I have certainly not the least objection to have a copy of the proceedings of to-day sent to the Collector of the district so that he may, in consultation with such non-official opinion as he may consider necessary, give the benefit of his opinion as to what is feasible in regard to the irrigation facilities in these taluks. More than that, I think, is not possible."

Mr. M. SURYANARAYANA PANTULU:—"I am very thankful to the Hon'ble Member for Revenue for the very sympathetic attitude that he has now taken and after the assurance that he has given, I have not the slightest hesitation in withdrawing my motion."

The motion was then by leave of the Council withdrawn.

The following motion standing in the name of Mr. M. Suryanarayana Pantulu was not made and was therefore deemed to have been withdrawn:—

Constitution of Andhra Province.

Mr. M. SURYANARAYANA PANTULU:—

"194. That this Council is of opinion that the contiguous Telugu-speaking districts of the Madras Presidency ought to be constituted into a separate Governor's province, and recommends that the Government of Madras be pleased to recommend to the Government of India that the necessary action be taken to effect the same."

Village munsifs to certify regarding poverty of pupils.

Rao Sahib U. RAMA RAO:—"Mr. President, Sir, I beg to move—

"195. That, with a view to mitigate the hardship caused to the parents or guardians of pupils belonging to the Muhammadan, Oriya and other backward classes and castes, who are required to produce a certificate of poverty signed by a sub-magistrate or an officer of the Revenue Department not lower in rank than a deputy tahsildar to entitle their children to admission in schools at half the standard fees, this Council recommends to the Government to relax the said rule and order that, in future, certificates signed by a village munsif may also be accepted."

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"Sir, the Government order says:—

'Fees in all institutions shall be levied at half the standard rates from Muhammadans, Oriyas, girls and members of backward classes and castes whose parents or guardians are so poor that the grant of this concession is necessary to enable them to continue their studies; the production of a certificate to the effect signed by a sub-magistrate or an officer of the Revenue Department of not lower rank than a deputy tahsildar should be required in case of doubts.'

"Sir, we all know it is very difficult for the poor and depressed classes to approach the revenue officials. It is impossible to approach anywhere near a magistrate because he is held in terror. As for the revenue officer of the rank of deputy tahsildar, it is also very difficult for these people to go and get a certificate from him. So much so, it is very difficult for these poor people to obtain any sort of certificate from these officials. My resolution simply asks that certificates signed by the village munsif also should be accepted for this purpose. Because the village munsif is a man who knows all about the villagers: he knows who is rich and who is poor. The Government themselves look to him for official information. He is in charge of so much collection of money. He is a very responsible man. He is entrusted with magisterial and other powers. Such being the case, he may be very safely trusted to discharge this work. With these few remarks, I beg to move the resolution and hope that the Government will accept it."

Mr. G. VANDANAM:—"Sir, I know, as a headmaster of a high school, that the condition that the students should produce a certificate from a revenue official of not lower rank than that of a deputy tahsildar is a hardship upon the poor students. Several times I felt that a good lot of discretion might be allowed to the heads of the institutions in granting scholarships without any reference to the revenue officials. I hope the rule is meant that a reference may be made to them in cases where the headmaster cannot find out whether a student is poor or not."

Mr. M. C. RAJA:—"Sir, I now beg to propose my amendment—

'Add the words "an honorary magistrate, a municipal councillor, or" after the word "by" in the seventh line.'

Mr. L. C. GURUSWAMI:—"I second the amendment."

Sriman Biswanath Das Mahasayo then moved the following amendment:—

'Add the words "by presidents of local boards or" before the words "by a village munsif" in the seventh line.'

In doing so, he said:—"Sir, the Government Order requires that the students who are granted concession of paying half fees should produce a certificate of poverty from 'an officer of the Revenue Department of not lower in rank than that of a deputy tahsildar'. This causes immense hardship to the students because, in many instances these officers do not know the conditions of the students; the easiest way of escape for these officers is therefore to refuse to give certificates. I have personal experience of these things; I know the hardship it brings on the poor Oriya students. The headmasters of schools have got some discretion but they ease themselves asking the pupils to produce poverty certificates. This system of producing certificates from revenue officers has brought grief on many students. I therefore propose that certificates of poverty from presidents of local boards who have a more intimate knowledge of the people in their respective districts may also be accepted, and the students who have such certificates should have the benefits of the concession. Therefore I move the amendment."

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Mr. S. MUTTUMANICKA ACHARIYAR:—"I second the amendment."

The Hon'ble Rao Bahadur A. P. PATRO:—"Sir, it seems to me that there is some misconception among honourable members as to the scope of rule 102 of the Educational Rules. It is only in a few cases that certificates are called for. Every student who shows that he is poor can be admitted by the headmaster himself. But in cases where there is a reasonable doubt, the headmaster may call upon the student to produce a certificate of poverty. The honourable member for Ganjam has admitted that great discretion is vested under the rules in headmasters and managers. But as the mover has pointed out, there must be cases of hardship especially in the mufassal. To meet those cases, I am prepared to include honorary magistrates and taluk board presidents."

Sriman Biswanath Das Mahasayo:—"May I just speak a few words? I never meant taluk board presidents only. My amendment speaks of the 'presidents of local boards' which includes 'presidents of district and union boards'. Presidents of local boards should also have the power of granting such certificates."

The Hon'ble Rao Bahadur A. P. PATRO:—"I have no objection."

Rao Sahib U. RAMA RAO:—"My object in bringing this resolution was to make it a little more convenient for the parents to get certificates of poverty. With the assurance of the Hon'ble the Minister that he will give instruction to that effect, I have no objection to withdraw the resolution."

The motion was then by leave withdrawn.

Scholarships for pupils of the depressed classes.

196. That this Council recommends to the Government that for the next five years not less than 50 per cent of the scholarships awarded by the Government in educational and industrial institutions under their control be reserved for and given to the members of Hindu Adi-Dravida and other depressed communities.

Mr. C. V. VENKATARAMANA AYYANGAR:—"I do not move the resolution, Sir."

Mr. M. C. RAJA:—"If you will permit me, Sir, I will move it."

The Hon'ble the PRESIDENT:—"I would now draw the attention of the House to Standing Order 56. Presumably the honourable member, Mr. Venkataramana Ayyangar, has acted under 56 (1) (a). The honourable member, Mr. M. C. Raja, now seeks the permission of the House to move the resolution under Standing Order 56 (3) which says 'It shall be open to the Council to allow a resolution withdrawn under clause (1) (a) . . . of this Standing Order to be moved by any other member.' The honourable member, Mr. Venkataramana Ayyangar, having withdrawn it under 56 (1) (a), has the honourable member, Mr. M. C. Raja, permission to move the resolution?"

The question that the honourable member, Mr. Raja, be allowed to move Resolution No. 194 was then put to the House. A poll was taken, and the Council divided as follows:—

Ayes.

1. The Hon'ble Mr. P. Ramarayaningar.
2. The Hon'ble Rai Bahadur K. Venkatarreddi Nayudu.

3. Mr. K. Adinarayana Reddi.
4. Dr. Appalarasayya Nayudu.
5. Mr. R. Appaswami Nayudu.

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Ayes—cont.

6. Rao Bahadur V. Appaswami Vandayar.
7. Rao Bahadur T. Balaji Rao Nayudu.
8. Mr. K. Chattakutti Nambiar.
9. Diwan Bahadur C. Arunachala Mudaliyar.
10. Rao Bahadur P. C. Ethirajulu Nayudu.
11. Rao Bahadur K. Gopalakrishna.
12. Mr. B. Muniswami Nayudu.
13. Mr. C. Natesa Mudaliyar.
14. Mr. V. Pakkiriswami Pillai.
15. Mr. C. Ponnaswami Nayudu.
16. Mr. S. T. Shanmukham Pillai.
17. Mr. W. P. A. Soundarapandya Nadar.
18. Mr. S. Somasundaram Pillai.
19. Diwan Bahadur K. Suryanarayanamurti Nayudu.

20. Mr. T. C. Tangavelu Pillai.
21. Mr. K. C. Venkatachala Reddiyar.
22. Mr. W. Vijayaraghava Mudaliyar.
23. Diwan Bahadur R. Venkataratnam Nayudu.
24. Mr. S. Muttamaniakshari.
25. Rai Bahadur T. M. Narasimhachari.
26. Rao Sahib U. Rama Rao.
27. Mr. T. Sivasankaram Pillai.
28. Mr. A. T. Palmer.
29. Mr. G. Vardanam.
30. Saiyid Muhammad Padsha Sahib.
31. Mr. M. C. Raja.
32. Mr. L. C. Guruswami.
33. Mr. M. C. Madurai Pillai.
34. Rao Bahadur T. Namburmal Chettiyar.

Noes.

1. Mr. R. Littlehales.

2. Mr. A. Ranganatha Mudaliyar.

Mr. M. C. Raja was permitted to move the resolution, 34 honourable members voting in favour of such permission, and two against.

Mr. M. C. RAJA :—" Sir, I thank the House for giving me leave to move the resolution. The resolution is as follows :—

' 196. That this Council recommends to the Government that for the next five years not less than fifty per cent of the scholarships awarded by the Government in educational and industrial institutions under their control be reserved for and given to the members of the Hindu Adi-Dravida and other depressed communities.'

" Sir, my community is in need of secondary education, and the great obstacle in the way of the secondary education of my boys is poverty. Moreover fees are insurmountable barriers to secondary education of my boys and until fees are abolished, it is, I think, iniquitous to debar the children of the poor from the benefits of the secondary education. If this resolution is passed, it will be an incentive to boys of my community to continue for higher education. If secondary education is necessary for the full development of the brain power of the nation, its access to the poor must be as possible as its access to the rich; so every community should be given facilities to take advantage of the benefits of secondary education. Education, Sir, is the panacea for all evils for the people of my community; and if they go in for higher education it will benefit not only them, not only the community, but it will benefit the whole nation. Moreover, Sir, this resolution is a very modest one. It says that this concession should be extended only for five years. I now request the House to accept the resolution."

Mr. L. C. GURUSWAMI :—" Mr. President, though the depressed classes form a fairly large part of the population of this Presidency, it is indeed a matter for regret that their low condition remains much the same and does not compare favourably with that of other communities. It is the duty of the State and of our leaders to attend to this important matter and render all possible help with a view to bring them forward so as to enable them to take an intelligent and active interest in public affairs as citizens of the Indian Empire. The several reforms introduced in the various departments of life will be of no use whatever to the

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country as a whole, as long as the depressed classes are allowed to remain in this backward condition. As you all know, ignorance is the main cause that keeps the Panchamas in this low position in society, and education and education alone can remove this ignorance. Their position and status in life can be improved only if education spreads among them and enables them to reap fully all its benefits. Therefore it is the duty of the Government to try their best and spread education among them. It is true that so far the Government have done much in this matter for which we are sincerely grateful. But I don't think that their endeavours in this direction have been very effective or fruitful. The one reason why the Panchamas are still in this miserable condition is, as all know, their extreme poverty. It is not enough to have a rule, as we have at present, to the effect that the Panchama boys should be admitted into all schools and colleges at concession rates. It is not enough even to start here and there some schools specially intended for the children of the depressed classes. In view of their poor condition, it is necessary that they should be induced to realize the benefits of education by freely giving them scholarships and encouraging them to study. Though the Government have instituted quite a large number of scholarships in general for various purposes, I think only a very small percentage especially in secondary and collegiate education goes to help Panchama students. Most of these scholarships, I am afraid, are enjoyed by the children of communities other than the Panchamas. The real object of the Government in establishing these scholarships is to educate the deserving children of the poorer classes. Such being the case, is it not necessary that adequate steps should be taken with a view to give the benefit of these scholarships to the Panchama children who are the poorest of the poor? It is on this account and for this purpose that this resolution is now before the House. If according to this resolution orders are issued, I am sure there will be a great increase in the number of Panchama children attending not only primary and secondary schools, but also the various professional colleges. With these words I heartily second the resolution."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I heartily support the proposition, Sir. The object with which I sent the proposition was that, if some scholarships were given to Adi-Dravidas and if the students were enabled to frequent these schools, the fear of untouchability will go away. We are all interested in seeing that the depressed classes are raised in their status and the untouchability removed. So far as this question is concerned, it is not a party question. When I sent this resolution, I thought there would be no amendment to this. I lay stress on the five years with the view that if it was ear-marked, it would be utilized only for the members of the Adi-Dravida community. I do not want to make the proposition an occasion to quarrel upon communal questions. Therefore I did not move the proposition. So far as the proposition is concerned, I am most heartily in support of it. It will be very well if there is no amendment and if the whole proposition is passed without any speeches on the amendment proposed. So far as the other communities are concerned, they can bring propositions without in any way interfering with the unanimous vote on this proposition. Because an amendment was sent and I thought the House would be divided, I did not think it worth while for me to move the proposition. I was very glad that the proposition was brought forward by my friend, Mr. Raja. My own view is that we should all unanimously vote for this proposition without creating

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any opportunity to divide the house in any way. I appeal to the House to pass this. It will not in any way interfere with the scholarships of the other communities. If there is a proposition that 50 per cent of the scholarships will go to the Adi-Dravidas, it will infuse greater confidence for offering themselves. It is therefore that I say without any qualification 50 per cent should be ear-marked for the Adi-Dravidas for a period of five years. If there is no Adi-Dravida, it shall not be given to anybody. With these few words I heartily support the resolution."

Mr. B. MUNISWAMI NAYUDU :—" Sir, I beg leave to move the following amendment :

'Add at the end of the resolution the words, 'and that the remaining scholarships be reserved for and given to other non-Brahman communities (including Muhammadan and Christian) and that if, of the scholarships reserved for the Adi-Dravida and other depressed communities, any scholarship or scholarships be not awarded for want of suitable candidates applying for them, such scholarship or scholarships be also given to candidates belonging to other non-Brahman communities (including Muhammadan and Christian).'

"In moving this amendment, I am guided by the same motive as that of Mr. C. V. Venkataramana Ayyangar. He wanted this benefit for five years to be given to Adi-Dravidas and I want the same privilege for the other communities. All are agreed upon the object of the scholarships that they should be of some advantage to particularly poor students. I move that 50 per cent be reserved for the other non-Brahman communities. I am sorry that this amendment should have been a red rag to Mr. C. V. Venkataramana Ayyangar. I only say that the object of the amendment is merely to give a sort of advantage for a short period so that it may make up for backwardness in education. I think he must certainly be in sympathy with the amendment. Evidently his object in giving notice of the resolution was to set up one party against the other—the Adi-Dravida against the non-Brahman community. The amendment aims merely to secure an advantage to particular communities which are backward in education."

Mr. C. PONNUSWAMI NAYUDU :—" I second the amendment."

Rai Bahadur T. M. NARASIMHACHARLU :—" Mr. President, Sir, I heartily support the original proposition."

Mr. M. C. RAJA :—" I will accept the amendment, Sir."

The Hon'ble the PRESIDENT :—" I have not called upon the honourable member to speak. I think it will be convenient if I allow the amendment to be discussed first. That is the proper course. The amendment will be discussed by the House. If that is carried, the proposition as amended will then be taken up for discussion. Let Mr. Narasimhacharlu finish. Then I will call upon Mr. Raja."

Rai Bahadur T. M. NARASIMHACHARLU :—" I do not find any reason why this amendment should be brought at all. I also fail to see how this can be an amendment at all. I think it is a distinct and separate proposition by itself. The proposition is that fifty per cent of the scholarships given by Government shall be given to the Hindu Adi-Dravida boys. This is not an amendment to the proposition."

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Mr. A. RANGANATHA MUDALIYAR :—" I rise to a point of order as to whether it is open to the honourable member now addressing the House to open the question of admissibility of the amendment. It has been admitted and I think he has to accept that fact and proceed."

The Hon'ble the PRESIDENT :—" I take the honourable member, Mr. T. M. Narasimhacharlu, to say that he objects to the amendment and to give reason why it should not be accepted by the House."

Rai Bahadur T. M. NARASIMHACHARLU :—" Exactly, Sir. This is really a proposal as to what should be done with the other fifty per cent. I fail to see, Sir, how by any stretch of imagination this could be called an amendment. However, as exception has been taken to my speaking upon this subject as a technical objection, I pass on to the merits of the amendment itself. What is the object of this amendment? The object of the amendment is perfectly clear, i.e., that no scholarship for the next five years shall be given to a Brahman. I ask, Sir, whether it is consistent with the dignity of this House to penalize a Brahman in that way. We are here to set an example of impartiality to all castes and creeds that are the subjects of His Majesty in India. This Council somehow or other has been trying for some time to penalize the Brahman community. Why, Sir? Why is that so? Is any reason advanced why a Brahman should be penalized? The only reason advanced, as far as I am able to see, is that the Brahman community is an advanced community. Is that a reason, I ask, for penalizing the Brahman? The reason why a scholarship is to be awarded is, I take it, that the person, the boy, the student will be otherwise unable to pursue his studies. If that is the real reason, I, Sir, cannot understand why the Brahman, the poor Brahman, should not get a scholarship even in proportion to the population of the Brahman community."

"Hitherto, the agitation has been that in proportion to the number of his community the Brahman shall get his due. But this is going further. This says that even in proportion to number he may not get anything at all by way of scholarship. I ask, Sir, is that fair? I can perfectly understand if this amendment takes up the attitude that the Brahmans shall get the scholarships in proportion to the numerical strength of his class. But I cannot understand why a Brahman should be penalized because he is a Brahman. Is he to be penalized because he intelligently pursues his career? Is he to be penalized because he has not got any vices in him? Is it because that he will do his duty straightforwardly and honestly as he has hitherto been doing and has brought credit to the Government which has been in existence not only with great credit but as a wonder to the world? I say, Sir, but for his straightforwardness, gratitude, consumption of midnight oil, at the expense of his health and the *thali* in his wife's neck, I say the credit which the Government has got would not have been got at all. The Brahman community ought not to be penalized in this way. Therefore, I submit that this is a very naughty amendment. It bristles with many difficulties. I say, Sir, it will add one more discontent in this country to the already existing ones. No Government can afford to create discontent in any community and much less in the Brahman community which has done its duty to the Government faithfully and honestly all along. Therefore I submit that this amendment ought not to go into the records of this dignified Legislative Council. It

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will mean that this Legislative Council on account of its majority of non-Brahmans is able to penalize the Brahman who is in a minority. I say, Sir, let not that bad name be earned by this Legislative Council. Whoever is able to get the scholarship in proportion to the numerical strength of that particular community, let him get it if he is otherwise fit.

"Let us consider, Sir, whether the Brahman community is after all a rich community. I appeal to the members of this House, and I am quite sure that they will agree with me, that the Brahman community is still in a poverty-stricken condition. Those that are engaged in the public services, I know, Sir, when they die leave not a covie behind them. The Brahman has through ages eked out his livelihood by his brains and by no other method, and it is sought to penalize him even in the study which is the very means of his existence. Therefore, I think, Sir, that this amendment ought not to be accepted. The amendment says that 50 per cent of the scholarships shall be given to other non-Brahman communities, excluding the Brahmans. I say, Sir, the non-Brahman community is a richer community and has got more resources. They are the landed aristocracy. They are the trading people. In fact they are very fat and they grow fatter day by day by their riches. Therefore I submit, Sir, that the non-Brahmans should join together, put by a little of their money and utilize it for scholarships for the benefit of their community. Why should they say that scholarships should be given to make their boys study at the expense of the State? I do not at all grudge if thereby the Brahman also will get his due share. But, Sir, as this resolution aims at debarring Brahmans altogether from any share in the scholarship, I raise that protest with all my might which, however humble it may be, however feeble my voice may be, I feel will have some effect upon this Council."

Mr. O. TANIKACHALA CHETTIYAR :—"Sir, I rise to support the amendment. In opposing this amendment a number of questions have been asked by my honourable friend, Mr. Narasimbachari, such as, is it fair to exclude the Brahman from the benefit of scholarships? I would ask the House to remember that this proposition is the twin sister of another proposition which asked for the same relief in favour of the Adi-Dravidas, namely, that 50 per cent of the appointments of Deputy Tahsildars and Revenue Inspectors should be reserved for the Panchamas. But my friend, Mr. C. V. Venkataramana Ayyangar, had not the courage to move it. I ask the House to bear in mind that the Adi-Dravidas of this Presidency bear a proportion."

Mr. O. V. VENKATARAMANA AYYANGAR (*interrupting*) :—"I have already given my reasons. It was not want of courage, but it was to prevent communal fighting over again that I did not move the proposition."

Mr. O. TANIKACHALA CHETTIYAR (*continuing*) :—"Very well, Sir. When it is remembered that the Adi-Dravidas of this Presidency form only one-sixth of the population, in all fairness they would be entitled only to 15 or 16 per cent of the loaves and fishes of office. But my friend, Mr. C. V. Venkataramana Ayyangar, has suddenly discovered that the Adi-Dravidas are the most oppressed and therefore as many as 3 out of 6 of the appointments must be given to them. Is it because that he realizes that the millennium has arrived when the lamb and the lion will lie side by side, that the Brahman having hitherto monopolized all the loaves and fishes that the time has come

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when the most oppressed, namely, the Panchama should be given his share, leaving aside all the other communities? It is for that reason we came forward with our amendment. Myself gave notice of an amendment on these lines."

The Hon'ble the PRESIDENT :—"The honourable member, I fear, wants to speak of some other amendment relating to some other proposition. Unless he can show some connexion between this and that proposition, he is out of order."

Mr. O. TANIKACHALA CHETTIYAR (*continuing*) :—"I am trying to show, Sir, that the amendment here is on the same lines as the other amendment. The idea which underlies the amendment of which notice has been given is that we are anxious that all justice should be done to the Adi-Dravidas who have been kept down till now and we are equally anxious that justice should be done to other oppressed communities also, that while there may not be a number of Adi-Dravidas coming forward to take advantage of the benefit which is sought to be given to them, the surplus, the remainder and the remnants should be given to the other depressed communities. Well, this resolution was given notice of at a time when there was misunderstanding between the Adi-Dravidas and the Hindus. Now for the purpose of widening this gap, I say, this notice was given and not, as it is now stated by my honourable friend, for the purpose of advancing the interests of the Adi-Dravidas."

Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*) :—"I do not know whether such a personal attack is permissible, viz., that I had an ulterior motive. I appeal to the President. To attribute meanness to me is certainly mean."

The Hon'ble the PRESIDENT :—"If the honourable member reads the debates in the House of Commons, he will find much stronger language used there. It is perfectly open to one honourable member to say what is at the back of the mind of another honourable member."

Mr. O. TANIKACHALA CHETTIYAR (*continuing*) :—"Thank you, Sir. As I said, this proposition was brought at a time when there was misunderstanding, and I could find no other object than that it was intended to widen the gap between the two communities. Fortunately, the misunderstanding was a temporary affair and it has gone away, and anybody will recognize that the Adi-Dravidas are entitled to relief. While we are anxious that justice should be done to them, we feel that when there is not sufficient number of Adi-Dravidas to take up the scholarships, that benefit may be transferred to others more deserving than those who have already had the loaves and fishes. On these considerations, I support the proposition with the amendment."

Mr. A. T. PALMER :—"Mr. President, I was very glad that this resolution was moved because if the resolution was killed, the amendment might also have been throttled. It was on that account that I wanted this resolution to be brought up."

"It will be remembered that I was very anxious through a former resolution that the Indian Christians should have some scholarships. I was very much surprised, Sir, to learn from Mr. Narasimbachari that the Brahmans are the poorest community in this country. May I ask him in any place you go to, to whom do the palaces belong? to whom do the gardens belong? to whom do the best streets belong? to whom do the lamps of the municipality

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belong ? to whom do the best vegetables belong ? to whom do the best curds and the ghee belong ? I live in the Brahman quarter and by the time the things come to me they are exhausted by the Brahman people of that place."

Rai Bahadur T. M. NARASIMHACHARLU (*interrupting*):—"It only shows that they are fond of eating. That does not prove their wealth."

Mr. A. T. PALMER (*continuing*):—"On the other hand, it shows that the Brahmans are all influential in all places, in all things, in all communities, in all circumstances. The Brahmans have had their day. Now the democratic Government has come in, and those who have been oppressed must have an opportunity to rise. The scholarships set apart for the Panchamas may not always be utilized by them. I know there are many cases where there are not candidates forthcoming to take scholarships. I am very glad that this resolution helps the Panchamas for improving themselves in the matter of education. But if those scholarships are not made use of, I am sure it will be helping the other communities if they are awarded to them. Only the other day I met an Indian Christian lady walking along the road whom I knew as a very respectable and well-to-do lady many years ago. A friend of mine that was with me said she became poor because she had eight children whom she had to educate. Now when Christians are anxious to educate their children and when they ask for help, I do not see any reason why this House should not lend its sympathy. I strongly recommend that this amendment should be carried."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, it is very unfortunate that a discussion has again cropped up regarding communal differences. Present as I am in this Council, I feel it my duty to express my views, though I have made up my mind not to vote on this amendment. I have taken up this attitude in view of the fact that in an assembly wherein these communal questions have been agitated with considerable vehemence and where special significance has been attached to these circumstances, it is rather better for those who happen to be in a minority and take a different view to leave it to others to decide. Still, Sir, I feel that I am not to be silent without expressing my views on this motion and it is with considerable hesitation and diffidence that I have made up my mind to speak on this amendment instead of being silent. Sir, the first point for consideration is whether in the matter of the grant of scholarships, there ought to be reservation of a detailed character like that suggested in the amendment. If the amendment only suggested that 50 per cent ought to be reserved for the depressed classes and the remaining 50 per cent for non-Brahman communities including Muhammadans and Christians, I can understand. That position is at least intelligible. What it further suggests is that even if there are to be vacancies in the 50 per cent reserved for depressed classes, let not the vacancies be given to those for whom no provision has been made, but let it be added to persons of the non-Brahman communities. If the resolution merely intended to fill up these vacancies from non-Brahman communities excluding the Brahmans altogether, I can understand the position from the standpoint placed before the Council by the honourable mover of the amendment. Because members of Brahman communities enjoyed those privileges some years ago and because a fairly large number of them have received the benefit of education, it is urged that for sometime to come, they may be excluded from the benefits of education. That is the standpoint from which it is now placed before this Council. But

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what I find it difficult to comprehend is that even in the matter of filling up casual vacancies arising in the place reserved for depressed classes they have not had the magnanimity enough to suggest that those casual vacancies could at least be filled up from those for whom no provision has been made. That is what really I fail to comprehend so far as this resolution is concerned. I do not wish, Sir, to join with Mr. Narasimhacharlu in making a plaintive appeal on behalf of the Brahmans. I do not wish, Sir, to ask that any scholarships should be reserved for Brahmans. If they can have education, let them have; otherwise, let them suffer. I do not wish to make any suggestion that any special privilege ought to be given to them. That is not my view. I will not make any suggestions of that sort. I only wish this House to consider leaving it entirely to the decision of the other section of this House if they think it worth while to pass any resolution as to make it impossible for any community, whatever that community may be, other than the communities specified in the resolution, from having the benefits of any scholarships even though the students of that community are deserving. If they think that the other communities ought not to be benefited, they are perfectly welcome to pass this resolution. I for my part would suggest that a broader and a more liberal view should be taken up than is contemplated by this resolution. Unfortunately, Sir, in this discussion, my honourable friend Mr. Tanikachalam Chettiyar has referred to the motives underlying this resolution. Much was made of the motives which might have inspired the honourable mover when he tabled this resolution. It is very unfortunate. I have nothing to do with the motives of Mr. Venkataramana Ayyangar. I do not wish to hold any brief for him or against him; but this much I say that this House has nothing to do with the motives of Mr. Venkataramana Ayyangar. This House need not pay any consideration to the object which any one member may have in view in bringing forward a resolution. This House has nothing to do with the possible difference between one community and another. All that this House has to do now is to consider the effect of this resolution. What is the effect of it? The effect of it is to place a permanent ban upon some communities. I do not speak for the Brahman cause only. There are other persons of other religions besides Muhammadans and Christians, e.g., Parsis. Therefore, I wish to consider the effect of this resolution apart from the possible intention of the original mover of this resolution. If upon a consideration of the terms of this resolution this House should consider it fit to exclude all communities other than non-Brahmans, it will be justified in passing such a resolution; otherwise not. These are the few observations which I venture to make on the communal question that has again been brought up."

Rev. W. MESTON:—"Sir, I desire to say a word why I object to this resolution on purely educational grounds. As I understand it, the Government issue scholarships to deserving pupils of all classes and communities without any distinction in order to promote education among them all. If one community requires preferential treatment educationally, a means of effecting this is possible as it has been found possible in the past. But, if a scheme is proposed by which one community is to be excluded from participation in the grant of scholarships, the education of the country, as a whole, will suffer. To institute a scheme of scholarships which is to benefit all and then to insert the proviso that some one community is to be denied its privileges for one or more years is to defeat the very end which Government have in view and to

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place an obstacle in the way of the spread of education. For these reasons I oppose the amendment."

Mr. A. RANGANATHA MUDALIYAR :—" I find it difficult to speak without feeling on this resolution. The resolution, looked at from any point of view, seems to my mind to be calculated to penalize birth and inflict a punishment on young pupils who are not responsible for the accident of their birth. It reminds me of the mediæval days when persecution was the order of the day and people were harassed for the faith they were born in, and I think it is really unworthy of this House to countenance even for a moment a proposition of this kind. I ask the honourable mover of the amendment whether in his own district he cannot think of a Brahman family here and there where there may be students—boys and girls—who may be deserving of scholarships to prosecute their studies. Should they be denied all facilities for the prosecution of their studies? What is the sin that they have done? If they deserve help, let their case also be considered along with others. This resolution does not make any difference between boys and girls. I take it that the scholarships are to be refused to girls as well as to boys. Contemplate for a moment the effect of this resolution when it is applied to the case of education of girls. We all know that the education of girls is very backward in this presidency. We want lady teachers very badly and who, I ask, are the majority of the teachers who are willing to undergo training? Would the non Brahman parents allow their girls to prosecute their studies to take up the profession of teaching? If we are not going to provide teachers of the right sort, how can the education of girls really thrive in this presidency? The effect of this resolution to my mind would be to set back the progress of female education to a considerable extent.

"There is yet another thing. It is, that this amendment may, in many cases, fail to be of help to those who really need help. Take our Council as it is constituted at present. The majority are supposed to represent the great non-Brahman communities. But if we begin to analyse the castes here we shall find that they may perhaps be classified under Nayudus, Mudaliyars, Pillais and Chettis. But what about the numerically strong castes like the Tamil Sembadavans and Idayans, Telugu Boyas, Gollas, Madigas and Malas? How many of them are represented here in spite of the very wide franchise given to the country? The same thing will happen in the case of scholarships also. They may go to the influential non-Brahman castes like Chettis, etc., but not to the really poor and deserving. In other words, they would go to those who are able to continue their education without any outside help but still will not discard what help they can get out of the Government. I think, Sir, it is most pernicious to permit or perpetuate such invidious distinctions. I would therefore beg of this House not to pass this proposition either in its amended form or even in its original form because of its impracticability. I appeal more particularly to the Hon'ble Minister not to belie all expectations formed of him, not to go back on all that he has said and done in the past and not to care for this temporary office of power and influence but to look straight on this question and see what a mischievous principle it is that underlies this proposition and to state boldly that he, for one, will not for a moment lend support to this proposition."

Mr. S. T. SHUNMUKHAM PILLAI :—" I am sorry I cannot support the amendment. I am of opinion that the remaining 50 per cent of the scholarships should be thrown open to all classes of the community in general while

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50 per cent is earmarked and set apart for the Adi-Dravidas and other depressed classes alone."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I oppose the proposition, Sir, as amended, for two reasons : One is, that I think that if the number of the Adi-Dravidas is not sufficient for covering the 50 per cent even then that 50 per cent should not go to the other non-Brahmans. As I have already stated, that will lead only to the influential classes of non-Brahmans other than Adi-Dravidas getting all and Adi-Dravidas not getting anything at all. Secondly, I oppose the other point that no one of the Brahman community shall get it on the ground of national question. If even 85 or 90 per cent were taken away by non-Brahmans there is a small margin for Brahmans. It will be something ; for this is a question of national asset. Supposing there is another Ramannjam or some gifted Brahman, if only properly educated, he will add great knowledge to the whole nation as it were, will add to the property, income and the commercial status of the country. Is this Government going to deprive or refuse to give him even a pie by way of scholarship? Therefore it would be cruel if we once for all penalise a community simply by an accident of birth whatever its qualifications, its future possibilities and its present status may be. So if we are to penalise members of a particular community, I think we will be doing a great hardship to the nation itself instead of helping nation-building by all possible means.

"We should look to the future of the great nation that is building and we should help that nation-building by all possible means without penalising any person. Therefore to say that for five years no one shall have anything whatever to do with scholarships if he is a Brahman seems to be very unjust. I think, in the interest of the great nation, we will not be doing any good if we adopt that course. If only my honourable friend Mr. Raja says what he knows about the great deal of interest I have been taking in the uplift of Adi-Dravidas by giving them appointments etc., when I was Municipal Chairman in spite of much protest, no motive whatever can be attributed to me except that I am always anxious to help the uplifting of the Adi-Dravidas as far as I can. Therefore I think it is better that the proposition is passed as it is without any amendment and I am opposing the amendment very strongly."

Mr. R. SRINIVASA AYYANGAR :—" Sir, I rise to oppose the amendment before the House. Before so doing I feel it incumbent upon me to express my thanks and gratitude to the honourable member, Rev. Meston, for the very sympathetic speech he made in opposing the amendment before the House. This amendment is, in effect, if I may say so, to taboo a particular community for a quinquennium for no fault of it. I take it that scholarships are generally meant and intended for the deserving poor irrespective of creed, caste or community to which the poor might belong. I refuse to believe that poverty is the monopoly of any particular community in this country. If it is seriously put forward by the other side that the Brahman community is rolling in wealth and plenty and the only community in this province which is miserable and poor is the non-Brahman community which requires support, I would be the first and foremost person to welcome this amendment and even go a step further. But what are the facts? The facts on the other

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hand take us just to the opposite position. For one thing, we know from practical experience that the great non-Brahman community is in charge of everything tangible, is in charge of everything potential, is in charge of everything that goes to contribute to the wealth of the country. Commerce is in their hands, industry and agriculture are in their hands; they form the rich and the landed aristocracy of the country. When we come to the question of awarding scholarships, I fail to understand why on earth any serious attempt should be made in the direction of placing a ban, however temporary it may be, upon a community in general, which I would venture to submit has done absolutely nothing to bring on its head the wrath of the mover of this amendment. An impression is gaining ground in this country that we in the Legislative Council have been devoting a great part of our time not in settling but in fomenting communal differences between one community and another. Unfortunately, this amendment will have the effect of widening instead of bridging the gulf between the two great communities and also exciting unnecessary and, if I may say so, even unfortunate sectional ill-feeling between them. In all seriousness and in all humility I would earnestly appeal to my honourable friend Mr. Muniswami Nayudu not to sow seeds of dissension but to take a practical and statesman-like view by dropping this amendment which has evoked so much discussion. Finally speaking, it seems to me that it will not, in my humble judgment, redound to the credit, honour and glory of this Council or even of the Government that a resolution of this character should go before the country, a resolution which, in effect, in practice and in operation will have the effect of excluding the Brahman from availing himself of any scholarship for a period of five years. The position resolves itself to this. Supposing the headmaster of a particular institution is satisfied that a particular Brahman candidate who appears before him really requires assistance, then by virtue of this resolution, he will have no power to recommend for the scholarship to that deserving boy. If we work this rule rigorously, we will find ourselves practically unable to extend our help, protection and support to the person who desires it, to the person who deserves it. I, therefore, submit that this amendment, if I may be pardoned for saying so, is misconceived and is likely to widen and also likely to create a good deal of heart-burning between the two great communities which, though for the time being, stand divided on account of certain differences, yet, in the interests of the country and the national development, must make up their differences and live in amity and concord."

Mr. C. NATESA MUDALIYAR :—"Sir, I support the amendment and I think the amendment is a well thought out one and is the party amendment. My honourable friends Mr. Ranganatha Mudaliyar and Rev. Mr. Meston spoke about this amendment without knowing the real state of affairs of the non-Brahman community. They do not know in what miserable condition the education of the non-Brahmans is. I must say that their education is almost as bad as that of the depressed classes."

Mr. A. RANGANATHA MUDALIYAR (*interrupting*):—"I know, Sir, very well the condition of the non-Brahman community in the matter of education."

Mr. C. NATESA MUDALIYAR (*continuing*):—"Sir, hundreds of boys come to me for scholarships and I am very sorry that I am entirely unable to assist them, for there will not be enough scholarships in the Government to

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give them. Many are discontinuing their studies for want of scholarships. I must say that the one community which is in an advantageous position in every way is the Brahman community. If a Brahmin child is born, there is provision made for the child from its very birth, for giving milk, for giving education, etc., up to its taking the B.A. Degree, but for my non-Brahman community there is nothing whatsoever. If my honourable friend Mr. Venkataramana Ayyangar thinks of one Ramanujam, I do not know how many Ramanujams are throttled without education among the non-Brahman communities. So I strongly support this amendment and I request all members of the various communities here to support the same and see that it is carried by a large majority."

Mr. S. SOMASUNDARAM PILLAI :—"Sir, it is the duty of the Government to encourage the backward, the helpless and the forlorn. So the Adi-Dravida community deserves encouragement at their hands. As regards other communities, whether Brahman or non-Brahman, each caste has its own sangam, e.g., the Nayudu sangam, the Mudaliyar sangam, the Vellala sangam and so on. They have several schemes to collect funds to educate their poor. On the other hand, the Adi-Dravidas although they might form sangams, yet their purse is empty. They cannot collect funds to educate their boys. It has been justly laid down in the original resolution that fifty per cent of the scholarships should go to the Adi-Dravidas. As regards the amendment, I am afraid, certain words therein, namely 'any scholarship or scholarships be not awarded for want of suitable candidates applying for them' would give a big loophole to say that no candidate is available. As all are aware, all the schools are managed either by the Brahmans or the high caste non-Brahmans and they will easily report that no suitable Adi-Dravida candidate is available. That is my only fear as regards the amendment. As regards the penalising of Brahmans, I have no fear at all. The fears of our Brahman friends are not at all based on proper grounds. Who can penalise those who have penalised others for centuries? Sir, an intelligent Brahman boy will know how to get on in this world. Will you be surprised to learn that I paid an instalment of school fees for a Brahman boy. (Laughter). Why? It is almost impossible for me to say 'nay'; for the boy will worry the man in such a way as to make him yield. So, there is no fear on that ground. The Brahman boys will get on anyhow. I am not afraid of that. Mr. Ranganatha Mudaliyar opposed the whole proposition. I do not know why he did so knowing that the Adi-Dravidas have no hope either in this world or in the next world. I am very sorry for his views though he is a religious gentleman. I know he is a very pious man; but why should the resolution be opposed by him, I am at a loss to know. The Adi-Dravidas are very backward and fifty per cent of the scholarships must be reserved for them. Therefore I support the proposition."

The Hon'ble Rao Bahadur A. P. PATRO :—"Sir, I feel constrained to say that I am not able to accept the proposition that has been laid before the House. I yield to none in my appreciation of the position of the Adi-Dravidas or the non-Brahmans in the matter of education. While I do sympathise with these communities in their struggle for education, I do not think that the mere acceptance of the resolution would at all improve matters. The resolution if accepted is very difficult to be carried out. The resolution as worded intends to reserve some scholarships to certain communities. If effect is to be given to it, it will be found to be impracticable in operation."

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Then again with reference to scholarships, it will be found that the rules are published in the *Fort St. George Gazette* and they lay down that the poor and the deserving men from all classes should be given scholarships. In the case of those people, the headmaster has to certify to the poverty of the student as well as to the fact that he deserves to be encouraged in his education by the grant of scholarship. For want of sufficient number of pupils from the non-Brahman or the Adi-Dravida communities, is it possible that this scholarship should be allowed to lapse instead of being assigned to any other community? That is a practical difficulty which honourable members of this House will be pleased to remember in voting one way or the other on the proposition. Is it just and fair to lay down that the scholarships should not be allotted to others when there is want of sufficient poor and deserving candidates among particular communities? It will not satisfy the conditions of the scholarship notification. Scholarships should not at all be withheld from candidates who deserve encouragement. I would therefore appeal to my non-Brahman friends to consider that they would lay themselves open to the charge which they have been making against the Brahmans, namely, that Brahmans have been treating them hard and they have been monopolising every power and place. Under these circumstances why should the non-Brahmans lay themselves open to the charge that they unjustly laid down that scholarships should not at all be assigned to any other class or community because there are not sufficient or deserving people available among their own community. I know there are a number of complaints from the non-Brahman and the Adi-Dravida communities that the rules regarding the grant of scholarships are not satisfactorily worked out in practice. But that is entirely a different matter. Where there has been an irregularity or where the rules have not been properly carried out such cases should be brought to the notice of the Director of Public Instruction or to the Government and remedy would soon be given in such cases. For the sake of irregularities here and there, is it just and fair that we should altogether exclude a certain percentage of a particular community from the benefits of these scholarships?

“As for the Adi-Dravidas, I would only say that the policy of the Government has been to encourage Adi-Dravida young men and women. A number of scholarships have been found especially for their benefit, not only for the benefit of the boys, but also for the benefit of the girls. I can give you instances of a large number of scholarships that have been found both in the elementary higher as well as in the secondary education in order to encourage the education of the depressed classes and of the backward classes. As I said, it has been brought to my notice now by Mr. M. C. Raja and others that they have not been treated properly in regard to this matter, but I would assure them that after this resolution has been discussed, certainly the Director of Public Instruction and the Government will bear in mind the sentiments of the various classes of people that have been expressed here, and in giving effect to the rules, more interest will be taken in the welfare of the depressed classes. I may assure them also that, as far as possible, we will keep in mind the demand for 50 per cent of the scholarships asked for by the mover of the resolution. We will keep in mind, as far as possible, that poor and deserving pupils should be treated properly and there will not at all be any unjust

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execution of these rules in their operation. Also my friend there pointed out to me that the case of the Muhammadans and Christians should not altogether be lost sight of. Yes. The scholarship rules concern not only the Adi-Dravidas, but also all backward classes and therefore the backward classes will be kept in mind before the scholarships are exhausted. But, as I submitted to the House, in the administration of the rules for scholarship no particular community should suffer at all, nor should any particular community be penalised—that was the expression used. Therefore, I would suggest to the House to consider the question first from the point of view of the resolution itself, secondly from the point of view of the difficulty in carrying out the resolution as amended, and thirdly also from the point of view of political expediency. For these reasons, it would not be possible to give effect to this resolution as it stands. The object of the resolution, however, will be borne in mind in administering the rules regarding these scholarships.

“I would show you, as I said, by means of statistics as to how it will not be possible to give effect to the resolution if the amendment is carried as it is worded. Under secondary schools the number of scholarships has lately amounted to 234 from first form to the sixth form. Again, in the secondary schools you find that from the fourth form to the sixth form 55 scholarships are given by the Government. Under collegiate education 43 scholarships are given. Besides, from the third year course up to the last year course 13 scholarships are given. I would ask you as practical and business men to consider whether for these scholarships of 55 under secondary schools and 43 under collegiate education, 50 per cent of the Adi-Dravidas would be available, or whether from the third year course up to the last year course 13 of the non-Brahmans would be available. If these scholarships of 43 and 13 could not be allotted, they are to lapse and not to be assigned to any other community, or any other student, however poor he may be, or however desirable it might be, to use the language of our own circular. Therefore, I say that this resolution, if carried, will cause great hardship, and as practical and business men I would appeal to you that such a resolution should not be accepted by the House. The Government will bear in mind the discussion that is now taking place and that, as far as possible, the claims of both the depressed classes and of the non-Brahman Hindus, the Muhammadans and Christians will be considered in giving effect to the rules.”

Mr. B. MUNISWAMI NAYUDU :—“Mr. President, the discussion on my amendment. I am glad to say, has given us an insight into the claims of the Brahman community. The honourable member for Cuddapah at last said, ‘at least give us the right to take according to the proportion of our population’ and working it on that basis it may come only to about 3 or 4 in a hundred, and having regard to the number of scholarships now given, it might seriously be doubted whether persons of the honourable member’s class would feel satisfied. Mr. Narasimha Charlu said that the Hon’ble the Minister would kindly see that, if any treatment, preferential or otherwise, should be given to anybody, no community ought to be excluded from that privilege. But I would request the Hon’ble the Minister to see that the maximum that could be awarded should not in any case exceed 4 per cent in the case of Brahmans. The Hon’ble the Minister said that the resolution and the amendment as worded were impracticable and he asked whether, supposing it so happened that taking the Adi-Dravida students and taking

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the non-Brahman students, you do not find all the hundred, they are not to be given to anybody at all. Sir, that has not been my policy at all, though it has been for Mr. Venkataramana Ayyangar to adopt the dog in the manger policy and say that of the 50 per cent to be given to the Adi-Dravidas, if there are not sufficient number of Adi-Dravidas, he would rather allow them to lapse than give them to anybody else. That certainly is not my policy. If there are no Adi-Dravidas or non-Brahmans available, such scholarships may be given at the will of the Minister, at the will of the Director of Public Instruction and at the will of the headmasters to such of those poor and deserving students as stand in need of help, among Brahmans. But I may assure the Hon'ble the Minister that he will never feel the want of candidates at all. It has been urged by Mr. Ranganatha Mudaliyar that the effect of the resolution will be that the influential sub-communities alone will be successful in getting the scholarships. Well, that is just the complaint underlying the resolution. It has been our sad experience all these years that if a particular community comes into power, it practically monopolises the whole of the scholarships, irrespective of the question whether they are deserving or not. It has also been said that it will be penalising one community. I submit, Sir, that as during all these years the Brahmans have had more than their due share and even cent per cent of these scholarships—much more than they are entitled to according to their population—it will certainly not be unfair at all to them if for the next five years they are to be excluded. It has been elicited in the course of the discussion that a good many charitable endowments exist giving help to the Brahman students alone and I think that they are sufficient enough to come to the assistance of not only one Ramanujam, but a hundred Ramanujams. Then it has been claimed by Mr. Narasimha Charlu that it was because of the Brahmans and their brains that the present high level of efficiency of the Government was maintained. I submit, Sir, that it is not for me to question it, but the discussion that has been going on and the figures that have been quoted from time to time, all will go to show that how in the name of efficiency, one community has been monopolising all appointments and scholarships. I am not however anxious to create any difficulty or embarrass the Government in any way by this resolution, and I am prepared to accept the assurance of the Hon'ble the Minister that he will no doubt consider all these things, so that it should not, at any time hereafter, be possible to say that more than 4 per cent is given to the Brahmans.

"Before I close, I hope and sincerely trust that unlike other resolutions passed in this House, unlike other resolutions in respect of which the Ministers of our party felt embarrassed to accept the principle, this will be accepted and dealt with properly. Already, complaints have been received regarding the public services and, of course, we shall wait and see how it has been working in the course of one year, and I hope, Sir, that this assurance of the Hon'ble the Minister will not be reduced to a dead letter. For all these reasons, I am not anxious to press my amendment."

The Hon'ble the PRESIDENT:—"Is it the wish of the House to allow the honourable member to withdraw his amendment?"

Mr. A. RANGANATHA MUDALIYAR:—"I want to raise a point of order, Sir. I think that, if the mover is going to withdraw his resolution, he is not entitled to make a speech in doing so. It is time that we get a ruling on

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the point, as, time after time, movers do make a speech before withdrawing their resolutions."

The Hon'ble the PRESIDENT:—"Will the honourable member kindly show me the standing order he is relying upon?"

Mr. A. RANGANATHA MUDALIYAR:—"I do not know. I leave it to your decision, Sir."

The Hon'ble the PRESIDENT:—"Of course, no speech should be made if a resolution is to be withdrawn at the very outset. But here, after such a length of discussion, the mover is certainly entitled to make a speech and say why he is withdrawing."

Mr. A. RANGANATHA MUDALIYAR:—"Then I withdraw my point of order, Sir."

The amendment of Mr. Muniswami Nayudu was then, by leave, withdrawn.

The Hon'ble the PRESIDENT:—"Does Mr. M. C. Raja propose to withdraw his main motion?"

Mr. M. C. RAJA:—"I want to say a few words, Sir, before withdrawing. Sir, all the members who spoke on my resolution spoke in favour of it and, therefore, I would thank them all. In this connexion, I should like to remind the Council that, of all the communities, my community has been penalized long enough and that is why, Sir, we are asking for this concession. My honourable friend, Mr. Venkataramana Ayyangar, has asked me to say a word as to what my friend, Mr. Veerian, who represents the community on the Municipal and in the Educational Council in Coimbatore, has written to me. Mr. Veerian says that Mr. Venkataramana Ayyangar has been of great help to my people at Coimbatore.

"After the very sympathetic assurance given by my friend, the Hon'ble the Minister for Education, I am prepared to withdraw my resolution."

The main motion was then, by leave, withdrawn.

Seigniorage rates on darkhast lands in South Kanara.

The following resolutions standing in the name of Mr. K. Sadasiva Bhat were not moved and were, therefore, deemed to have been withdrawn:—

"197. That this Council recommends to the Government that in the assignment of waste lands on darkhast in South Kanara seigniorage should be calculated by the Revenue Department and fixed at special reduced rates."

Transfer of margins of public roads to local bodies.

"198. That this Council recommends to the Government that the control of roadsides or margins of public roads be completely transferred from the Revenue Department to local bodies except in the case of sites reserved for Government purposes."

Daily batta to the Legislative Council Members.

Mr. S. T. SHANMUKHAM PILLAI then moved the following resolution:—

"199. That this Council recommends to the Government that the rate of daily batta now allowed to the non-official members of this Council be increased to Rs 20 (twenty) as in the case of the non-official members of the Indian Legislative Assembly and of the Council of State."

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In doing so, he said:—"Sir, the resolution is a very simple one and requires not much of comment. The daily batta allowed to the members of this House is quite inadequate. It can hardly meet even the conveyance charges, leaving out of question the subsistence batta and house accommodation charges. I hope the mufassal members will agree with me on this point. We come from remote quarters and sometimes are detained here for a number of days. We come to do public duty at a great personal sacrifice and not without prejudice to our private interests and cannot be expected to spend money out of our own pocket to meet our expenses. The members of the Council of State and the Legislative Assembly each get a daily batta of Rs. 20. They work in higher spheres and their services may be better recognized; otherwise, so far as personal comforts and conveniences are concerned, the Government should make no difference.

"For these reasons, I commend the resolution to the Council for support."

Mr. Munshi Muhammad Abdur Rahman Sahib Bahadur seconded the resolution.

Mr. S. ARPUDASWAMI UDAIYAR:—"Mr. President, Sir, I beg leave to oppose this resolution. I think the real reason that the non-official members of the Legislative Assembly and the Council of State are paid Rs. 20 per diem is that they have

to attend the Council meetings at Delhi from quarters which are at a distance from the city and Delhi is a dust-laden city which members can pass through only in special motor-cars provided for the purpose and in other ways also they are put to very great inconvenience. And unless they are paid Rs. 20 per diem it would be absolutely impossible for them to do justice to their work. The analogy does not therefore hold of conditions being the same here as at Delhi to justify the same scale of travelling allowances being extended to us.

"Secondly, Sir, I oppose this resolution on grounds of economy. The present financial position does not permit of any increase in the allowances paid to non-official members. Retrenchment is in the air and we are speaking of reduction of establishments and I know that very many people not only in towns but also in the villages think that the Legislative Council is certainly a drain on the Government's purse and that members are appropriating to themselves large portions of the revenues of the province (hear, hear). So, if we adopt this resolution, we would be giving a handle to those who are opposed to, and therefore who do not co-operate with the present Government, to kindle and inflame the passions of the people against us.

"Again, Sir, we the members of this House should certainly set a very good example ourselves. When we are speaking of cutting down the travelling allowances of Government officials and others, we should certainly make a very good case if we set the example of being satisfied with what is given us now in the shape of travelling allowances. The honourable mover said that many members had to pay out of their pockets. I think, Sir, that we must strictly apply the principle which is very clearly expressed in the proverb 'cut your coat according to the cloth'. The very best way of making the allowance meet all the actual needs at present will certainly be by cutting our coat according to our cloth, that is, by introducing the of retrenchment into our own household and by being very frugal avoiding all extra expenditure which it is hoped to meet by

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increasing the daily allowance but, for which, I think, the Hon'ble the Finance Member will find it absolutely impossible in the present financial conditions to find funds. Not only he, but even the other members of the Finance Committee who are racking their brains to find ways and means of meeting the present deficit of 70 lakhs and are proposing perhaps a reduction of 15 per cent or even more of the establishments, will be very much put out when they find that their brethren are claiming an increase in their daily allowance. For these reasons, Sir, I beg to oppose this resolution."

Rao Bahadur V. APPASWAMI VANDAYAR:—"Sir, I beg to oppose this resolution, because we are preaching retrenchment. And when such is the case, if we come forward and ask for an increase in our allowance, naturally it will have no meaning. I have been present at the recent conference of non-gazetted officers at Tanjore, and I assured them that we would see that they get an increase of pay. If we want to divide the small sums that may be got by retrenchment among us, what balance would be left to give to those people? I therefore think that it is not advisable to adopt this proposition."

Sriman BISWANATH DAS Mahasaya:—"I am very sorry, Sir, that Mr. Shanmukham Pillai should have tabled this resolution when we are calling for retrenchment, and when we are requesting the Government time after time to curtail the establishments and cut short the pay of all officials. It is specially unfortunate again, Sir, that this resolution is moved when we ourselves have more or less unanimously or at least by an overwhelming majority passed a resolution cutting short the travelling allowances and the daily batta of the officials. I therefore feel that this House should reject this resolution. We have budgeted more money for the current year owing to the increased strength of the Council and if after either actually cut or trying to cut short the pay, allowance, and travelling allowance of all officials, we propose to enhance our own, we shall be exposing ourselves to suspicion. I therefore appeal to the House to reject this resolution."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, I think more than one resolution has been discussed in this Council proposing the reduction of the travelling allowances of officials. I think it came up twice and I do not think that members of this Council would be justified in increasing their own allowance. Apart from that, I consider that the present scale of Rs. 10 is quite sufficient, and so far as I have been able to judge from what the honourable mover has said, I do not think he has assigned any reasons for increasing the allowance. The fact that the members of the Legislative Assembly increased their own allowance can hardly be a sufficient reason in itself to induce any member of this House to propose an increase in the allowance. Under these circumstances, Sir, I propose to the honourable mover the advisability of withdrawing his resolution, more especially in the present financial condition of the province."

Mr. S. SOMASUNDARAM PILLAI:—"Sir, this resolution is like the one intended to be moved by some local member of the Council that the members who live in Madras should be paid Rs. 50 each because they have no double first-class railway charges. The standard of comforts is different with different members, and some members may ride in first-class motor-cars, and some may be satisfied with rickshaws. But the Government cannot be expected to help every individual member of this Council in this matter,

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When our income doubles itself, then we can think of paying double daily allowance. But now it is decreasing. If we see our budget, I think we can know that we have lost so much of excise revenue and owing to the rumoured civil disobedience and other nonsense, it may still further go down. Under these circumstances it is not reasonable to ask for an increase in allowances. If we are real patriots, we must sacrifice and work for the good of the country without receiving anything. There are among us gentlemen of money and means and they can afford to have anything they want at their own expense. The honourable mover has said that, because the allowance of the members of the Legislative Assembly has been increased, we should have an increase here also. But in that case they are going to a country where they are not known. They do not understand the language spoken there, and under such circumstances, perhaps they thought it fit to increase their allowance. Here all the people are known to one another, and what difficulty do we experience in getting on here? I think the Rs 10 that is paid now is even too much". (Laughter.)

Rao Bahadur T. Balaji Rao Nayudu then moved the closure which was unanimously carried.

The main question was then put to the Council and the motion declared lost.

The following two resolutions which stood in the name of Mr. A. T. Palmer were not moved and were deemed to have been withdrawn:—

Pasteur Institute, Coonoor.

"200. That this Council recommends to the Government that the Pasteur Institute at Coonoor be taken over by the Government as soon as possible."

Construction of Hospitals at District Centres.

"201. That this Council recommends to the Government to build in each of the district centres a hospital after the model of the Royapuram Hospital, with all the latest appliances, at the rate of one new hospital every three years."

Postponement of revision of pay of Inspectors and Sub-Inspectors of Police.

Mr. T. SIVASANKARAM PILLAI:—"Sir, the resolution which stands in my name runs thus:—

"202. That this Council recommends to the Government that the orders announced in the Madras Mail and other dailies of the 17th August 1921 sanctioning increased scale of pay to inspectors and sub-inspectors of police may be kept in abeyance pending settlement of the grievances of the elementary school teachers, village redds and non-gazetted officers drawing less than Rs. 50 a month, now engaging the attention of both the Council and the Government."

"Sir, the Council as a body has embarked upon schemes of retrenchment. The members on the Ministerial side have been at their wit's end to find revenues out of which to adjust the ever-increasing expenditure. There is already a great cry that officials in the higher services have been receiving enlarged salaries. There is greater cry still on behalf of non-gazetted officers, village officers and schoolmasters that their condition has not been receiving any consideration at all. Under these circumstances, I was surprised to see an announcement in the dailies, of the proposed increase of the salaries of sub-inspectors of police. Time and often I have heard it said from the

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Ministerial bench, whenever a proposition is placed before the House for increase of pay to deserving classes of public servants, that there was no money. Then it came upon me as a surprise that the Government should have decided upon increasing the salaries of these police sub-inspectors and inspectors. I do not want to seriously question the need for increase in their case. I am prepared to concede that these sub-inspectors and inspectors are also entitled to some increase in their salaries. But the question is whether they should be given preference. Supposing we have some money left in the coffers, is it to be spent upon these police men or is it to be spent upon more deserving classes of public servants who have been complaining of their meagre salaries? I gave notice of this resolution in the month of August, and I am not certain if the Government Order sanctioning the increase has been already given effect to. If it has been given effect to, I shall be moving this resolution in vain. The further fact that this resolution has been admitted and comes on for discussion makes me infer that the order has not been given effect to and has been kept in abeyance. If it has been kept in abeyance, I do not think I need impress on the honourable members that they should stop giving effect to the proposed increase till we decide the question of more deserving classes of public servants. For these reasons, I commend this resolution to the Council."

Sriman SASIBHUSHAN RATH Mahasaya:—"Sir, I second this resolution."

The Hon'ble the PRESIDENT:—"I understand the honourable mover to enquire whether the Government order has been given effect to. And if it has been given effect to, he probably does not intend to pressing the motion."

The Hon'ble Sir LIONEL DAVIDSON:—"I understand that it has been given effect to, Sir."

The Hon'ble the PRESIDENT:—"The honourable mover has said that he has tabled this draft resolution under the impression that the order has not been given effect to. And as he now understands that it has been given effect to, I should like to know what his wishes are."

Mr. T. SIVASANKARAM PILLAI:—"I should like to state, Sir, I gave notice of this resolution just after the order was passed. Effect must have been given to the order between the date when I sent notice of the resolution and that on which it has come up for discussion. But this resolution has been admittedly carried on from agenda to agenda, and now I am told that this has already been given effect to."

The Hon'ble Sir LIONEL DAVIDSON:—"Sir, my answer will be a very brief one. The revision of the pay of sub-inspectors and inspectors of police which attracted the honourable member's eagle eye in August last was embodied in the Civil Budget estimates as laid before this House in March last. As a matter of fact the change was the outcome of the general inquiry held by Mr. Knapp. The scale in issue was practically accepted by the Government of Madras in November or December 1920 and I believe there was subsequently some communication with the Government of India in regard to the matter. Their approval having been given, the proposed increase was formally sanctioned in a Government Order of August 1921. The amount involved was, as I have said, definitely incorporated in the budget passed by this House. Consequently, therefore, when the honourable member

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put forward a resolution proposing that the enhancement in pay should be kept in abeyance for the purpose of finding funds towards increases in the pay of school teachers, village officers and members of the non-gazetted services under Rs. 50, it seemed to me that such a step was clearly not practicable, especially when such increases had been negatived by the House."

Mr. T. SIVASANKARAM PILLAI:—"Sir, there seems to be some mistake made by the Hon'ble the Home Member. The recommendation for increase to the village officers has been passed."

The Hon'ble Sir LIONEL DAVIDSON:—"I find it difficult to follow the honourable member. His resolution asks that the increase in the pay of the police should be kept in abeyance pending settlement of the grievances of village officers and others. Do I now understand him to say that some of these grievances have been settled?"

Mr. T. SIVASANKARAM PILLAI:—"The resolution was drafted in August and the increase for the village officers was passed since."

The Hon'ble the PRESIDENT:—"I understand the Hon'ble Sir Lionel Davidson to inquire whether it is the honourable member's contention that the grievances have been redressed."

Mr. A. RANGANATHA MUDALIYAR:—"I understand the Hon'ble the Home Member to say that the proposed increased rates were vetoed by this House. It is not so. The proposition was passed by this House and I do not know whether the Government have given effect to it."

The Hon'ble Sir LIONEL DAVIDSON:—"I do not know the facts but imagine that the Government have not given effect to it for reasons of lack of funds. Possibly the Revenue Member will be able to say. But what I was about to explain is why we did not take any action on Mr. Sivasankaram's resolution. When it was originally tabled, the increased pay was not actually drawn by sub-inspectors and inspectors. The reason for this was simply the technical account defect that proposition statements had not been received and formally sanctioned. But the principle of increase of pay had been accepted by Government in November or December 1920 and the amount of the increased pay as incorporated in the budget passed by this Council in March 1921. It would therefore obviously have been improper on the part of the Government to stay action merely because a single member of this Council had put forward this resolution."

"There is one other point and that is, that the amount of money in issue would be an absolute 'drop in the bucket' for the purpose of providing funds for the settlement of the claims of elementary school teachers, village reddis and non-gazetted officers drawing less than Rs. 50. I imagine that if such claims were settled in accordance with desires, the bill would run into many many lakhs. The total excess due to the revision of the pay of sub inspectors and inspectors is something relatively inconsiderable. I do not know the exact amount, but it is under one lakh."

Mr. T. SIVASANKARAM PILLAI:—"Sir, I do see there is no use in pressing this resolution. I can only express my regret that the Government should have given effect to these increases in spite of this resolution. The Government would have done well to allow this resolution to be taken first or given me notice so that I could have asked for an adjournment of the

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House to discuss the whole thing. I only regret that there is no use now in pressing this motion. I beg leave to withdraw it."

The motion was by leave withdrawn.

Full-time Personal Assistant to the Surgeon-General.

Rao Bahadur Dr. C. B. RAMA RAO:—"I beg to move—

'203. That in view of the answer to question No. 473 (c) given to the Raja of Ramnad on 1st September 1921 and in view of the undesirability of allowing the Personal Assistant to the Surgeon-General to take private practice, when he has by virtue of his office to deal with a large number of appointments, transfers and applications for leave, this Council recommends to the Government that a full-time Provincial Medical Service officer be appointed as acting Personal Assistant to the Surgeon-General, till such time as a separate whole-time Indian Medical Service officer is available for the post.'

"Sir, very few words from me are necessary to point out the necessity of this resolution being considered by this House seeing that it is quite plain, and is in accordance with the practice and rules framed by the Government themselves. It has been a time-honoured custom that the personal assistant to the Surgeon-General is denied private practice for reasons which can well be conceived. As a matter of fact he has a large patronage in his hands and he is a very responsible officer required to devote the whole of his time to the management of administration of the Medical Department. He is besides, an officer to whom a hundred applications have to be sent from medical officers of all grades all over the presidency, and he is also the officer in whom rests the power of transfers from one place to another, from a lucrative place to an obscure place, from a healthy place to an unhealthy place, and vice versa. In other words, his privileges and his responsibilities are so great that it would jeopardise his own position if he is allowed to come into contact with a number of lower grade officers of the service in any other capacity than as the personal assistant to the Surgeon-General. I do not want to go into details; but I must assure this House that I have not the least intention of casting any reflection or asking you to imagine that I mean anything more than what my words indicate. I only want to safeguard the honour and prestige of an officer who fills such a high office. And when some years ago I spoke of this very matter to Sir Alexander Cardew he had no difficulty in accepting the advisability and feasibility of the suggestion. But effect was not given to it because an application had to be made to the Secretary of State to change the cadre."

"All that this resolution asks for is not to make any tremendous change, but whenever a personal assistant is required, not to earmark the post for an Indian Medical Service but to make it available to a member of the Provincial Medical Service. It passes my comprehension why the Government should have allowed a personal assistant to the Surgeon-General to fill no less than three offices, viz., Superintendent of the Royapetta Hospital, Personal Assistant to the Surgeon-General and Professor in the Medical College. But that is a matter which I do not take up here. It is enough for this House to know that the whole thing could have been managed in a most economical and satisfactory manner by posting one officer of the Provincial Medical Service to the vacancy of the personal assistant to the

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these years the instructions of the Government have been strictly adhered to. Nor has there been any complaint against the use or abuse of patronage by the personal assistant to the Surgeon-General. In these circumstances, Sir, the insinuation is altogether unwarranted. Sir, as to the question of giving chances of appointment to provincial medical officers as personal assistant to the Surgeon-General, it is under the consideration of the Government. This Government have recommended to the Government of India that the personal assistant's appointment need not be reserved to the Indian Medical Service officers. If the recommendations be accepted, the appointment will be open to the provincial medical men too. Till then, it is premature for this Government to commit themselves to any definite assurance. In these circumstances, Sir, I hope my friend Dr. Rama Rao will not press the resolution."

Rao Bahadur Dr. C. B. RAMA RAO :—" If the Hon'ble the Minister for Local Self-Government means to convey to the House that there is no objection why a member of the provincial medical service could not be drafted to the acting appointment and in view of the reference that has already been made to the Government of India of making it a permanent appointment, I have no objection to withdraw my proposition."

The Hon'ble Mr. P. RAMARAYANINGAR :—" I do not exactly understand what Dr. Rama Rao means. If he means that the Government should give an undertaking to reserve the appointment to provincial medical men, I am afraid I cannot give that undertaking because in the first place it is a matter to be decided by the Government of India and the Secretary of State, and secondly the recommendation of this Government is that the place should not be reserved to the Indian Medical Service officers, but that it should be open to both the Indian Medical Service and non-Indian Medical Service officers, and that neither class of officers should claim it as its monopoly."

Rao Bahadur Dr. C. B. RAMA RAO :—" I beg leave to withdraw my resolution."

The motion was by leave withdrawn.

The following resolution was not moved and was therefore deemed to have been withdrawn :—

Abolition of the Repalle municipality.

Mr. P. VENKATASUBBA RAO :—

"204. That this Council recommends to the Government that the municipality of Repalle be abolished and the area be constituted into suitable unions."

The following resolution was also deemed to have been withdrawn, the mover not having been in his place :—

Darkhast rules for South Kanara.

Mr. K. SADASIWA BHAT :—

"205. That this Council recommends to the Government that in the darkhast rules for South Kanara lagthi and nettikatti claims be restored, giving to such claimants the first refusal in the assignment of waste lands."

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Exemption of unladen cattle from tolls.

Mr. T. O. TANGAVELU PILLAI :—" Mr. President, the resolution that I move runs as follows :—

'206. That this Council recommends to the Government that steps be taken to amend the Local Boards Act of 1920 so as to exempt unladen animals and agricultural cattle from toll fees.'

"Sir, in moving this resolution my object is to make the intention of the Government clear so that the local boards exercising the powers under the Act may understand what the real intention of the Government is. At the present time it is not so clearly understood and the very expression 'may' in the Act is so interpreted as to mean 'shall' and they say it is the intention of the Government that unladen animals also should be levied tolls. Before this resolution has been sent, great disturbances have taken place in several parts of my district of Trichinopoly. There are instances in which a number of dhobis have very nearly struck work because when they take their donkeys along the other side of the river crossing the toll-gate, they have to pay toll not only for the donkey carrying the clothes and other articles but also to the younger donkeys. As a rule these young donkeys cannot be kept from the bigger ones. It has been the practice and the custom of the local boards to add to their revenue by all means. The dhobis therefore waited on deputation and with the kind and timely help of the Acting Collector the required relief was given that the young donkeys not carrying loads should not be taxed. In future it was said that, in letting out the toll-gate, this condition would be made clear to the contractors. Similarly there was a serious disturbance in the case of cattle belonging to a certain village situated near one side of the toll-gate while passing to the other side. This has created a lot of disturbance and developed very nearly into a serious riot which was averted. Similar occurrences might take place in several other districts and though the option is given to the local boards, it is being misused by most of the boards and hence it is with the object of making the intention of the Government clear that I move the resolution for the acceptance of the House."

Mr. W. P. A. Saundara Pandia Nadar seconded the resolution.

Mr. S. ARPUDASWAMI UDAIYAR :—" Mr. President, Sir, I beg leave to support this resolution. I want to place before the House one or two facts which have come within my knowledge and observation. The honourable mover of the resolution has referred to certain disturbances in the Trichinopoly district and these disturbances, I may add, had taken place long before non-co-operation was heard of in those parts. I refer in particular to certain disturbances at Karur and Manapparai. When I went to the latter place large crowds came to me and told me that the operation of the Local Boards Act with regard to the levy of fees on unladen animals and agricultural cattle resulted in practical hardship for the people. As the honourable mover said, sometimes people who live very near toll-gates have to take cattle every morning to the fields which lie on the other side of the toll-gate for ploughing, and they have to pay the toll-fees if they want to carry on their agricultural operations and lead back home their cattle in the evening."

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Almost every day when they take the cattle out for agricultural purposes they are asked, and have to pay toll-fees. This is a real hardship. Whether it was the intention or not of the framers of the Act to impose such hardship, the people at the toll-gate have charged toll-fees. The agriculturists are put to the painful necessity of evading the law by taking their cattle to their fields through circuitous and roundabout routes which are beyond the ken of those in charge of toll-gates. From time to time representations have been made that a distinction ought to be made between laden animals and unladen animals, and that under no circumstances should the cattle used for agricultural purposes be liable to pay toll-fees, but all to no purpose. For these reasons, Sir, I support the resolution."

The Council then adjourned at 5-5 p.m. to meet at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday, the 20th day of January 1922, the Hon'ble Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E., President, presiding.

I

QUESTIONS AND ANSWERS.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

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

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

District Munsif's Court for Payyanur.

1204 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the Hon'ble the Law Member be pleased to state—

(a) whether the Government have received a memorial addressed to His Excellency the Governor in October last from Mr. V. Kunhi Krishnan Nayanar and eleven others on behalf of the public of the 26 amsams comprising the division of the Deputy Tahsildar of Payyanur in the Chirakkal taluk of North Malabar, praying for the establishment of a district munsif's court at Payyanur; and

(b) what action has been taken thereon?

A.—(a) Yes.

(b) The Government have referred the memorial to the High Court.

Engineering staff in the service of the Tanjore District Board.

1205 Q.—Mr. V. HAMID SULTAN MARAKKAYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state the number of (a) Engineers and Assistant Engineers and (b) Overseers and sub-overseers in the active service of the district board, Tanjore, as it stood on the 1st October 1921, who are—

(i) Brahmans,

(ii) Non-Brahmans?

A.—The Quarterly Civil List corrected up to 1st October 1921 contains the names of the engineers and assistant engineers in the service of the Tanjore District Board. The Government have no further information.

Increment of pay to the Assistant Engineer, Kumbakonam.

1206 Q.—Mr. V. HAMID SULTAN MARAKKAYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state whether it is a fact that the District Board Assistant Engineer, Kumbakonam, has been allowed an increment of pay in direct violation of Rule 63 (iii) of the Local Boards Manual?

A.—The Government have no information.

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Engineering staff in the service of the Tanjore District Board.

1207 Q.—Mr. C. NATTESA MUDALIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(1) whether it is a fact that the President, District Board, Tanjore, has dispensed with the services of a Christian Assistant Engineer after over two years' service to the satisfaction of the Board;

(2) whether it is a fact that a fresh candidate of less engineering qualifications was appointed in the vacancy without advertising as usual for the vacancy;

(3) (a) whether it is a fact that in the proceedings dispensing with the Assistant Engineer's services charges have been made for which explanations were not previously taken on the lines contemplated in Rule 70 of the Local Boards Manual; (b) and whether it is a fact that evidence in favour of the Assistant Engineer was avoided in the above document;

(4) whether it is a fact that the proceedings were passed more than one month after the expiry of the Assistant Engineer's probation;

(5) whether it is a fact that the Assistant Engineer has been refused right of appeal to the District Board;

(6) the number of Engineers, Assistant Engineers, Overseers and Sub-Overseers working under the Tanjore District Board who are (a) Brahmans and (b) other than Brahmans—

(i) as it stood on 1st September 1920, and

(ii) as it stood on 1st September 1921; and

(7) whether it is a fact that the District Board Assistant Engineer, Kumbakonam, has been allowed increment of pay in violation of Rule 63 (iii) of the Local Boards Manual?

A.—(1) & (4) The Assistant Engineer referred to is apparently Mr. K. O. Abraham. In a petition addressed by him to Government he stated that he was appointed local fund assistant engineer, Tanjore district, on probation for one year in April 1919, that the probationary period was extended by another year and that by an order, dated 29th May 1921, the President of that district board terminated his probation and dispensed with his services from the date of relief. The President's order submitted by the assistant engineer indicates that his work was not satisfactory.

(2) & (3) The Government have no information.

(5) The Government have no authentic information as to whether the President refused to place the petitioner's appeal before the Board. No appeal however lies to the Board against termination of probation.

(6) The Quarterly Civil Lists contain the names of the engineer and the assistant engineers employed under the Tanjore District Board. The Government have no further information.

(7) The Government have no information.

Mr. A. T. PALMER:—"With regard to (2) & (3) it is said that 'the Government have no information'. Will the Government be pleased to call for that information?"

The Hon'ble Mr. P. RAMA YANINGAR:—"Yes, Sir. I have no objection to call for that information."

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Mr. A. T. PALMER:—"Again, Sir, with regard to (5) it is said that 'no appeal lies to the Board against termination of probation'. Was Mr. Abraham considered to be under probation when his services were dispensed with?"

The Hon'ble Mr. P. RAMA YANINGAR:—"Yes."

Mr. A. T. PALMER:—"With regard to (7) also, will the Government be pleased to get the information?"

The Hon'ble Mr. P. RAMA YANINGAR:—"Yes. The Government will call for information."

Public Works Secretariat.

1208 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Member for Revenue and the Hon'ble the Minister for Education and Public Works be pleased to state—

(a) whether it is a fact that in the Public Works Secretariat alone there has been a Deputy Secretary for the past five or six years; and

(b) why an additional Assistant Secretary was not sanctioned in lieu of the Deputy Secretary as that would have been more economical?

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

(b) The matter will be examined.

Provincial Cotton Committees.

1209 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Minister for Development be pleased to state—

(a) the non-official representatives (elected and nominated) on the provincial committee formed to work in co-operation with the Central Cotton Committee; and

(b) the members of the local committees constituted at each of the following places respectively: Nandyal, Bellary, Guntur, Tuticorin and Tiruppur?

A.—(a) The elected non-official representatives on the Provincial Cotton Committee are—

(1) Mr. W. A. Turner, representing the Chamber of Commerce, Madras.

(2) Mr. F. J. Stanes, representing the Cotton Marketing Association.

(3) Mr. Haridoss Visanjee, representing the South Indian Chamber of Commerce, Madras.

(4) Mr. D. W. Osborne, representing the Chamber of Commerce, Tuticorin.

Two other non-official members have not yet been nominated.

(b) The members of local sub-committees will be nominated by the Provincial Committee when this is appointed.

Memorial from the salt licensees of Ennore circle.

1210 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Member for Finance be pleased to state what action has been taken on the

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memorial signed by the salt licensees of the Kanore circle, Chingleput district, and submitted by the president of their association with his letter, dated 6th November 1921, to the Chief Secretary to the Government of Madras?

A.—A copy of the Board's report on the memorial in question will be communicated to the Member. The Board has been asked to reply to the petitioners in accordance with it.

II

MOTION FOR ADJOURNMENT*.

Mr. T. SIVASANKARAM PILLAI:—"In regard to the motion* of which I have given notice, Sir, I have had an occasion to speak to the Hon'ble the Revenue Member about it. From what he said, I do not think it is necessary for me to make the motion."

III

AMENDMENTS TO THE STANDING ORDERS OF THE COUNCIL.

The Hon'ble the PRESIDENT:—"I have to inform the House that the following six gentlemen have been nominated for election to the Committee to consider the amendments to Standing Order 54:—

1. Dr. C. Natesa Mudaliyar,
2. Mr. O. Tanikachala Chettiyar,
3. Mr. M. O. Raja,
4. Diwan Bahadur R. Venkataratnam Nayudu,
5. Mr. C. Ponnuswami Nayudu, and
6. Munshi Muhammad Abdur Rahman Sahib Bahadur.

"As the number of candidates nominated for election is equal to the number of vacancies to be filled, namely 6, I hereby declare the above-mentioned gentlemen to be duly elected under Regulation II (4) of the Regulations for the holding of elections by means of the single transferable vote. Under Standing Order No. 77 I have to nominate a Chairman of the Council as a member of the Committee. I hereby nominate Diwan Bahadur T. Desika Achariyar to be a member."

IV

RESOLUTION RE ALTERATION OF RULE 12 (1) OF SCHEDULE X OF THE MADRAS LOCAL BOARDS ACT, 1920.

The Hon'ble Mr. P. RAMARAYANINGAR:—"Sir, I beg leave to move the resolution that stands in my name. It runs thus:—

That the following draft of the rule proposed to be made by the Local Government under section 201 of the Madras Local Boards Act, 1920, altering rule 12 (1) of Schedule X of that Act be approved:—

Draft rule.

In exercise of the powers conferred on them by section 201 (1) of the Madras Local Boards Act, 1920, the Local Government, with the approval by resolution of the Legislative Council, make the following rule altering rule 12 (1) of Schedule X of the said Act:—

'In rule 12 (1) of Schedule X of the Madras Local Boards Act, 1920, for the words "six months" occurring in the first line, the words "twelve months" shall be substituted.'

* Motion for an adjournment of the business of the House for the purpose of discussing a matter of urgent public importance, to wit, the necessity of continuing the suspension of the collection of land revenue in the Gooty taluk of the Anantapur district.

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"Sir, according to rule 12 (1) of Schedule X to the Local Boards Act of 1920, the district boards have to determine and notify the total and elective strengths of the taluk boards, and the taluk boards have to determine the electoral divisions and the number of the total and elected members from those divisions before the lapse of 6 months after the introduction of the Act. For some reason or other many of the district boards and taluk boards have not been able to do so. The district boards of Malabar and Vizagapatam were able to determine and notify the total and elected members only in November. South Arcot did so on the 15th October. Again, the taluk board of Kasaragod in South Kanara has not as yet been able to fix the number of representatives from the different circles under its jurisdiction. The taluk board was corresponding with the district board with the result that it has not been able to arrive at a decision till now. The taluk board has been directed to determine and notify the numbers at once. An extension of the statutory period is necessary in order to validate the action taken. Hence, Sir, is the need for the motion."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"I second it."

The motion was carried.

V

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST

206. *Exemption of unladen cattle from tolls*—continuation of yesterday's discussion.

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, Sir, I rise to give my support to the resolution before the House which, in my humble judgment, seeks to remove a real grievance. I am personally aware of instances in my district where people who own lands on either side of the toll-bar are put to considerable inconvenience by reason of the toll being levied on animals taken from one part of the village to another across the toll-bar. In some parts of my district toll bars have been erected at very inconvenient centres with the inevitable result that the ryots are compelled, much against their will, to pay this toll-fee. No reason has been assigned why the ryots should be forced to pay the toll-fee, however small it may be, every time the animals are taken across the toll-bar. It should be remembered that they have to take the cattle frequently for agricultural operations beyond the toll-gate. It may perhaps be suggested by some that there is no need to bring such a resolution before this House when the Act itself empowers the district board or taluk board to exempt unladen animals and agricultural cattle from the levy of toll-fees, if it cares to do so. But experience has shown that it is much better to take away the power of levying the fee. So far as I have known, some district boards have chosen to exempt agricultural cattle. But there are other district boards in the Presidency which have committed themselves to the just opposite course of levying toll-fees upon unladen animals and agricultural cattle. Thus while in district A there is the benefit of exemption by virtue of a resolution passed by the district board, the sister district B which is contiguous to it labours under a disability because the district board concerned has chosen to levy toll-fee upon these animals.

"That anomaly must necessarily cease to exist. It may perhaps be also stated that as the power of imposing a toll vests in a local body or local board which has a majority of elective element there is no reason why you should fetter the hands of the Government or

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a restriction of the discretion given to the local boards and I do not think a case has been made out for such restriction. In these circumstances I am afraid I cannot accept the resolution."

Mr. T. C. TANGAVELU PILLAI:—"When I gave notice of this motion, I did it after consulting the president of the District Board of Trichinopoly. I am sorry he is not here at present. He said that he could not interfere unless an amending Act was passed. I think these were his very words. Although the presidents of other district boards exercised their discretion in this matter, I am sorry to say that the District Board President of Trichinopoly did not because he thought that although the word 'may' appeared in the Act, Government's intention was that it must be enforced. I am glad to say that the district board president is just now coming in."

At this stage Diwan Bahadur T. Desika Achariyar entered the Council Chamber and took his seat.

The Hon'ble the PRESIDENT:—"I think the honourable member had better repeat what he has said."

Mr. T. C. TANGAVELU PILLAI:—"When I gave notice of this motion, I consulted our district board president Mr. Desika Achariyar. He said that this matter should be brought to the Council and a resolution passed and the Act amended before any exemption could be given. So I sent this resolution. If, as it had been stated, other district board presidents had exercised their discretion and as the Minister has said that there are certain powers given to the board by which unladen animals can be exempted, I do not wish to press this resolution."

Diwan Bahadur T. DESIKA ACHARIYAR:—"To the best of my recollection I seem to have stated that the toll levied was only the maximum and it was in the power of the district boards to alter the rates to something less than the maximum. In that way it is unnecessary to amend the Act. Later on when the matter came up for consideration it was understood that before the next contract the district board itself might come to some settlement. That was the conclusion arrived at."

The motion was by leave withdrawn.

Admission of students into the Presidency College.

Mr. T. C. TANGAVELU PILLAI moved:—

'207. That this Council recommends to the Government that the social and financial barriers for admission of students to the Honours course and other special courses in the Presidency College be removed.'

"Sir, in this connexion I wish to draw the attention of the Government to the fact that the principle adopted by the authorities of the Presidency College is very peculiar. There is the application form which has to be filled by students desirous of joining the Honours course. Social and financial barriers have nothing to do with the admission of students. It is very difficult for many of the students to satisfy what the authorities want with regard to these items. My only intention is that these two should be removed or some such step is taken to see that admission is given to all students irrespective of financial or social condition."

Mr. S. Somasundaram Pillai seconded the resolution.

The Hon'ble Mr. A. P. PATRO:—"I fear the honourable member is under a great misapprehension as to the conditions of admission into the Presidency

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College. Perhaps the form he refers to is an old one. I obtained a new form of admission from the Presidency College. I find his apprehensions are entirely unfounded according to the conditions in that form. Therefore there is absolutely no ground whatever for his thinking that the authorities of the Presidency College insist on only rich and wealthy people being admitted into the college. There is no such prohibition, no such barrier. The only barrier for admission is that good and promising students and whoever obtain a good number of marks in certain subjects are generally given preference. That is how the admission is regulated in the Presidency College and not on grounds of social position or on grounds of wealth."

Mr. T. C. TANGAVELU PILLAI:—"The form that I saw is still objectionable. The hardship still exists. I know that a non-Brahman M.L.C.'s son was refused admission, whereas a Brahman M.L.C.'s son was given admission. The non-Brahman M.L.C.'s son has better education though not a better financial status. If there is a selection committee and if such cases are sent to that committee, there would not be this hardship. If that is adopted, I withdraw this resolution."

The Hon'ble Mr. A. P. PATRO:—"If the honourable member had brought that particular case to the notice of the department, I am certain that it would have been rectified or explanation would have been furnished for the non-admission. I cannot believe that any such injustice would have been perpetrated by the Principal of the Presidency College. The rules are entirely against making any such discrimination. Certainly there will not be any such difficulty in future, because the form is quite clear and it does not require that any such restriction should be placed on the admission of students."

The motion was by leave withdrawn.

The following resolution which stood in the name of Mr. K. Sadasiva Bhat was not moved as the member was absent and it was therefore deemed to have been withdrawn:—

Remission Rules in South Kanara.

'208. That this Council recommends to the Government that the principles and rules under which revenue remissions are allowed in other districts of the Presidency be extended to South Kanara.'

Mr. S. Arpudawami Udavar rose to move the following resolution which stood in the name of Mr. M. D. Devadas:—

Committee to report on the condition of cattle in the Madras Presidency.

'209. That this Council recommends to the Government that a committee of officials and non-officials be appointed to submit a comprehensive report regarding the condition of cattle in the Madras Presidency.'

The Hon'ble Rai Bahadur K. VENKATA REDDI NAYUDU:—"I wish to rise to a point of order, Sir. I do not think, Sir, it is open to my honourable friend to move this resolution. Under Standing Order No. 56, clause 3, no doubt when a resolution is deemed to have been withdrawn under clause 2 of the same standing order, it is open to any honourable member to move it with the permission of the House. But that is only in the case of a member who when he is called upon to move a resolution is absent. My contention is that there is just now no such member as M. D. Devadas, M.L.C. There being no member he cannot be called upon from his place and he cannot be treated as an absent member."

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I may bring to your notice also, Sir, that this rule is more or less an innovation and it is a departure from the practice in Parliament. Under Parliamentary rules, when a member is absent from his place, the resolution which he tabled cannot be moved by another except when he happens to be a Minister. I may be permitted to bring to your notice the passage from Redlick's Book, Volume II, page 217: 'A motion of which notice has been given is subject to the further provision that only the member in whose name it stands is entitled to move it when its turn arrives. The only members in whose favour exception on obvious grounds is made are those who are Ministers of the Crown.'

"We have made a departure from that rule. In order that the departure might not land us into greater latitudes, I submit that we cannot extend it to the present case, as the motion was tabled by a member who is not at present a member of the Council."

Mr. S. ARPUDASWAMI UDAYAR :—"Because the gentleman was a member of the Council at the time, the resolution was tabled."

The Hon'ble the PRESIDENT :—"I do not think we can take further notice of a resolution tabled by a member who has ceased to be a member. The proper course would be to remove it from the agenda."

Mr. S. ARPUDASWAMI UDAYAR :—"If it had been removed from the agenda, I would have given notice of the resolution."

The Hon'ble the PRESIDENT :—"I think I am as much to blame as anybody else."

The resolution was accordingly removed from the agenda.

Committee to examine the feasibility of a common script for the Presidency.

Dr. GILBERT SLATER moved—

'210. That this Council recommends to the Government to appoint a committee to inquire into the desirability and feasibility of a common script for the languages of the Presidency.'

"Mr. President, the resolution which stands in my name is not, I think, in any way a new subject. I believe the extreme desirability of having a common script for the languages of India has been recognized for a considerable period at any rate, and the reason which has prevented anything being done in that direction has been the fact that there are so many possible common scripts. It is possible on the one hand to take some existing script and introduce the necessary modifications either by diacritical marks or by additional symbols to make the script adequate. If this course be adopted, there is the difficulty of pleasing everybody in the choice of Nagari, Urdu, Tamil, Telugu or any other of the numerous existing scripts as the basis. On the other hand, you may select the method of fashioning a new script, and I notice there is a committee which has been engaged in making a more new script based on Indian signs. In other words, the difficulty in regard to this matter is not in recognizing the need for it nor is it in introducing it. The only difficulty has been in getting a common agreement and as to what the new script is to be. I think, in these circumstances, we ought to look at the main aspect of the facts and not worry ourselves too much with the less important aspects. The progress of India is very seriously hindered by the existing multiplicity of scripts. It involves great waste of time in

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education and great waste of money in printing. It is a very great hindrance to the production of books in the vernacular languages owing to the restricted market for books in any vernacular language which is determined to a considerable extent not only by the range of language but by the range of the script as well. If, for instance, we had a common script for Tamil and Telugu, it would be very easy for a Tamil-knowing man to read Telugu and for a Telugu-knowing man to read Tamil. Therefore a book published in either Tamil or Telugu in a common script would have nearly twice as large a possible circulation as at present, and it would be a very great encouragement to the publication of books in the vernacular, and it is by this means that we have to look forward to the extension of popular education and the development of Indian culture. I may say my question only deals with the languages of Southern India. But if it is carried, I think we may expect to see the same arguments appealing to other provinces of India, so that we shall be taking a step towards a common script for the whole of India. Now, I have been told that nothing has been done in this direction in spite of considerable discussion on the subject. But I would point out that now we have the reformed Legislative Councils directly representing the electorate who may be expected to look at things from a different point of view than preceding Governments. Further members may note that much has lately been done in the direction of reformed scripts in China and Japan. Therefore I hope that this motion will appeal to the Council. I grant that there are difficulties, but I think there is sufficient ground for hope that the committee proposed will be able to solve the problem."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I beg to second the motion. As Dr. Slater has informed the Council, this question has already engaged the attention of various annual conferences throughout India. It is not a question which affects the welfare of this Presidency only, and some attention has already been given to this matter in other Presidencies also. Therefore, so far as public opinion is concerned, I may say that it is in favour of a common script for the whole of India and it is time that this question was examined in this Presidency. I have great pleasure to support the resolution."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, before I could vote on this motion I had expected the honourable mover or the seconder of this resolution to have given some indication as to the lines upon which we can proceed to act in a matter of this description. While as a matter of theory every one is agreed that it is desirable to have a common script for the whole of India, I expected some definite suggestions from them in some alternative form as to the particular languages to be chosen for the common script of the country. In the absence of any such definite suggestion, I am really at a loss to understand how the mere appointment of a committee without definite ideas placed before them would be useful. It is admitted that we must do our best to encourage the study of the various vernaculars in this country. Are we to suppose that we must have a common script introduced in even schools and colleges to the detriment of the study of the various vernaculars which have been in vogue or is it to be a sort of supplementary course to be gone through? Again, Sir, it is known that a proposal has been made that English itself is to be the common script and various objections

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have been urged and very properly urged to the adoption of that language. It is also known that proposals have been made that Hindi should be made a common script throughout the whole of India and some attempts have also been made in various parts of this Presidency to teach Hindi during or after school hours. Before we resolve that a committee should be appointed for the purpose of considering this question, it is as well that we should ourselves consider the various suggestions which can be placed before that committee. I say nothing against the principle underlying this resolution, viz., that there should be a common script all over the country. But what I wish definitely to suggest is that we must go a step forward and make definite suggestions before we appoint a committee to solve this question. We must ourselves make definite suggestions as to what the common script ought to be."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I strongly support the proposition and I think that there will be no objection at all to the appointment of a committee. My honourable friend, Mr. Krishna Rao, wants some more information before appointing a committee. I would say that instead of that information being placed before the Council it would be better if the committee go through the whole question. If I may be permitted to say so, I may say Mr. Krishna Rao seems to be making some confusion between the script and the language. We all want to do our best to have a common language, but if it is a common script, it need not at all affect the languages as they are. There will be only a script, the language and other things remaining as they are. It will save a good deal of labour so far as printing presses and other things are concerned if we have a common script not only for Southern India but for the whole country, and it would be appealing to the imagination of the non-co-operators also if we are to see that Hindi cannot be adopted as a common script at least, if not as a common language. In any case, I would suggest that the appointment of a committee cannot be objected to. It is possible to have a common script by taking a few letters from Tamil, a few letters from Malayalam, and a few letters from Telugu and so on. In this way we can have a common script for South Indian languages, and I see no reason why a committee should not be appointed. I think the proposition is a most innocent one which if carried is capable of doing much good and cannot do any harm."

Mr. S. SOMASUNDARAM PILLAI :—" I do not know if this script is for the present generation or for the future generation. If it is for the present generation, we will have to unlearn what we have already learned and forget our present scripts, and if it is for the future generation we will require teachers to teach this script which is very difficult to find. Such a script will be quite useless for advanced and well-developed languages. For, in a combination of words in Tamil language according to grammar, the letter in the end of the first word changes according to the letter at the beginning of the second word for which there is a special rule framed in grammar and which will be very difficult to express in the common script. Further, different languages have got different letters. For instance the letter 'u' is only one in Tamil, but it has different sounds and four letters in Telugu, Malayalam and Kanarese. Thus, there are more sounds in other Dravidian languages than in Tamil. So, I think it will be very difficult to express these sounds by any script whatever."

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"Even in Europe classical languages, Greek and Latin, have no common script. Some languages have a common script, such as English, French and German, and unless one learns all these languages he will be unable to speak those languages. So also it will be useless to attempt it here. Perhaps it may be very useful for the Publicity Bureau. But by the time a common script is introduced, there will be no necessity for a Publicity Bureau. It may cease to exist. With these remarks I oppose the resolution."

The RAJA OF RAMNAD :—" Mr. President, I think the adoption of a common script is not such a simple matter as it appears on the surface. Unless one learns all the languages of the Presidency it is not easy to adopt a common script. I fail to see how this will benefit any one. Take the case of Tamil and Telugu: if a letter is written to a Telugu in Tamil, he will not be able to read anything though written in a common script. Latin or French we do not understand though only in English character. I fail to see what advantage we will have by having a common script unless we learn all the languages in this Presidency. I think the question requires much more thinking and it should be fully considered by the general public before we can discuss it usefully in this House. With these few words I oppose the resolution."

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—" I rise merely to place some facts before the House so far as this motion is concerned. This question of common script was considered in the year 1912 with reference to a suggestion that the Roman alphabet might be adopted at least in official documents when they were written in the vernaculars. Then, Sir, this was referred to various experts and the opinion was not unanimous—it was divided. But the majority of those opinions was not in favour of adopting a Roman script as a common script. There was an alternative possibility of having Devanagari as a common script. That also was considered and it was thought it was not feasible to have a common script at that time. Probably opinion has now developed further and if the Council thinks that the appointment of a committee is likely to serve any useful purpose the Government will not object. But I desire to place before the Council the opinions then expressed by some of our experts. Mr. Rangachariyar who was at that time Curator, Government Oriental Manuscripts Library, and subsequently Professor of Sanskrit and Dravidian languages, and who to my knowledge had a profound and scholarly knowledge of various vernaculars, apart from Sanskrit, said :—

"I have the honour to state that the two chief advantages expected to follow from the adoption of the Roman alphabet in official documents are of doubtful certainty and will not be commensurate with the difficulties in the introduction of the proposals. Although the system of the Roman alphabet (I may tell the House that the same objection would apply to Devanagari in a more intensified form because there are more letters in the Devanagari than in Roman alphabet) for the adoption of vernacular languages is based on simple and familiar characters, the use of the necessary diacritical marks (that is important) and the new sound value which is to adopt more than one familiar symbol to the known distinctions existing in relation to sound representing the same symbol in vernaculars will all tend to confuse the reader as well as the writer, and will make it a matter of greater difficulty to read the vernacular languages through the Roman alphabets than through the vernacular alphabets."

"I may say out of personal experience that oftentimes the Chetti community sends telegrams in the Tamil language but in the English script. I invariably managed to misread them. Sir Henry Stone when he was Director of Public Instruction had a note prepared by Mr. Mark Hunter who strongly advocated this Roman script for all languages and communications and he made an attempt for this purpose. With reference to that note he said. If the use of the Roman script is to be encouraged, I think it can only through

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schools and it would have to be taught in them as a vernacular inserting it in the curriculum. Whether it is worth while to begin to train teachers with this end in view until a more pronounced demand for an universal alphabet manifests itself is to say the least doubtful. I may remark however that the study of the Roman script would have an educational value apart from its practical utility. That was the opinion of the then Director of Public Instruction, but I am afraid our students are not likely to appreciate it, nor our teachers.

"Then, Sir, after a review of all these opinions the Government said at that time (that correctly represents the view of the majority) that the Dravidian languages have very large alphabets and the difference in sound between one alphabet and another cannot be illustrated if the less copious Roman alphabet is introduced except by a recourse to diacritical marks and the tendency to miss these in manuscripts or to use them incorrectly would be a fruitful source of obscurity and confusion. For instance, you may drop a top mark or fail to draw a line underneath; you may land the reader in a hopeless confusion. That is the difficulty in using a common script for all the Dravidian languages because you want a considerable number of diacritical marks. I am not an expert. I do not know how to make it easy for all concerned. You have all sorts of devices for simplifying languages. For instance, you have the Esperanto by which you are able to master a new language in the course of two or three months. But nobody has yet been able to do it. It would be a long time before the people of this Presidency were able to understand the Roman character to reproduce it in writing the vernaculars. There will also be difficulties in granting copies of official documents as ordinary persons may not be able to understand the Roman script. It is further likely to be resented as an attempt to discourage the use of vernaculars.

"These are matters which I want to place before the Council for its consideration. If the Council thinks that a committee will effect an improvement in any of these directions, the Government will not stand in its way."

Mr. A. T. PALMER :—"I am sorry, Sir, I have to oppose this resolution, for one or two reasons. In the first place, any attempt at a common script need not be the move of the Government. I think learned professors like Dr. Slater can undertake such scripts and try how they would work. If that is possible, I suppose people will adopt the script, whether the Government approves of it or not.

"In the second place, it will be difficult and will throw an extra burden on the student to learn two scripts, first of all his own vernacular script and then the Roman script or whatever script that may be adopted. For, unless one knows the vowel sounds, it is impossible to read the common script, whatever it may be. I had a very funny experience the other day with a certain script. I have a hymn book written in Roman script of the Hindustani hymns. A certain Muhammadan friend was sitting before me, and I thought I might sing before him and attempted it. He laughed outright, because every sound that this Roman script produced was very curious to him, and he could not make out anything of what I sang. That would be the fate of common script if it is once introduced.

"Thirdly the Dravidian languages have so many sounds that cannot be included in one script, at least to my knowledge. Take for example Tamil and Telugu. There is no letter in Tamil to represent the ordinary *ka* sound,

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and they have only one letter to express both the *ka* and *ga* sounds. But in Telugu there are two different letters, in fact there are four letters. And then, there is the Hindustani *kka* sound which cannot be expressed by any letter either in Tamil or Telugu or English. There are therefore so many difficulties in the way that it will be impossible for adopting a common script.

"Again, supposing we adopt a common script, it would mean the neglect of the original literature of the country, for the literature will be in a certain script and this young student who has to learn the new script will not be able to make out the original script of the language. Therefore I think it is not at all reasonable to have a committee of this sort for a common script for the Presidency. Of course, it is always left to private individuals to try what they can do in this matter."

Mr. S. T. SHANMUKHAM PILLAI :—"Mr. President, Sir, we are far behind the times or rather it is out of time to think of a common script now that the bulk of the people are illiterate and are ignorant of their own vernacular languages themselves, not to speak of any other language. I am afraid that the progress of general education itself will certainly be impeded if this common script is introduced. For these reasons I cannot support this resolution, but I do oppose it."

Dr. GILBERT SLATER :—"Mr. President, I have been very much struck by the fact that various speeches have been made by gentlemen who expressed their intention of voting against this resolution but using arguments which really are in favour of it. A great deal has been said about the unsuitability of Roman script to express the sounds of the various languages of India. True: What these members failed to see is that the necessity for a common script to be used in actual practice has driven India more and more to use this unsuitable Roman script as a common script, and therefore the unsuitability of Roman script points to the desirability of devising a script which will really meet the needs of all the Indian languages.

"Then again, it has been pointed out that there is a very considerable number of different sounds in different languages. Yes, there are. But I think it may be taken as a proved fact that something between 40 and 50 different signs are quite enough to serve all the languages of India, giving a definite sign which can be adopted for each well-defined sound. Of course, there may be fine distinctions which may not be covered by that number of signs, but 40 or 50 signs would give a really practical and useful script for India which will be quick and easy to teach, quick and easy to learn, and unsuitable for the typewriter and the printing press. And the gain of a universal adoption of such a script would be, I submit, simply enormous and incalculable. Therefore granting that there are numerous difficulties, those difficulties should not be taken as a ground for voting against this resolution. If I were to be proposing the immediate adoption of a common script, it would be different. These difficulties, it appears to me, afford sufficient reason for taking the course which I indicate in this resolution, namely, that the matter should be referred to a committee on which men interested in commerce as well as academic persons should be represented. Let such a committee select from the various scripts that have been proposed the one most suitable for our acceptance. I beg therefore again to ask the House to vote in favour of this resolution."

The resolution was put and lost.

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Tamil pandits for training schools.

Mr. T. C. TANGAVELU PILLAI :—“ Sir, the resolution which I beg to move runs as follows :—

‘ 211. That this Council recommends to the Government that steps be taken to appoint Tamil pandits in all training schools to teach Tamil.’

“ I request in this resolution that Government will be pleased to take early steps to see that proper men are appointed instead of those at present engaged in training schools. Those who are now placed in charge of Tamil in training schools are not Tamil pandits but persons who have studied certain text-books and passed certain examinations. They may be able to handle general subjects, but are unable to teach the training students the various works of Tamil literature and the classical works in Tamil. There has been a general complaint from all the students studying in training schools that those who are in charge of Tamil classes are not able to cope with the work and give them proper instruction in Tamil. It is therefore essential that, as we have in the case of English an English graduate, those who are put in charge of Tamil should have taken either the B.A. degree in Tamil or should be regular Tamil pandits. With these few words, I formally place this resolution before the Council.”

Mr. W. P. A. SAUNDARA PANDIA NADAR :—“ I beg to second the resolution.”

The Hon'ble Rao Bahadur A. P. PATRO :—“ Sir, I may assure the House that we have already been taking steps to train pandits and instructors in the vernacular languages, replacing the assistant teachers in the training institutions. Not only steps are being taken in order to introduce pandits or those well versed in the vernacular languages in training schools, but we have also been working out a scheme in order to train all these pandits in the Saidapet College and then affiliate the second teachers' college in the L.T. degree so far. Every step, therefore, is being taken in order to introduce pandits to teach vernaculars in training colleges.”

Mr. T. C. TANGAVELU PILLAI :—“ I do not press my resolution, Sir.”

The resolution was by leave withdrawn.

Transfer of officers of the Provincial Medical Service.

Rao Bahadur P. C. ETIRAJULU NAYUDU then moved the following resolution :—

“ 212. That this Council recommends to the Government, with a view to bring the Provincial Medical Service on a par with other provincial services, that the power of transferring officers of the former service may be vested in the Government instead of in the head of the department.”

In doing so, he said :—“ Mr. President, Sir, the resolution that I am bringing before this House is one which needs but few words from me to commend it to your acceptance. I find, Sir, that this subject has been moved as long ago as 1914 when, in answer to a question by the Hon'ble Mr. Ramayanagar whether the Government would be pleased to discontinue the practice if it existed and see that appointments were made direct by the Government as in the case of the provincial gazetted officers of other departments, the Government replied that the matter would be further considered. Since then, the service of assistant surgeons has been definitely recognized as a provincial service and assistant surgeons are now treated as provincial

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officers according to the Government Order passed in December 1920. It seems to me that the time is come when this question might well be considered by the Government.

“ I premise my remarks by saying that this resolution is in no way a reflection on the head of the department, nor do I mean to suggest that anything but the best interests of the department ever weighs with the Surgeon-General in making these transfers. Still, Sir, I feel that the members of the service will naturally feel that their status has been better recognized and the prestige of their service will be higher if they are brought on a par with all the other provincial services and their appointments and transfers made by Government only. I say advisedly *all* because the case of the district munsifs appointed by the High Court is not in point in that the Government of India, Home Department Resolution No. 35-Public-1701-1718, dated 8th November 1898, makes a special exception in the case of the district munsifs and, besides, I am told that the appointment of district munsifs is vested in the High Court by law. It cannot be denied that the Provincial Medical Service has been treated in a step-motherly way, so that at present their pay and prospects are decidedly inferior to those of most other provincial services, particularly the sister professional services, Law and Engineering. With the finances at such a low ebb, it is out of the question for us to suggest any improvement in that direction and I would therefore urge with greater weight that we might certainly improve their prestige at least in this direction and make their status equal to that of the other provincial services.

“ But the reason why I have brought forward this resolution is not primarily in the interests of the service. Honourable members are aware that a large number of the members of the Provincial Medical Service are lent to local bodies and as matters stand at present the Surgeon-General has got the right to withdraw at any time from the service of a local board or municipal council any medical subordinate lent to such a body either by giving three months' notice or by providing a substitute. No such arrangement is however, necessary in cases of emergency. Cases have not been infrequent where transfers of assistant surgeons have not been able to see eye to eye as to the fairness or urgency of the transfers. And usually any recommendations made by the local bodies have not met with a sympathetic response from the head of the Medical Department. Honourable members must admit that this is a state of affairs which is far from satisfactory. It may be that the Surgeon-General has got primarily the interests of the department to consider or it might be that local bodies take too parochial a view and look to their own interest first but in these days when real local self-government is said to have been conferred, such incidents are likely to lead to friction and the local bodies might and very often do complain of outside interference and are not inclined to accept the orders of the Surgeon-General. At the same time, I am prepared to admit that the Surgeon-General, not unnaturally perhaps after all these years might resent the influence of the local bodies when they claim a voice in what he considers his prerogative. It is for this very reason, Sir, that I desire that a third party, namely, the Government, whose authority both parties will accept, should have this power of transfer. Further, the practice of the Surgeon-General, the head of a department, posting provincial officers to municipal councils and local boards cannot be governed by item No. 38 A in page 10 of appendix to the Civil Service Regulations as it stands. I know I am voicing the views of several local boards, for I find that at the last municipal conference held at Saidapet, a resolution very similar to the one under discussion now was passed.

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“One word more and I have finished. Honourable members need not for a moment think that the Surgeon-General will have no voice in the matter. As I understand it, Sir, the Surgeon-General will submit his recommendation roll and will therefore have a very substantial voice in this direction and we may rest assured that the Government will carefully consider his recommendation. I know that the task that I am now asking the Minister to shoulder is not a very congenial one, but in view of the several reasons I have given, I have no hesitation in requesting him to shoulder the burden. With these words I commend the resolution to your acceptance.”

Mr. V. PAKKIRISWAMI PILLAI :—“I second the motion.”

Rao Bahadur T. BALAJI RAO NAYUDU :—“This resolution proposed by my friend Mr. Etirajulu Nayudu does not involve any extra cost and there is nothing to be lost by it. The assistant surgeons are gazetted officers and there is no reason at all why they should be treated differently from other gazetted officers. The reasons advanced by my friend are sufficiently strong to appeal to the House and I heartily support the resolution.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“Sir, I am entirely in agreement with the mover of this resolution in suggesting an improvement in the status of the Provincial Medical Service Officers; but I really fail to understand how they would be in a better position if the power of transfer were taken away from the Surgeon-General and vested in the Local Government. I carefully tried to follow his speech to find out to what extent and in what way the vesting of this power in the Surgeon-General would be disadvantageous. Our attention has been drawn to the fact that some presidents of local boards or some chairmen of municipal councils were not able to see eye to eye with the Surgeon-General in these matters of transfer. Is there any guarantee that these people would be able to see eye to eye with the Government if the power is transferred to them? Or is there any guarantee that the proposed transfer will improve the state of affairs in this direction? I also wish to know before any decision is arrived at whether it is in this department alone that the power of transfer is to be taken away from the head of the department or whether in a similar manner it will not be necessary to consider the same question in the case of other departments. The same objection will be coming up in other departments. I therefore request the Council to satisfy itself with regard to the necessity for the change of power before anything is done. If the Council is satisfied that the present system has produced any inconvenience or any hardship or any injustice we shall certainly be justified in asking the Minister to shoulder the responsibility. If we have not been placed in possession of sufficient information justifying the change, I would advise that we should pause for further information before we embark upon this change. In stating this, let it not be understood that I am entirely satisfied with the way in which the transfers are made. It is one thing to have complaints to make and it is another thing to be ready with a suggestion for remedies. I do not think the suggestion now made will solve the problem in a satisfactory manner. I think the presidents and the chairmen would rather wish to have the powers vested in them rather than the old system should continue with the only change of transferring the power from the Surgeon-General to the Government. They would like, I think, that instead of a formal consultation, they are definitely consulted and their consent is also obtained before the transfers are effected. Really these presidents are more

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anxious for further powers and further discretion than that the final orders should vest in one officer instead of another. I therefore think that it is not desirable to give effect to this motion.”

The Hon'ble Mr. P. RAMARAYANINGAR :—“Sir, the resolution which my friend the honourable member from Guntur has moved presumes that in all provincial services except in the medical service the power to effect transfers of officers is vested in the Government. That however is not the case. In the provincial Judicial Service as in the case of district munsifs and in the Educational Service the power to transfer officers is vested in the heads of departments. Therefore the acceptance of this resolution will not tend to bring about that uniformity which the honourable mover has so much at heart. So far as the Provincial Medical Officers of the grade of civil surgeons are concerned, the Government has the power to transfer them. But in the case of the sub-assistant surgeons that power was delegated to the Surgeon-General as long ago as 1895. Ever since the power has been judiciously exercised and there has been no complaint. In the year 1914 when the Provincial Medical Officers were declared to be gazetted officers question was raised whether their postings and transfers could not be effected by the Government. The Surgeon-General on that occasion reported that whether the power to appoint or transfer the assistant surgeons be vested in the Government or in him, it was a matter of indifference to him. But in view of the fact that the cadres were increasing enormously he thought it would be more convenient to have the power in his own hands so that work might be speedily disposed of. The Government took the same view and came to the conclusion that the existing practice might continue. But recently complaints were made against the Surgeon-General's transfers and when they were inquired into there appeared to be no foundation for those complaints. In fact it has not been suggested that the power has been abused by the Surgeon-General. On the other hand the honourable mover of the resolution himself has assured us that the power has been judiciously exercised by the Surgeon-General. The Government have taken care to issue instructions to the Surgeon-General not to allow the personal assistant to interfere in the matter of the transfer of officers. In these circumstances I am inclined to think that the transfer of this power from the Surgeon-General to Government may not be desirable. Such a transfer is likely to add to the work of the Secretariat. If in spite of this the honourable members desire to have the question examined, I have no objection to have it examined. I hope with this assurance the honourable mover will be pleased to withdraw the resolution.”

Rao Bahadur P. C. ETIRAJULU NAYUDU :—“The Minister assures me that he will investigate the matter fully. I have no objection to withdraw the resolution.”

The resolution was then by leave of the Council withdrawn.

The following resolution standing in the name of Rao Sahib U. Rama Rao was deemed to have been withdrawn the member not being in his place :—

Government officials making collections for charitable purposes.

“218. That this Council recommends to the Government to rescind G.O. No. 551, Public, dated 30th August 1920, forbidding Government servants from collecting subscriptions for public and charitable purposes and to permit Government officials other than those employed in the Police, Magisterial and

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Revenue departments to collect subscriptions, etc., for purposes purely humanitarian in nature and solely intended for the moral and material advancement of society at large."

The following resolutions were not moved and were therefore deemed to have been withdrawn :—

Committee to inquire into the forest grievances in the Guntur district.

Munshi MUHAMMAD ABDUR RAHMAN SAHIB :—

"214. That this Council recommends to the Government that a committee of officials and non-officials be appointed at once to inquire into the forest grievances of the ryots of Narasaraopet, Sattenapalle, Vinukonda and Palnad taluks of the Guntur district and to report the measures to be adopted to allay their sufferings."

Closure of the Chintaladevi cattle farm.

Mr. A. T. PALMER :—

"215. That this Council recommends to the Government that the Chintaladevi cattle farm should be closed within a space of two years."

Reduction of fee for attendance of sub-registrars at private residences.

Munshi MUHAMMAD ABDUR RAHMAN SAHIB :—

"216. That this Council recommends to the Government to reconsider the notification raising to Rs. 20 the fee for the attendance of a sub-registrar at a private residence (vide page 778 of the Fort St. George Gazette, dated 26th July 1921, Part I) and restore the original rate of Rs. 10 per visit."

The following resolutions were deemed to have been withdrawn the respective members in whose names the resolutions stood not being in their places :—

Revision of pay of secondary school teachers.

Mr. K. SADASIVA BHAT :—

"217. That this Council recommends to the Government that, in view of the fact that teachers in secondary schools have to undergo a course of special training and in order to attract competent men to the profession of teaching, the scale of pay in regard to both the minimum and maximum be so revised as to enable teachers to get an appreciably higher pay than that which persons of similar educational qualifications would get in the Revenue Department."

Increase in the rates of irrigation cess.

Rao Bahadur K. GOPALAKRISHNAYYA :—

"218. That this Council recommends to the Government the abandonment of the proposal to revise certain rules under Section I of the Madras Irrigation Cess Act of 1865 calculated to enhance the present rates of irrigation cess in this Presidency."

The following resolution was deemed to have been withdrawn as the resolution was not moved :—

Abolition of certain posts in the Registration Department.

Munshi MUHAMMAD ABDUR RAHMAN SAHIB :—

"219. That this Council recommends to the Government the abolition of the following posts as a step towards retrenchment in the Registration Department :—

(a) Post of Inspector of Registration offices.

(b) Post of attender in every District Registrar's office."

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The following resolutions were deemed to have been withdrawn the respective members in whose names the resolution stood not being in their seats :—

Rules under the Madras Motor Vehicles Act and the Local Boards Act.

Mr. K. SADASIVA BHAT :—

"220. That this Council recommends to the Government that rules be framed to avoid any conflict of authority between the rules under the Madras Motor Vehicles Act, 1916, and those under the Local Boards Act, 1920, amending the former where necessary."

Ayreshire bulls at Guindy.

Mr. V. C. VELLINGIRI GOUNDAR :—

"221. That this Council recommends to the Government that having regard to the fact that the experiment of importing Ayreshire bulls to this country for breeding purposes has proved a costly failure, Government will take early steps through the Department of Agriculture, or other suitable agency, to secure the progeny of the Ayreshire bulls at Guindy and conserve such progeny with a view to see if at least the progeny will give useful or satisfactory results."

Rao Bahadur A. S. Krishna Rao Pantulu requested permission to move resolution No. 222 in the absence of Mr. R. T. Kesavulu Pillai.

Objection having been taken to his doing so a poll was taken with the following result :—

Ayes.

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| 1. Mr. K. Adinarayana Reddi. | 13. Mr. K. C. Venkatachela Reddy. |
| 2. Mr. Appalarasayya Nayudu. | 14. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 3. Rao Bahadur V. Appaswami Vaidyan. | 15. Rao Bahadur T. M. Narasimhaiah. |
| 4. " T. Balaji Rao Nayudu. | 16. Rao Bahadur C. V. S. Narasimha Raja. |
| 5. " P. C. Eirajula Nayudu. | 17. Mr. M. R. Seturathnam Ayyar. |
| 6. Mr. K. P. Gopal Menon. | 18. Mr. R. Srinivasa Ayyangar. |
| 7. Mr. B. Muniswami Nayudu. | 19. Mr. C. V. Venkataramana Ayyangar. |
| 8. Mr. M. Narayanaswami Reddi. | 20. Mr. T. Arumainatha Pillai. |
| 9. Mr. C. Natesa Mudaliyar. | 21. Mr. K. Prabhakaran Tampian. |
| 10. Mr. V. D. Paikiriswami Pillai. | 22. Mr. Saiyid Diwan Abdul-Razzaq Sahib Bahadur. |
| 11. Rao Bahadur A. Ramayya Punja. | 23. Mr. Saiyid Muhammad Padsha Sahib. |
| 12. Diwan Bahadur M. Suryanarayana Marti Nayudu. | 24. Mr. Hamid Sultan Marakkayar Sahib. |

Noes.

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| 1. The Hon'ble Sir Lionel Davidson. | 5. Mr. F. J. Richards. |
| 2. The Hon'ble Sir Charles Todhunter. | 6. Mr. E. Periyannayakam. |
| 3. The Hon'ble Rao Bahadur K. V. Reddi Nayudu. | 7. Mr. S. Muttumaniachari. |
| 4. The Hon'ble Rao Bahadur A. P. Patro .. | 8. Sir J. F. Simpson. |
| | 9. Mr. A. E. Rencontre. |

As a result of the poll, 24 voting for and 9 against, Rao Bahadur A. S. Krishna Rao was permitted to move resolution No. 222 on behalf of Mr. B. T. Kesavulu Pillai.

Teaching of temperance in schools.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir,

12-30 p.m.

I have the honour to move :—

"222. That this Council recommends to the Government that the following and other necessary steps may be taken as early as possible for the compulsory teaching of temperance in all recognized schools :—

(a) by publishing suitable text-books on the subject in all vernaculars and in the English language;

(b) by also providing for lantern lectures, pointing out the evils of drunkenness."

[Mr. A. S. Krishna Rao Pantulu] [20th January 1922]

"Sir, very few words are necessary for me in commending this motion for the acceptance of this House. I think it is superfluous for me to enter into any elaborate arguments to justify the necessity for taking such steps to inculcate temperance in the initial stages of the educational progress of pupils. It is a lamentable fact that in a country like ours which has been known for centuries for its temperance and for its freedom from the habit of drink, it has become necessary to teach people the advantages of temperance. The most important thing to be considered in respect of temperance in addition to various other measures which have been advocated from time to time is the removal of all possibilities for this habit of drunkenness being generated in the minds of pupils at an early age. We recognize, and recognize with a feeling of sorrow, that whenever persons have become accustomed to drink, it has not been found easy to take active steps to put an end to that state of drunkenness. Those who have followed the course of events within the last few months, when active steps have been taken to prevent the sale of liquor apart sometimes by the objectionable picketting of shops, would have noticed that notwithstanding all those attempts there has not been any marked success in the way of reducing the consumption of liquor. It only shows that when once persons become habitual drunkards, mere persuasion and mere advice given to them at that stage of their lives have not been very successful in its results. Temperance workers may also realize that with all their enthusiasm and interest in going round from village to village and preaching the evils of drunkenness and the virtues of temperance, their attempts have not been as successful as they ought to have been. It is only to minimize those chances and to remove all chances of persons becoming drunkards in their after lives this resolution of which notice was originally given by my friend Mr. R. T. Kesavulu Pillai has been tabled. It suggests that in all recognized schools steps should be taken to teach temperance. It suggests some means by which that object is to be attained, as by publishing suitable text-books on the subject in all vernaculars and in the English language and by also providing for lantern lectures pointing out the evils of drunkenness. It does not stop there. It also suggests that one need not confine himself to those particular steps alone but that all other necessary steps should be taken towards this object. The resolution is very comprehensive and general and aims at curing a disease which has unfortunately been spreading in this country where it did not exist before. It is therefore our duty to support this resolution and to do all that is possible for us in this matter.

"It may be suggested that the people themselves may take to preaching temperance, and I believe the people have been doing something to preach temperance. It may also be suggested that the local bodies may take up this task. I welcome this idea and some local bodies have been suggesting the introduction of these text-books. What this resolution aims at is this: that it should be recognized that there should be definite progress made in the way of the preaching of temperance in all these schools. If text-books are to be published, if lantern lectures are to be given, and if any further steps are to be taken in this direction, some financial assistance will be required. If the Government themselves would take up these steps, we would welcome it. But if private individuals and associations and even local bodies take up this task and offer to make themselves the means of diffusing a knowledge of temperance and of helping the object of this resolution, Government should come to their assistance. With these words, Sir, I commend this resolution for the acceptance of the House."

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Rai Bahadur T. M. NARASIMHACHARLU:—"I beg to second this resolution. Sir, there is a very great necessity and urgency for such a course being adopted at present. Owing to some unfortunate conditions in the country, preaching of temperance is rather misunderstood as tending to do a thing which is against the Government. That is the misapprehension of the ignorant people in the country. That being so, it is obviously necessary that there must be some authoritative method of preaching temperance to people, especially to the boys in the aided schools and recognized schools in the country. Unless some such method is adopted it will not decrease intemperance in the country in any way. The evils of intemperance must be vividly brought home to the impressionable mind of the youngsters while they are still in the schools. For that purpose, there is a necessity to introduce some authoritative books which are easily understandable wherein there will be illustrations of drunken men and women and the ruin that is brought upon them by intemperance, and there must be also some lantern lectures which will give them a vivid idea of the evils of drunkenness. I think, Sir, now that the preaching of temperance is rather misunderstood, this is the only constitutional method of overcoming the evils of intemperance in the country. I also think that this is a matter which ought to be taken up by the Government. The question of money no doubt will come in. But considering the importance of the subject, money is nothing. Money exists for securing a good end, and the money will be very well spent if it is spent in this direction, even if thereby at least a dozen souls are saved from intemperance. I think that is a sufficient satisfaction for the money spent. With these few words, I beg to second this resolution."

Mr. S. ARPUDASWAMI UDAIYAR:—"Mr. President, Sir, I am fully in sympathy with the aims and objects of the honourable mover and the honourable seconder. But I don't think that any useful purpose will be served by this resolution. I have been in touch with the students for the last 26 or 27 years, and I have not come across a single instance of any student who has yielded to the temptation of drink. It is only when students leave the school or college and are thrown into the world, it is only when they find themselves surrounded by people who are given to drinking that they fall into the temptation. Therefore, if we are to educate the people and preach to them the evils of intemperance, the objects of our care should be not young children, not students, who do not think about this evil and who are almost ignorant of it and who are not likely to yield to this temptation, for this is not one of the vices or temptations which assail youth but, on the other hand, adults, working classes, grown-up people; for them these lantern lectures will certainly do very great good. At present, as matters stand, the tendency is for our young men in schools and colleges to become apostles of temperance.

"Secondly, Sir, I do not think it is a very good policy to suggest the idea of drunkenness or the evils of drunkenness to the young children in schools, to our young men. They have hardly 12-45 p.m. the time to think of all these things. And why should we by publishing text-books and by delivering lectures, by suggesting these ideas, familiarize them more and more with the drink problem and create a temptation where none existed; for it is in human nature to resist compulsion, to resist what goes against the spirit of independence. So, then, while I fully sympathize with the objects of the mover, namely, that the cause of temperance must be preached from the house-tops, I say that this preaching is necessary not for our young men in schools and colleges but for adults, grown-up people, for

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the working classes especially and for people in the villages. Let there be batches of private individuals formed for propaganda work; let there be associations started; let local bodies and other institutions devise ways and means of reaching those classes that yield to this temptation and are a disgrace to our country. I must, by pointing out the undesirability and the non-necessity of such a resolution being moved, so far as students are concerned, vindicate their character and deny the implication that they are in need of any special teaching on this subject of temperance apart from what is taught to them in an ordinary course of ethics or moral instruction."

Mr. T. C. TANGAVELU PILLAI:—"Mr. President, Sir, I am in full sympathy with the resolution and I must say that every member of this House ought to support it. I do not agree with the honourable Mr. Arpudaswami Udayar when he said that the suggestion contained in the resolution was not practical. The resolution is, from the pecuniary point, a pious resolution. It does not ask the Government to embark on any scheme which owing to the financial conditions may have to be rejected at present. But what it wants is, that steps be taken as early as possible to teach the virtues of temperance in schools. It is, I think, more advisable that Government should come forward and say that they must make the students of schools better impressed with the evils of drink and of the consequent national degeneration. This is one of the bounden duties of Government and it is high time, when the country is in great disorder and discontent, that the policy of the Government should be made clear by saying that it is their intention to see India dry. With these few words, I beg to support the resolution."

Mr. S. SOMASUNDARAM PILLAI:—"Sir, everybody seems to sympathize with the temperance cause and I have also great sympathy for it. I have been a worker in the field from 1889. I have visited many toddy shops; I have preached to so many adults about the virtues of temperance; I have spoken to many highly educated friends on the same subject. I was once talking to a respectable friend of mine about the evils of drink and he said to me 'Do you mean to say I do not know all this? I am thoroughly aware of these evils but I can't help the habit.' Sir, if you are going to teach children about morals, besides temperance, you have others to teach, like the evils of prostitution. Sir, children's mind is just like white paper and if you first impress on it about the evils, they will never adopt the course advised but at once begin to do the opposite way. We should not at all talk about this to children who are quite ignorant. As it has been well said by Mr. Arpudaswami Udayar, we must talk to the adult people. Only when these young men go out in the world, when they come into contact with other drunkards, they contract this evil habit. I once came across a missionary who is now dead who used to say that people take to drink mainly by evil company. It is therefore the duty of the parents to see their boys behave well and not that of the teachers or of the schools. Of course, if you are careful enough to teach small moral lessons written in our vernacular, for instance, the *Athichudai*, the *Nanneri* and other pieces, they will be of much use. It is not at all advisable to teach children who are innocent and ignorant of the evils lest it should have the contrary effect. Such teaching, I am afraid, will rouse in their minds the desire to taste the forbidden liquor and set them on the gradual stages culminating in the absolute state of unconsciousness in which the drunkard finds himself. Although I thoroughly sympathize with the doctrine of abstinence, I do not agree with the mover of this resolution. I therefore feel constrained to oppose it."

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Mr. S. T. SHANMUKHAM PILLAI:—"Sir, there is no denying the fact that we, educated Indians, are bent upon rooting out the evil of drink from the face of India. All classes feel strongly on the matter and the every day cry is to root out the evil. Almost all the evils in society are ultimately traceable to this vice and no better or more effective method of cutting the drink evil at its root can be conceived than what is suggested in the resolution. I therefore strongly support it."

Mr. T. SIVASANKARAM PILLAI:—"Sir, I sympathize with the spirit underlying this resolution. I am not quite certain whether the two methods suggested here can be properly undertaken by Government. I believe it is for temperance and other social service association to deal with the matter and educate people. As for the publication of text-books and prescribing them in schools, I do not know how far they would be useful, particularly in villages where the toddy shop is at the next door. Any amount of teaching work like this with the toddy shop in the vicinity is absolutely no good. As to lantern lectures, certainly the Education Department has already taken steps and the local boards have arranged for the purchase of magic lanterns and demonstrations are going on in villages during the sub-assistant inspectors' tours to the several places. A few more slides on temperance might be purchased and might be exhibited without any objection. But there is one other suggestion which I would like to make on which action might be immediately taken. I find support in the words 'other necessary steps' occurring in the resolution for my view. There is an amount of temperance work that is going on and which is associated with non-co-operation and some which is also independent of it. I am aware of these institutions. Of late you might be aware, Sir, the non-co-operators are trying to dissuade bidders at the auction sales of toddy shops. In consequence, the shops are being sold, if at all they are sold, at a nominal price. The bidders at these sales naturally ask the officer deputed for the purpose, for protection against any obstacle in the way of their realizing their money. They are assured directly or indirectly that the officers would do what lies in their power to see that their trade is carried on without any kind of hindrance. There is thus a kind of moral obligation on the part of the revenue officers to come to the help of the toddy drinker."

The Hon'ble the PRESIDENT:—"I must ask the honourable member to confine himself to the specific issues put before the House in the resolution, namely, the compulsory teaching of temperance in all recognized schools in two ways, by publishing suitable text-books on the subject and by providing for lantern lectures. I do not think the discussion should be enlarged to a general discussion on the various methods by which temperance could be effected. I think that that will be going outside the scope of the resolution."

Mr. T. SIVASANKARAM PILLAI:—"My submission, Sir, is this. The evil has been allowed to exist for a long time and any amount of teaching will be of no use. I am giving you only one instance; there were certain efforts on behalf of the non-co-operators to put down the evil and in defence, the police were set up to invite all these people to go to the toddy shop."

The Hon'ble the PRESIDENT:—"Order, Order. I must ask the honourable member to abide by my ruling."

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Mr. T. SIVASANKARAM PILLAI:—"In the face of such attempts, any amount of educative work of this kind will be of no use. With these words, I oppose the resolution."

The Hon'ble Rao Bahadur A. P. PATRO:—"Sir, I fear there is a great deal of misimpression as to the attitude of the Government in this matter. I am sorry to find two presidents of district boards, two good workers in the cause of local self-government, have not been in touch with what is going on in their own schools with reference to this temperance work. Ever since 1906, the policy of the Government has been to impress upon the managers of the institutions and headmasters to take up the temperance work and the necessity of teaching moral lessons including those on temperance. Very often the text-books taught in the schools relate to this subject. I would like to give you a summary of the Government Order issued in 1914 when the whole matter was considered and in accordance with the policy of the Government, instructions were given on what was necessary to promote temperance. In 1914, the following instructions were issued by the Government. The Director of Public Instruction was instructed to take the necessary steps and the steps taken by him are—

'1. The importance of temperance teaching to be impressed on the teachers by the inspecting officers with a view to their inculcating habits of temperance in their pupils.

'2. The second thing which the Government have insisted on is passages in readers relating to temperance to be made the occasion for speaking to pupils on the advantages and necessity of temperance.

'3. Regular lessons on the subject in certain schools. Syllabuses on the subject have been drawn up and the Director of Public Instruction's letters, dated 11th and 15th, fully describe the action taken by the department in this matter. Employment of illustrative matter such as stories from ancient classics and also charts and books showing diagrammatically the effects of intemperance—this was also impressed on the management of the institution by a Government Order, dated 20th November 1917.

'4. Lantern slides for the purposes are included in item 4.

'5. Encouragement of use of readers containing lessons on temperance—paragraph 15 of the administration report of the same year.'

"Now, the same methods were and are being followed in subsequent years. In addition to what has already been done in the matter, text-books have been published in 1914, one called 'Life, light and cleanliness'. That has been translated into various vernaculars and distributed to schools to be used as text-books. In 1918 a book entitled 'Health Reader' was prescribed. That contains lessons on temperance and the evils of drunkenness. Instructions have already been issued to the inspecting officers to encourage use of texts containing lessons on temperance. Lantern lectures on temperance have already been encouraged as has been referred to by my honourable friend Mr. Sivasankaram Pillai. Therefore, of the two steps suggested for promoting temperance in schools and colleges, Government have been taking steps ever since 1906. They have also published a text-book which has been made compulsory in the syllabus. Now, after the passing of the Elementary Education Act, it is left entirely to the District Educational Councils to frame their curriculums in consultation with the Inspectors of Schools. If the Councils think that it is absolutely necessary that any text-book should be written or published and be made compulsory

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for study, it is open to them to do so. Government have no objection whatever for promoting temperance in elementary schools. So far as the District Educational Councils are concerned, it is within their full discretion to introduce these text-books in their syllabuses and their curriculum.

"With reference to text-books to be suggested in secondary schools, the Text book Committee was advised to select also text-books relating to moral lessons on temperance and there are certain text-books already included in the list of text-books selected by the committee. It is now open to the headmaster or the manager of any institution to select such text-books and introduce them in the schools under their management. So we find that in elementary and secondary stages, full power is given to the managers and headmasters of institutions and to the District Educational Council to introduce such text-books in schools. It will thus be observed that the Government have already taken action in the matter of helping local bodies by means of exhibition of lantern lectures. If honourable members should think that the work the Government has been doing in the matter of encouraging local bodies by means of subsidies and by means of publication of suitable text-books is not sufficient, then it is necessary for them to lay down in definite terms the definite means by which further steps could be taken by the Government. As yet, I have not been able to find any suggestion from any honourable member as to how the steps already taken by the Government in this direction are insufficient and what further steps are necessary."

Mr. T. SIVASANKARAM PILLAI (*interrupting*):—"Sir, I wanted to point out in what direction steps might be taken to remedy the evil or to accelerate the dissemination of knowledge removing the obstacles in the way of teaching temperance in schools."

The Hon'ble Rao Bahadur A. P. PATRO (*continuing*):—"It is not relevant for me to answer that, Sir. All that the resolution says is that 'steps be taken by publishing suitable text-books in all vernaculars and in the English language and by also providing for lantern lectures.' I must say that the Government have been taking steps in both these directions. If honourable members should think that these steps are inadequate, then it is open to them to suggest further directions in which we can take steps."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, before I reply to the remarks of the Hon'ble the Minister for Education I must express a feeling of surprise at the attitude of the opposition expressed by some of the honourable members of this House. One or two honourable members stated that if we teach the evils of intemperance, the students might be led in the opposite direction and might be induced to learn what they ought not to learn. Sir, I am only surprised at that suggestion. Are we to understand that if we teach morals, it will lead to immorality? Are we to understand that if virtues are inculcated in text-books in schools and vice deprecated, the pupils are likely to learn exactly the opposite of what has been taught to them in schools? I fail to appreciate the correctness of such views. I completely agree with my honourable friend Mr. Arpudaswami Udaiyar and say that I have great confidence in the good habits of our boys and I am also prepared to give my testimony to the virtues of most of the pupils in the schools. But that does not mean that we must not in the earlier stages of

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their career inculcate in their minds correct notions of the various moral principles which ought to be inculcated. Therefore there is no force in that objection.

"I am glad the Hon'ble the Minister for Education has made a frank statement of the various steps taken by the Government in the matter of teaching temperance in schools. I agree that he is quite up-to-date in his intimate knowledge of the circulars issued by the Department of Education from time to time. But I am prepared to assure him not only on my own behalf but on behalf of my co-president of a district board, my honourable friend Mr. Narasimhaachari, that we were fully alive to the instructions issued by the Government. But I would draw the attention of the Hon'ble the Minister for Education to the wording of the resolution, that is, compulsory teaching of temperance. Has the Hon'ble Minister made inquiries and found out how far these circulars have been carried out, how far education is being imparted and in how many schools?"

The Hon'ble Rao Bahadur A. P. PATRO (*interrupting*):—"It has not at all been made out and in fact no reference was made to the existence of these circulars and of the work done by the Government in this direction. It has not been referred to that these instructions have not been properly carried out in the schools."

Rao Bahadur A. S. KRISHNA RAO PANTULU (*continuing*):—"Even there, I regret my honourable friend the Minister for Education is not correct. I very well remember that in the course of my opening remarks I mentioned that some local bodies are doing something in this direction. It is true that no reference was made to the existing circulars and I am glad the Hon'ble Minister has drawn our attention to the circulars. I only wish to point out to him once more the word 'compulsory'. It has not been possible to carry out the instructions even to the extent suggested by the Government. I indicated in the very beginning that if the Government are not in a position to take it upon themselves, then they can afford some financial assistance to local bodies in that direction. The local bodies may not by themselves be able to provide lantern lectures for want of sufficient funds. It is quite true that this is a subject in which there must be the full co-operation of those who have been working in local boards, the full co-operation of the officers of the Educational Department and the full co-operation of the public at large. Even in the matter of the production of suitable text-books it is not easy but it is a matter in which all persons interested should devise ways and means of producing suitable text-books. What is necessary to be borne in mind in this resolution is that we must go a step further and make the teaching of temperance in schools compulsory. My honourable friend has drawn my attention to the fact that the District Educational Councils are free to suggest the adoption of these books. Quite true. But may we not hope that with all the sympathy that the Government have hitherto shown in dealing with this question they will be prepared to go a step further and help the cause by making temperance teaching compulsory in some schools at least? This step is quite necessary because persons take shelter under the fact that it is not compulsory and neglect the teaching."

The resolution was put to vote and lost.

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On the motion of Rao Bahadur A. S. Krishna Rao Pantulu a poll was taken with the following result:—

Ayes.

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| 1. Mr. K. Audinarayana Reddi. | 14. Diwan Bahadur M. Ramachandra Rao. |
| 2. Dr. Appala Narasayya Nayudu. | 15. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 3. Mr. S. Appaswami Vandayar. | 16. Rai Bahadur T. M. Narasimhaachari. |
| 4. Rao Bahadur T. Balaji Rao Nayudu. | 17. Rao Bahadur C. V. S. Narasimha Raju. |
| 5. P. C. Yatirajulu Nayudu. | 18. Mr. M. B. Seturatnam Ayyar. |
| 6. Mr. K. P. Gopala Menon. | 19. " T. Sivaankaram Pillai |
| 7. Mr. P. C. Muttu Chettiyar. | 20. " R. Srinivasa Ayyangar |
| 8. Rao Bahadur A. Ramayya Ponja. | 21. " T. C. Srinivasa Ayyangar. |
| 9. Mr. S. T. Shanmukham Pillai. | 22. " M. Suryanarayana. |
| 10. Diwan Bahadur K. Suryanarayanamurti Nayudu. | 23. " C. V. Venkataramana Ayyangar. |
| 11. Mr. T. C. Tangavelu Pillai. | 24. Sri Meka V. Appa Rao Bahadur. |
| 12. " K. C. Venkatachala Reddiyar. | 25. Saiyid Diwan Abdul-Razzaq Sahib Bahadur. |
| 13. Diwan Bahadur R. Venkataratnam Nayudu. | 26. Saiyid Muhammad Padsha Sahib Bahadur |

Noes.

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| 1. The Hon'ble Sir Lionel Davidson. | 15. Mr. C. Natesa Mudaliyar. |
| 2. " Khan Bahadur Muhammad Habib-ullah Sahib Bahadur. | 16. " P. T. Rajan. |
| 3. " Mr. K. Srinivasa Ayyangar. | 17. " W. P. A. Sundara Pandiya Nadar. |
| 4. " Mr. P. Ramarayanigar. | 18. " S. Somasundaram Pillai. |
| 5. " Rai Bahadur K. Venkatarreddi Nayudu. | 19. " S. Muttumalikka Achariyar. |
| 6. Rao Bahadur A. P. Patro. | 20. " S. Arpudaswami Udaiyar. |
| 7. Mr. F. J. Richards. | 21. " A. T. Palmer. |
| 8. " R. Littlehales. | 22. " M. Ratnaswami. |
| 9. " E. Periyasayagam. | 23. " G. Vandanam. |
| 10. " P. Subbarayan. | 24. " The Raja of Ramnad. |
| 11. " A. Ramaswami Mudaliyar. | 25. Mr. Humid Sultan Marakkayar. |
| 12. " C. W. E. Cotton. | 26. Khan Bahadur Muhammad Usman Sahib Bahadur. |
| 13. " B. Muniswami Nayudu. | 27. Rao Bahadur T. Namburumal Chettiyar. |
| 14. " A. T. Muttukumaraswami Chettiyar. | 28. Mr. A. E. Rencontre. |
| | 29. " T. Richmond. |

The resolution was declared lost, 26 having voted for and 29 against.

Tenure of Members of Devasthanam Committees.

MR. C. V. VENKATARAMANA AYYANGAR:—"I beg to move—

"223. That this Council recommends to the Government that early steps be taken to introduce a Bill to amend the law so as to do away with the present life tenure of memberships of Devasthanam Committees and to limit the term in future to five years."

"The resolution before the House is very simple. The old Act which is now in force was passed so early as 1863, at a time when there were not many public workers. Under that Act, persons who became members of Devasthanam Committees continued to be such for their lifetime. Now-a-days we know the general effect of such a thing. A person becomes a member in the full prime of life when he is willing and able to work and takes up the work cheerfully. After some years, for various reasons he becomes indolent in some cases or indifferent in some others. There are some honest people who resign when they find themselves unable to do their work or when they find that the work is not congenial to them. There are some other people who want to continue as members though they are not able to turn out good work. Generally there are a number of people who are loath

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at one period of their life or another to take up Devasthanam committee membership lest they should commit the sin of getting some pies belonging to God attached to their property. There are also some other members who are anxious to serve because they may get some God's prasadam and add them to their own property. There is a Sanskrit proverb which says that generally evil men live long. There are old men both here and outside and I do not mean any disrespect to them. It is against the evil committee members that we should safeguard ourselves and it is against those people who are mischievous and who are always anxious to continue that we must take steps. At present there is absolutely nothing to prevent them from carrying on their mischief for ever unless we prove their dishonesty in a court of law.

"We know how difficult it is for men to volunteer to spend money to file suits and all that in these days of expensive litigation and the mischief continues. I do not think it is necessary, Sir, to pursue the matter further. I think it is more or less agreed on all hands that this is a reform that cannot be delayed. This resolution itself I sent some months ago and much water has flown under the bridge since then and I understand also that a committee is going into this question. I am not a member of that committee and I cannot authoritatively say as to what their decision will be, but here and there rumours are running that on this point the committee will probably report favourably to my view and unanimously also. I simply move this proposition so that we may know something as to what the committee is going to do on this point and also as to when we can expect legislation, and if the Hon'ble the Minister will express a few words on those points, I should be satisfied."

1-15 p.m.

Mr. R. SRINIVASA AYYANGAR :—"Mr. President, I should like to second this resolution in a few words. The only institution which permits a member to hold office for life, or until he sends in his resignation, or until death, or until removed for misconduct, is the Devasthanam Committee. That is the only institution in this province and even in this country. With respect to other institutions a time-limit has been placed, and if I remember right, honorary magistrates are appointed for five years; in the case of members of the local boards, municipal councils and legislative councils, their term of office extends only to a period of three years; the tenure of office of non-official visitors to visit jails is also limited to two years; and there is really no reason why a *carte blanche* is to be given to these office-holders and why they should be permitted to hold office for life. This sort of longevity given to these members deadens their sense of responsibility, and I make that statement advisedly, for, I come from a district which has but one committee but which is unreasonably unwieldy, because that committee of which I am a member is 30 strong. Though for transacting business we have fixed seven to form a quorum, during the past three or four years as many as ten meetings have had to be adjourned for want of a quorum; and our ordinary quorum for extraordinary meetings to elect presidents or vice-presidents is about 15, and last year we were constrained to adjourn meetings more than thrice for want of a quorum. I may also say for the information of the House that three years ago we looked into the figures and found out that as many as 14 members had failed to attend even a single meeting for over a consecutive period of three years. Then we were confronted with difficulty. For the time being, at that time our president, the late lamented Diwan Bahadur

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Subbarayalu Reddiyar, was in a fix and then, being a member myself, I went to his rescue and drew his attention to a particular section in the Act which enabled the committee or the president of the committee, by means of a special resolution, to place the case of those delinquent members before the district judge with a view to obtain his sanction for the purpose of eventually and effectively getting these people removed on the strength of that sanction. Then he resolved upon issuing a notice to those persons, and the committee by means of a special resolution authorized and empowered the president for the time being to issue notices to those gentlemen to show cause why their case should not be laid before the District Judge for consideration with a view to enable the President to obtain the requisite sanction to have them removed. That appeared perhaps to have had some effect though the effect was not perceptible and not quite appreciable. But, since then, I am sorry to tell the House that as the result of that notice I believe out of 14 members as many as 12 attended the next meeting, but after that, I am quite conscious I am not making any mistake when I say that as many as half a dozen members have failed to attend even a single meeting, and this is a most deplorable state of affairs. Therefore, I think that whatever reasons might have existed in the years gone by, in the year 1863 when the Pagoda Act of 1863 was placed in the Statute Book, things have since undergone such rapid changes as to necessitate the reduction of this life tenureship."

The Hon'ble Mr. P. RAMAIAH :—"Sir, the question of amending the Religious and Charitable Endowments Act has been for some time under the consideration of the Government. Recently a committee has been appointed to advise the Government in what respects amendments to that Act are necessary. The very point which Mr. Venkataramana Ayyangar has made has been examined and it is under contemplation to limit the period of membership."

"In these circumstances, I do not think any further discussion about the resolution is necessary."

Mr. C. V. Venkataramana Ayyangar did not then press his resolution and it was by leave withdrawn.

The House at this stage adjourned for lunch.

The Council met at 2-30 after lunch.

Cost of the Punitive Police at Perambur.

The following resolution of which notice had been given by Mr. T. Sivasankaram Pillai was not moved, and therefore it was

2-30 p.m. deemed to have been withdrawn :—

224. That this Council recommends to the Government that the cost of the punitive police in the Perambur disturbed area, notified in the Press Communiqué of the 17th September, be recovered from the Buckingham and Carnatic Mills, Limited, Madras, out of the bonus that has accumulated in favour of those who have struck work.

Deletion of terms 'Panchama' and 'Paraya' from Government records.

Mr. M. C. RAJA then moved :—

225. That this Council recommends to the Government that the terms 'Panchama' or 'Paraya' used to designate the ancient Dravidian community in Southern India should be deleted from Government records, etc., and the term 'Adi-Dravida' in the Tamil and 'Adi-Andhra' in the Telugu districts be substituted instead.

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In doing so he said :—"Sir, we were for a long time called 'Parayas.' Whatever the derivation of this name may be, the word conveys everything that is mean and despicable. It means the opposite of all that is holy, and respectable. That is why a Paraya is regarded as unfit to be even touched with the hand and the so-called high caste mangoes and bathes for what he regards as the sin of touching the Paraya.

"As our sense of self-respect was awakened we protested against the old opprobrious name and wanted to give ourselves a better name. Some of the Hindus sympathizing with us suggested the name 'Panchama'. In our eagerness to get rid of the opprobrious epithet 'Paraya' we allowed ourselves for some time to be called 'Panchamas.' But as our sense of self-respect increased we came to realize the sinister implications of the name 'Panchama.'

"When there are only four castes, if you call a man 'a man of the fifth class' it is really to call him an outcaste. So we wanted a name which would have nothing to do with that most inhuman of human institutions, namely caste, and would indicate the fact that we were the first inhabitants of Southern India. We wanted a name devoid of caste suggestions which would point to our race, origin and geographical position.

"We are the original inhabitants of this land and we never submitted to the yoke of caste. We are the true descendants of the original inhabitants and the preservers of the original Adi-Dravidian civilization. When this question of a name for my community which would convey no caste stigma was considered some thirty years ago, we decided that we should call ourselves Adi-Dravidas and we embodied our decision in the name of our association. When some wanted to call our association the 'Paraya Mahajana Sabha,' we decided to call our Association the 'Adi Dravida Jana Sabha.' The Sabha was established in 1892 and incorporated under Act XXI of 1860.

"There are some who say 'What is there in a name? You are what you are. A bad name will not make you bad, nor a good name good.' Such persons take good care to see that they are called by names which imply superiority and command respect. You know what a trade mark is and how it is taken as a guarantee of the stuff that is sold. Similarly in this land of caste distinctions our name has a great deal to do with our position in the country and the esteem with which we are held. Among the various ways in which we have been kept down in the country is the name or appellation which has been given to us and which we in our poverty and ignorance accepted. We are a depressed community, and we are in need of greater facilities for improving our social status. So it is very necessary that we should remain a separate entity to get the required privileges from the Government to achieve our object. Mass meetings have been held in the various parts of the Presidency asking the benign Government to change the name Paraya or Panchama into Adi-Dravida.

"We have just now circulated a pamphlet to the honourable members of the Council, and there it will be seen the names of the representatives of the community in this Council and elsewhere in the various district boards, taluk boards, municipal and educational councils in this Presidency, also honor-ry magistrates and other leading members of the community too numerous to mention here, requesting this Council to pass this resolution. We are all eager, Sir, to be called by this name. I hope the Council will pass this resolution unanimously."

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Rao Bahadur T. NAMBERUMAL CHEITI.—"Sir, I second the resolution, There is as saying that a rose will smell as sweet under any other name."

Mr. M. C. MADURAI PILLAI :—"இந்த சட்டசபையிலிருக்கும் யாவருக்கும் நான் சொல்வது,—ஆதி திராவிடர் என்னும் பஞ்சமர்களாகிய நான்கள் முன்னோர்களுடைய காலத்தில் கடவுள் இருஷ்டியால் ஆகாயம் என்னும்படியான ஆணும், பூமி என்னும்படியான பெண்ணும் இதன் மத்தியில் சூரியன் என்னும்படியான ஆணும், சந்திரன் என்னும்படியான பெண்ணும் கடவுளால் உற்பத்தி. இதில் ஜாதியின் உற்பத்தி—பிரம்மா நாபிகமலத்தில் உற்பத்தியான வேதம் நான்கு ; அதாவது கிழக்கு, மேற்கு, வடக்கு, தெற்கு என்னும் நான்கு திசை—ருக்வேதம், சாமவேதம், அதர்வவேதம், யஜுர்வேதம் என்னும் நான்கு வேதம். பிரம்ம, கூத்திரிய, வைசிய, சூத்திர என்னும் நான்கு மதம். அதில் பிரம்ம குலத்தில் உதித்த பிராமணர்கள், கூத்திரிய குலத்திலுதித்த இராஜாக்கள், வைசிய குலத்திலுதித்த வர்த்தகர்கள், சூத்திர குலத்திலுதித்த திராவிடர்கள். சாஸ்திர விதிப்படி இந்த நான்கு வர்ணத்தார் உண்டென்பது யாவருக்கும் தெரிந்த விஷயமே. இந்த நான்கு மதத்திலும் தாழ்ந்த குலமாவது பஞ்சமர் என்றும் பிறையொன்றும் இப்போது நான்கள் சொல்லும்படியான ஆதி திராவிடர்.

"அதற்கு சாஷி :—அதாவது, ஒரு மனிதனுக்கு ஒரு கையில் விரல் ஐந்து. இதில் பெருவிரல் பிரம்மா, ஆள்காட்டி விரல் கூத்திரியர், நடு விரல் வைசியர், பெனத்திர விரல், சூத்திரர். இவர்கள் நால்வரும் வேதங்களுக்குரியவரானார்கள்.

"சுண்டு விரலாகிய நான் என்கெதி என்னவென்று கேட்டேன். எங்கள் நால்வருக்கும் நீ தாழ்த்திருக்கிறாயாதலால் எங்களுடைய பின்னையைப்போல் பாதுகார்க்கிறோமென்று உறுதிமொழி சொன்னார்கள். அவர்களுடைய திருவாக்குக்கு அடியேங்களுடைய எதிர்வாக்கு, 'என் பின்னால் தாங்கள் நால்வரும் இருக்கிறீர்கள். அதாவது எந்த ஆலயங்களையும், இராஜ இராஜாக்களையும் இன்னும் பெரியோர்களையும் சேலிக் கும்போதும், தவிர எந்த காரியங்களுக்கும் நான் முன்னிறிகிறேன்' என்று இந்த நால்வர்களுக்கும் தெரிந்த விஷயமே. அல்லாமலும் என்னை தாழ்ந்தவனென்று சொல்வது சரியல்ல. அதாவது நம்முடைய ஆழ்வார்கள் 12 பேர்களில் ஒருவராகிய திருப்பாணி ஆழ்வார். அவர் பஞ்சம குலத்தில் அவதாரஞ்செய்து, ஆதியில் அவருடைய திருநாமம் திருக்குலத்தடியார் என்றும் வழங்கிற்று. அன்றியும் ஷை ஆழ்வார் அவர்கள் ஏற்படுத்திய பச்சாம் அடியில் வருமாறு ; தயைசெய்து கவனிக்க கேட்டுக்கொள்ளுகிறேன் :—

காட்டவே கண்டபாதம் - கமல நல்லாடையுந்தி
தேட்டரு முதர்ப்பந்தம் - திருமார்வு கண்டம் செவ்வாய்
வாட்டயில் கண்கள்மேனி - முனியேறித் தனி புகுந்து
பாட்டினால் கண்டொழும் - பாணர்தாள் பாவினோமே.

"கம்முடைய ஆழ்வாரே ஒதுங்கி வசித்திருந்தார். ஆகையால் நான்கள் இந்த சபையின்கண்ணுள்ள யாவரையும், கவர்மெண்டாரையும், ஆதி திராவிடர் என்னும் பெயரையே இந்த உலகமெங்கும் வழங்

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கும்படியாகவும், மற்ற இதர மாதிரியாக வேறே பெயர்களை சுட்டி
கூப்பிடாதபடி உத்தரவாக வேண்டுமாய் தங்களுடைய மேலான கனத்தை
கேட்டுக்கொள்ளுகிறேன்.”

The Hon'ble Mr. K. SRINIVASA AYYANGAR :—“The Government have not the slightest objection to call this community by any name by which it desires to be called. Unfortunately, I have been receiving a number of petitions from members of this community who say that they desire to be called 'Dravidas,' not 'Adi-Dravidas'. The term 'Adi-Andhra', I am told by experts, ought to be either 'Adyandhra' or 'Adi-Mandhra'. I am not particularly partial to any verbal combinations. I will brave the difficulty and call them 'Adi-Andhra' if they choose to be so called. I do not want any portion of the community to accuse the Government of calling them by a particular name by which they don't want to be called. I am willing to call this community 'Adi-Dravida' in the Tamil districts, and 'Adi-Andhra' in the Telugu districts. But if any particular person objects to be so called, I certainly will call him by the name by which he desires to be called. That is why, Sir, I rose to speak.

“There is one other small point. The resolution asks that we should go on editing the past records. I do not know in what records the term 'Panchama' occurs.

2.45 p.m. “The census records are there and the names are recorded as given by the particular persons. It is therefore too much to ask the Government to go on editing them.”

Mr. S. SOMASUNDARAM PILLAI :—“The term 'Adi-Dravida' means the ancient people of southern India. The word Paraya had a very respectable meaning. Paraya means one who announces war with the enemy, at the command of the king. The announcement was made by the man riding on an elephant and he used to announce the war against any alien enemy who invaded the country. Gradually when our country was conquered by alien nations this class of people was reduced to poverty and then the word was so twisted to be used as a term of contempt. We cannot feel the sting of the word unless we ourselves are called Parayas. For generally when we abuse we used to say 'பறப்பயலே'. It is used as a contemptuous term. It is true that the present Adi-Dravidas feel that and it is therefore necessary that we people who advocate democracy, who advocate equality for all citizens, should remove such a stigma. But as regards Adi-Andhra I cannot understand what it means. Somebody may be liked to be called Adi-Malayalee or Adi-Kanarese, etc. All these four languages are Dravidian languages and when we say Adi-Dravida it applies to Telugu, Malayalam, Kanarese and Tamil. Even Mahrattas are considered to be Dravidas. With these few words I support the resolution to allow them to be called by any respectable name other than Parayas.”

Sriman BISWANATH DAS Mahasayo :—“Sir, I am very sorry that the resolution moved by the Honourable Member Mr. Raja does not appeal to me very much. He talked so much of the stigma and the ban that had been placed on his community. He wants that the name of the community should be changed and that they should be called Adi-Dravidas. But still the word 'Adi' is there and therefore the stigma or the ban will be there

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There will thus be a difference between them and the Brahmans or non-Brahmans or whatever communities there may be. I would suggest rather there that should be no Adi-Dravidas or Adi-Malayalee or Adi-Oriyas. The expression 'Adi' should disappear and they should be called as all other people are called. There should be no difference in the terms of expression. If at all he wants that the stigma should be removed it is desirable that they should be called by the same expression by which other people are called e.g., Telugas, Tamils, etc. I would therefore appeal to him that instead of pressing this resolution he would be well advised just to consider his position, if matters would improve by having this, i.e., by having the term Adi-Dravida in place of Panchama. Because I feel myself sure that any expression differentiating them from the rest of the Hindu will not at all improve the situation. They will be distinguished from the other people at large by this very term Adi. I shall be very sorry if I am misunderstood. I am in no way opposed to this resolution. What I mean is this. If this ban should be removed from his community it should be completely removed. If he chooses to have this Adi this Adi will differentiate them and they will be under the same ban as they were before. I think that this term is a bit awkward, viz., Adi-Dravida or Adi-Andhra or Adi-Oriya, etc. I therefore again appeal to him, Sir, through you just to consider his position.”

Mr. M. C. RAJA :—“This name, Sir, Adi-Dravida is not yesterday's. As I said thirty years ago the most cultured in our community sat together and wanted to find a proper name for the community. Then they decided that the community should be called Adi-Dravida. The word Adi means original or ancient and therefore there is nothing odious in it. Moreover, Sir, from 1892 we have been asking Government for this name and when His Excellency Lord Chelmsford and the Right Hon'ble Mr. E. S. Montagu were in Madras the Adi-Dravidas of the Presidency waited on deputation and that deputation consisted of Messrs. P. V. Subrahmanyam Pillai, V. Mokunthu Pillai, K. Munuswami Pillai, V. Rajarathnam Pillai, M. Shanmukham Pillai, T. Ongaram, M. T. Muthukrishna Pillai, Srimathi Tirupugal Ammal, Messrs. V. G. Venugopal Pillai, V. G. Vasudeva Pillai and myself. They presented an address and in that there is a paragraph which runs as follows :—“The very names by which these people refer to us breathe contempt. We would therefore request Government to help us in our efforts to attain social elevation by issuing orders that hereafter in all Government communications, we should be designated Adi-Dravidas or the original Dravidas, thus bringing us into line with the non-Brahman Hindus, who are spoken of as Dravidians.”

“This resolution is not my own, it is not an individual fancy. I am here as a representative of a large community. Moreover, Sir, you must have seen last week how the Adi-Dravidas lined the streets from the Law College to the Wallajah Bridge. Nearly fifty thousand Adi-Dravidas were present and that shows the strength of the Adi-Dravidas. There were also placards put up with the words that the Adi-Dravidas welcome His Royal Highness. I do not think there was any other body representing the community other than Adi-Dravidas in the City of Madras. Moreover, Sir, in the list that has been circulated you will find persons like Swami Sahajananda supporting this view. He is a very cultured man and almost all the members of this Council know him. I believe the Hon'ble the

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President also knows him very well. He is also in favour of this name. My friend Mr. Veerian has been agitating for this name in Coimbatore. Conferences and mass meetings were held in Tanjore, Malabar, Dindigul, Chingleput, North Arcot, South Arcot, Trichinopoly, Salem, Coimbatore, Nilgiris, Tinnevely, Madura, Bangalore, Mysore and other parts of the Presidency. There are Adi-Dravida Associations even in Calcutta.

"The Hon'ble the Law Member pointed out that some persons asked for the name Dravida. In that connexion I wish to say a word. The very persons who want this name Dravida issued in 1916 a circular—I have now the circular in my hands and I am willing to place it into the hands of the Hon'ble the Law Member—wherein they say:

‘ஜாதி பேதத்துக்கும் ஜாதி கட்டுப்பாட்டுக்கும் உட்படாதவர்களும், எக்காலத்தும் யதார்த்தமும் உறுதியும், தருமசிக்கையும குடிசொண் டள்ள ஆதித் திராவிடர்களாகிய நம்மவர்கள்’

"This is what is contained in the printed circular of Dravida Mahajana Sangam and the Madras Paraya Mahajana Sabha. Then they called themselves Adi-Dravida. In conclusion I am thankful to the Hon'ble the Law Member for accepting this resolution. I have nothing more to say, except to thank this Council for their uniform sympathy and goodwill towards us."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"I am not accepting the resolution as it stands, because I distinctly told the House that it was not possible for the Government to go on editing the old records. My undertaking is that I shall call the members of this community Adi-Dravidas and Adi-Andhras, and that if particular members prefer to be called Dravidas I shall call them as they like. But I am not prepared to undertake the reediting of the old records."

The motion was put and carried.

Liberalization of the Grant-in-Aid Code.

Mr. M. C. RAJA moved—

"227. That this Council recommends to the Government that a committee consisting of educational officers, managers of schools and members of the teaching profession, be appointed to consider the ways in which the Grant-in-Aid Code may be liberalized."

In doing so, he said:—"I do not propose to say much by way of commending this resolution to the acceptance of this House. For more than ten years past the cry has been, and it is as true to-day as it was ten years ago, that the Madras Grant-in-Aid Code is in most respects very stringent, more stringent than that obtaining in any other province of India and needs considerable liberalizing. Managers of mission institutions and managers of indigenous schools have alike been complaining, and complaining justly, that the amount of the aid they receive is totally inadequate to their needs. Writing in 1911, Dr. Miller pointed out that 'financial aid to private effort has been more and more restricted in recent years,' and this statement applies with truth to conditions obtaining to-day also. What is noteworthy is that the more important of the provisions of the Code, such as those relating to teaching grants for

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secondary schools, for example, are so vague that even some inspectors of schools, I am told, are not able to say how much a particular school might expect to get as teaching grant. What is the official or departmental meaning of the expression 'contribution from private sources'? I am credibly informed that at one time within recent years this meant, besides what was paid by the managers from their private sources, any sums which were collected in the shape of fees over and above the standard rates. It appears that is not the interpretation now put on that term. What is the result? Some schools which as a result of the more liberal interpretation drew some decent sums as grants have been refused them now.

"As the result of a number of questions raised and resolutions pressed in the local Legislative Council, the Madras Government appointed in 1916 a representative committee to consider the provisions of the Grant-in-Aid Code and kindred matters. The report submitted by this committee was before the Government for nearly three years and at last, early in 1919, a Government order was issued. The most important point to note in it is that practically every recommendation made by that committee in respect of aid to secondary schools was disapproved. Some were totally rejected and others remitted to the Director of Public Instruction for further consideration and report. Thus in respect of Government aid to secondary schools we are now no better than we were a dozen years ago. If anything, we are worse off in certain respects. At the same time it is being freely asserted and acknowledged that secondary education is the backbone of our system of education. I strongly urge therefore that the question of the grant-in-aid should immediately be taken up for consideration and that a strong and representative committee should be appointed for the purpose.

"One word more. I am afraid it is the fashion with the Government to discard the teaching profession altogether while choosing the personnel of committees of the kind that I suggest. I do hope that this time no such mistake will happen, and that a fair proportion of teachers will, in addition to managers and departmental officials, be nominated to the committee."

Mr. L. C. Guruswami seconded the resolution.

Mr. R. LITTLEBAILES:—"There has been a very large conference held within recent years. There are certain members of this Council at present sitting here among us who attended that conference. We sat several days and voluminous notes were prepared, and these were considered at extreme length. The Government considered the representations which were made by this extremely representative body, a body which included managers of schools, educational officers and members of the teaching profession, and they found it not possible in those days, with the finances at their disposal, to accept all the recommendations that were made by this committee. In view therefore, Sir, of the fact that a relatively recent conference or committee has sat and reported to the Government, and in view of the fact that Government have, within recent years, considered the matter, I see no need at the present time for another committee. When a case arises as to the interpretation which is put on the Grant-in-Aid Code, a case in which some manager of a school considers that the Code has been unjustly interpreted, representations are generally made to the Department of Public Instruction and I assure the honourable the mover that every one of such representations is looked into very carefully. In fact, there are honourable members present here who can

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verify the statement. There are some honourable members sitting in this Council who made representations to the department in respect of grant. The questions have been looked into fully and the position explained to them. In some cases it has been the question that the grant cannot be paid because we have not got funds in the budget. When we have funds in the budget, then we are willing to go up to the full limit. But in other cases where only a partial grant has been awarded, information has been given that the subject will be considered again when we have additional funds. There are again other cases where it has been possible to give an additional grant provided the management would fulfil certain definite conditions which are laid down in the Code, and it was pointed out to the managers that they could apply again for an additional grant. In all these cases, the department is helping to make these grants as liberal as possible under the existing rules of the Code.

"I should like to mention one other point; the honourable mover has overlooked one very important fact, and that is, that the Grant-in-Aid Code has been liberalized in one extreme important point within the last two years. Government have now sanctioned a two-thirds grant instead of the previous one-half grant for all scientific objects, with the result that where previously only one-half of the total cost was sanctionable as grant, now two-thirds of the whole cost is sanctionable as grant for various objects, objects which deal particularly with the advancement of scientific education. That, Sir, is a point which the honourable member has overlooked when he stated in his opening remarks that conditions were no better than they were years ago.

"I do not want to detain the Council. I do not see any very useful object in having a committee at the present time. If any cases of strictness or stringent applications of the provisions of the Code are brought to the notice of my department, I should be very pleased to look into them and to help the honourable members in anything connected with education in this Presidency."

The Hon'ble Mr. A. P. PATRO :—"Sir, the position has been very clearly explained to the House by the Director of Public Instruction. It was in 1916 that a very representative committee of managers of schools, headmasters and officials was appointed to revise and to liberalize the Grant-in-Aid Code, and the recommendations of the Committee of 1916 were given effect to by the Government from time to time by issuing various Government orders. Again, in 1919, another committee was appointed and they made several recommendations, and these recommendations are now being given effect to as far as the financial position of the Presidency helps the department in carrying them out. There are some recommendations of the committee which are still being considered, and as the honourable mover has stated, no doubt there are still a few of the recommendations which are being discussed. In the light of what has been stated now, if there are to be any particular cases where the interpretation of the existing rules of the Grant-in-Aid Code work great hardship with regard to any institution, the department is prepared to consider that particular case by going into it and examining it in all its aspects and assist the institution as far as it could. There is no particular case made out now by the honourable mover for the appointment of a fresh committee. If there is a case I would certainly support it. He has not placed any materials before the House to judge as

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to whether such a committee is needed now. I would state that if any member of this House feels that in the working out of the existing rules of the Grant-in-Aid Code any hardship is felt by any institution or there is any doubt to the Inspector or Manager of an institution as to the application of any particular rule, I am certainly prepared to consider that case and assist as far as I can.

"The object of the resolution and of the honourable mover is to obtain aid for secondary education and secondary schools. That is what underlies the resolution that has been moved. Now towards helping secondary education and secondary schools Government have already provided one lakh of rupees as teaching grant subsidy. Then again, provident fund rules have been so liberally framed that they would go very far to satisfy the requirements of the teachers in secondary schools. In addition to this grant, Government also gives another subsidy to the local bodies that they may be in a position to help their teachers. So in all these ways, Government are now assisting the local bodies in maintaining a proper standard of these secondary schools. When, as I said, in the interpretation of the existing rules there is any difficulty I am certainly prepared to consider that and the department will go into the matter."

Mr. G. VANDANAM :—"The Grant-in-Aid Code may very well be liberalized not specially in connexion with secondary education, but with reference to elementary schools grants."

The Hon'ble Mr. A. P. PATRO :—"I rise to a point of order. Elementary education is entirely in the hands of the district educational councils. It is not in Government at all."

Mr. G. VANDANAM :—"I say the district educational council is not all powerful in fixing the grants. They have still to follow the rules of Government in fixing the grants. There is a feeling in a number of these educational councils that they are more or less post offices rather than educational councils. The district educational councils do not have any power beyond passing the grants to a number of elementary schools in accordance with Grant-in-Aid Code. That is what we felt in Guntur Educational Council. They might be more liberalized. In the Grant-in-Aid Code, there is no distinction between untrained and trained teachers."

The Hon'ble Mr. A. P. PATRO :—"My friend is premature in passing these remarks, because he will very soon find that really a distinction has been made between untrained elementary teacher, untrained elementary higher teacher, secondary teacher, and again between an elementary lower trained and an elementary higher trained and the secondary teacher; and the grant proposed under the recent educational rules that are just gone to the press for publication will show that it is now twice the old existing rate. That means that Government will now pay about 2 lakhs more than what it was paying before in the case of aided institutions. After a great discussion with the Hon'ble the Finance Member this department was able to succeed in obtaining that grant for this year."

Mr. G. VANDANAM :—"I am glad. In the educational council we felt that the distinction was not clearly made out. We were not sure what happened to those recommendations. If that is so I have nothing more to say about it."

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MR. S. ARPUDASWAMI UDAYAR :—“ Mr. President, Sir, I am very thankful to the Hon'ble the Minister for Education for the sympathetic reply which he has made, but there were one or two expressions used by him and also by the Director of Public Instruction which show that there is a justification for the appointment of a committee for the revision of the Grant-in-Aid Code with a view to the liberalization of the grant. Both of them spoke of certain difficulties in the interpretation of the rules of Grant-in-Aid which might occur, and that, should there be some difficulty in the interpretation of certain clauses of the Code, a reference made to the department would certainly result in the right interpretation being put upon them or managers or headmasters being told what they really meant and how they were generally applied. I think, Sir, that the clauses of the Grant-in-Aid Code should be very clear, that there should be nothing recondite, nothing which would admit the possibility of a different or wrong interpretation being put upon them and enable the interpreting authority to step in and say that justice has been done and that the managers thinking themselves entitled to a more liberal grant are labouring under an illusion or some misunderstanding. And again,

3-15 p.m. Sir, there was the assurance given us by the Director of Public Instruction that individual cases of hardship or injustice, if reported to the head of the department, would be certainly enquired into. I think, Sir, the Code and application of the Code should be such as not to necessitate such constant appeals being made to the head of the department. That is justification indeed for the revision of the Grant-in-Aid Code with a view to make it more liberal, cleaner, simpler and more general and equal in application and thus once for all put an end to all such difficulties as might result from the right or wrong interpretation of a certain clause.

“ And again, Sir, it is true that a certain limited sum of money is allotted for the purposes of teaching grants. As regards the amount allotted, it is not for any member of this house on this occasion to raise any question as to its adequacy or to ask for a larger sum to be allotted for it now at this stage. But I wish that the Hon'ble the Minister for Education and the Director of Public Instruction would see their way to allay some kind of distrust and suspicion which, I must frankly and honestly admit, there is, viz., that certain classes of institutions especially some of those private institutions to which my friend Mr. Raja referred in his speech are perhaps, or certainly, as some say, receiving step-motherly treatment. Therefore, Sir, in order that all such suspicions or distrust may be allayed and that all managers of secondary schools may have full confidence in the head of the department and may know that they have the sympathy of the Government and that no kind of distinction is made, not the slightest partiality whatever is shown to some, and that whether their managers are known to the head of the department or not, whether they possess influence and recommendation or are bereft of these advantages, they are treated like others. That there might be a complete absence of any such feeling of distrust, I think, by giving effect to the resolution of the mover, the Hon'ble the Minister for Education will be doing a good for which he will earn the thanks and gratitude of all the heads of private institutions.”

MR. M. C. RAJA :—“ Sir, I am glad my honourable friend Mr. Arpudaswami Udayar has answered the Director of Public Instruction. My point is this: that the Director of Public Instruction should not give room for such

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complaints and should not create more work in this direction. If this Grant-in-Aid Code is liberalized it will make his work also easier as well as that of the managers of institutions. I listened to the speech of the Hon'ble the Minister for Education. I beg to say that the assurance given by him is very satisfactory. All that I complained was that the recommendations of the committee of 1911 were not given effect to for which the Hon'ble the Minister for Education has given us definite assurance that he will consider those recommendations and examine our complaint. After this assurance I do not want to press the resolution.”

The motion was, by leave, withdrawn.

Treatment of political offenders.

MR. C. V. VENKATARAMANA AYYANGAR :—“ Sir, the resolution that stands in my name runs thus :—

228. *That this Council recommends to the Government that early directions be issued and necessary changes, if any, in the rule be made so that all political offenders may be treated as first class misdemeanants are treated in England.*

“ I hope, Sir, that so far as this resolution is concerned it will not be treated as a party question by any side of this House. I am glad to say that Mr. Muniswami Nayudu has given notice of a resolution similar to this and that it has been included in the agenda. Many of my friends on all sides of the House with whom I have talked have agreed that there should be something done by the Government so far as the treatment of political offenders is concerned. So far as other Governments are concerned my information is that the Allahabad Government were the first to introduce some changes in the treatment of political offenders. This was followed by Bihar and Orissa and recently in the Punjab Legislative Council a resolution like this was carried, I believe, unanimously. In Bengal also the Government have already issued orders creating, as it were, a new class between simple imprisonment offenders and rigorous imprisonment offenders. All that only shows that everywhere the necessity is felt that so far as the treatment of political offenders is concerned we should show something like humanity and we should be a little more liberal. I understand, Sir, of course not authoritatively, that even this Madras Government has done something in this way. But one thing is evident that a number of superintendents who are sympathetic seem evidently to have been given powers to deal with these offenders in a different way from that which is meted out to the ordinary offenders. I do not know whether discretion has been entirely given to the various jail superintendents or that special instructions have been given by Government as regards the treatment meted out to these people.

“ The only one doubt that was raised by some of the members is that whether by passing this resolution we will not be understood to show that we are sympathising with non-co-operators. I think that attitude should not at all come in our way. Taking the non-co-operators themselves into consideration, I am afraid, they will not like the idea of anybody speaking in favour of this resolution or the Council itself passing it. They (the non-co-operators) seem to think, as some of our pious religious people seem to think that more suffering brings them nearer heaven, that more suffering will bring them nearer the day of Swaraj. Even Mahatma Gandhi in his recent speech at Bombay seems to have said that the people of this country have not yet suffered sufficiently so as to make them fit completely for Swaraj.

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Therefore we should not think that we need not in any way be afraid of being considered as being sympathetic or obliging the non-co-operators. From their point of view by passing this resolution, you will be delaying the attainment of Swaraj. But apart from all these considerations we have to consider ourselves civilized. All political offenders, I may speak practically without any fear of contradiction, in England and other civilised countries are treated as first-class misdemeanants. Of course, the word first-class misdemeanants may not be very clearly understood by some. But all I can say is, so far as I have been able to read of the treatment of first-class misdemeanants in England, they seem to be treated something like the simple imprisonment convicts far more liberally as regards their meals, as regards their quarters, their liberty to read books and newspapers and also sometimes interviews. Simply because a person commits an offence wrongly (we know that some of them do it intentionally) I think that is no reason why we should classify him as a devil or as a person to be cut off from civilization entirely. On the other hand there is every reason to respect differences of opinion however much we may disagree or pity that some of them are going wrong. So far as non-co-operators are concerned, Mr. Muniswami Nayudu's resolution specifically refers to them. It says that even though they may be non-co-operators they may be treated liberally. I think that so far as most of them are concerned they do not commit any violence. If people commit violence, whether political offenders or not, if a man under the colour of being a political man commits an offence coupled with violence, certainly he cannot go under the description of political offenders. But apart from these people who may commit violence though politically there are people who hold strong views and are prepared to suffer anything on account of those views and whom we must admire and in some cases pity also. Whatever may be their opinion—we prove that some of them are fit to ornament the front benches of this House—when these people honestly believe that a particular course of action is necessary in the interests of their fellow countrymen, not in their own selfish interests, but in the interests of the future generations of this country, however much we may not agree with them, it is quite necessary that we should respect their feelings. In any case we should not punish them unnecessarily. The fact that the Government probably wants to keep those people away from the ordinary masses with a view to prevent them from influencing or coercing them or helping people in any way, that object can very well be gained by keeping them in jail and certainly it is not at all necessary to make them suffer more by making their position awkward. In this connexion, I may say that what we say to-day to be right may be considered by ourselves to be wrong to-morrow and what we may say to-day may be considered wrong by our opponents to-day and may be admitted by them to-morrow to be correct. We need not go into any far distant history. It is enough to go into the history of Ireland. We find there persons who have committed serious dacoities and murders and who have been called assassins by the *Madras Mail* have been made leaders of Government and they will probably be ruling the Free State of Ireland with all possible glory in the near future. It only shows that however much the opinion of one party may differ from that of another, it is absolutely necessary that we should respect honest opinions especially when those honest opinions are followed by suffering. It is in this view, Sir, that I want this proposition to be carried. And I have no doubt whatever that the House

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seeing how the feeling has been throughout the country so far as repression is concerned, how political offenders who commit offences by simply disobeying particular sections of particular Acts and the orders of executive officers are treated, will consider it very desirable that we should also, following the example set by the various other Provinces in this country itself and following the example set by England and other countries also show that we are prepared to respect difference of opinion however much the Government may consider that in the interests of law and order they should keep them in confinement. Many of them also, Sir, if given an opportunity may probably study and come out with useful books and other things and if in their seclusion they read very carefully the various philosophies, histories and other things they will probably be able to change their opinion even as regards non-co-operation. Looked at from any standpoint there is no reason whatever why the political offenders should be treated exactly as habitual offenders. I know that some difference is shown to some of them as a matter of courtesy and as a matter of special favour, but there is nothing in the rules permitting them to do so, as a matter of necessity so far as I have been able to see them. Even the Jail Commission has made some recommendation in favour of meting out a better treatment to a class of our present political prisoners. In this view, Sir, I hope that Government will accept the resolution and the House also will support it."

Mr. T. SIVASANKARAM PILLAI :—" I have great pleasure, Sir, in seconding this resolution, for one important reason. It is absolutely necessary that the ordinary felon and the political offender should not be treated alike. The ordinary felon must be made to feel that the punishment that he is suffering involves an indignity. If that is removed, then the jail life will have no terrors for him. Suppose, for instance, a man like Mr. C. R. Das and an ordinary dacoit are incarcerated in the same jail. When the latter is released he will say, 'both Mr. C. R. Das and myself were in the same jail for some time, and lived together.' And when people say that Mr. Das is a great man, the dacoit also may think that he (dacoit) is an equally great man and the imprisonment that he has suffered may have no deterrent effect. That is the one important reason for which I second the resolution."

Mr. A. T. PALMER :—" I am very sorry, Sir, that I have to oppose this resolution which my very well-meaning friend has tabled for to-day. In the first place, he says that the non-co-operators will not thank us if we pass this resolution. He does not seem to understand non-co-operation at all. To-morrow his name will be in the papers and they will be praising him to the skies for this laudable resolution that he has brought. The object of imprisonment is to deter people from doing certain acts against the constituted authority of the Government. If any man who belongs to this movement or any other political movement of the same kind feels that a prison is only a bed of roses where he can go and stay for a while and come out with flying colours, then under the existing condition of things more will be forthcoming to be applauded, to be made heroes of by the people. In fact in the country from which I come, every man who enters jail under the non-co-operation flag is garlanded and people burn incense in front of him and songs are sung in praise of him and is taken to jail and placed therein. I do not understand what Mr. Venkataramana Ayyangar means when he says that the non-co-operators will not thank us if we make the prison less

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hard for them. My honourable friend thinks that the non-co-operators are ready to suffer but I know scores of instances in which though they are ready to speak on platform, they are not ready to suffer; on the other hand they escape from imprisonment by all false excuses and apologies.

"As regards the nature of the imprisonment meted out to these offenders, that is entirely left to the discretion of the magistrate and it will be wrong on the part of this Council to interfere with the discipline of the magistrate and propose that only a certain kind of imprisonment should be meted out to these offenders. Lastly, Sir, to say that we are not in favour of non-co-operation and at the same time bring resolutions like this does not seem, to me at any rate, to be logical. I am not a lawyer, perhaps to certain lawyer friends of mine it may be logical. I am strongly opposed to this resolution."

Mr. P. VENKATASUBBA RAO:—"Sir, I have much pleasure in supporting this resolution. I do not think it is necessary for one to be a non-co-operator to support a resolution like this. There is a feeling in the country that political prisoners have all along been very badly treated. The treatment meted out to political prisoners by the Governments in India may be compared with that accorded to political prisoners in Russia under the Czarist regime. The treatment meted out to political offenders in Russia was not such as was expected of civilized Governments. Lately, we have the spectacle of a number of respectable people going to jail for the strength of their convictions. They may be misguided in their views, but the Government cannot conscientiously treat them like ordinary criminals and place them under the same conditions as other offenders. I was really surprised to hear that Mr. Palmer should have thought it fit to oppose a resolution of this kind which aims at giving political prisoners in this country the same privileges that are accorded to political offenders in England. We are following English ways and English usages in most matters and I do not see any reason why the Government which is still British in character should not adopt British methods in this respect. I have also heard of cases of political prisoners who have been treated very badly or at least who are not given the treatment that is expected of a civilized Government."

Rao Bahadur T. BALAJI RAO NAYUDU:—"Sir, I rise to heartily oppose this resolution. My friend Mr. Venkataramana Ayyangar said that concession should be shown for all political prisoners. In his speech he suggested that men who were committed to prison for resorting to acts of violence should not be shown concession. But that is not the wording of the resolution."

Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*):—"I said that the term 'political offender' cannot strictly apply to these people who with political motives commit violence. The definition does not include such people."

Rao Bahadur T. BALAJI RAO NAYUDU (*continuing*):—"Among those people who are now going to jail as non-co-operators, causing trouble to others, there are a number of persons who taking their social position, previous history and previous character, into consideration, do not deserve any special treatment. There may be exceptions of a few individuals, like Mr. Das and other gentlemen to whom the previous speakers referred. I may say I am not

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against showing special treatment to them. By all means let the Government show concession to them. But, as we know, there are a number of men who were suspected previously of dacoities, murders and robberies who joined the non-co-operation movement and are now going to jail. They are all classed under the head of 'political offenders' in the newspapers just to show that the Government is sending a number of people to jail. There are people who lose nothing but who simply follow one or two important men who on principle believe sincerely that non-co-operation has something to do to improve the country. Among these people (political offenders) who go to jail are a number of men who have already seen jail life. That such people also should be classed as political offenders and given these concessions is to my mind not sound.

"The next thing is this. One of my friends has said that they are being sent to jail for the purpose of preventing them from joining the non-co-operators and doing further mischief. That is not, I think, the object of the Government. The man who causes mischief to the person or property of other individuals is bound to suffer for the faults he commits. In such a case, I do not think, he deserves any special treatment. For these reasons, I oppose the resolution."

Rao Bahadur T. M. NARASIMHACHARLU:—"Mr. President, Sir, I beg to support this resolution for this simple reason, that ordinary offenders offend against society: the murderer or a thief offends against society: the offence is not only illegal but it is also immoral, and the Government as the guardian of society, tries him and punishes him for the sake of the society. Whereas a political offender does not offend against society, at any rate, he thinks he does not offend against society. He says that the present system of Government is not conducive to the welfare of the people. He says that he is working for the people and I believe that he conscientiously says so. That being so, he fights for the sake of the people, against the existing system of Government. So that the Government, being in power, takes it into its head to bring him to justice. Therefore he is face to face with the Government, the Government which he considers as his enemy. And consequently the contending parties are, on one side the person who thinks that the Government is in the wrong, and on the other side the Government who does not want this person and who thinks that this person is in the wrong. Therefore, they being opponents face to face, I think it is a well-known thing that we should fight the opponent in a generous manner. There should be no vengeance, no vindictiveness in it, but it should be looked upon in a sportsmanlike manner. It is this principle, it is this view that has made civilized Governments to look upon political offenders not as a common felon or assassin or a murderer who offends against society but as a person who is conscientiously trying to do good to the country by opposing the existing system of Government. Therefore, I think it is the duty of the Government to treat these people as generous enemies and not like the people who offend against society. It is the duty of the Government to treat them differently from ordinary offenders. I therefore think, Sir, that there must be difference in the treatment. Otherwise the public will think that the Government is acting in a revengeful manner against their enemies. I therefore support the resolution."

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Sir P. TYAGARAYA CHETTIYAR :—"Mr. President, I am really sorry that I have to say a word against the resolution that has been brought forward. Sir, it has been said, and said very rightly, that the political offenders ought to be treated in a different way from the ordinary offenders. I agree with them. But what is the kind of treatment these political offenders deserve? Sir, it is well known that a murderer kills one person and that one person suffers. A thief, a burglar robs one person and that person suffers. Whereas what is the offence of the non-co-operators? I suppose, Sir, you were all in Madras on Friday last and I suppose you all have seen what kind of hooliganism was perpetrated that day by the so-called non-co-operators. Sir, if the police had been strong enough to *pukkado* these fellows I suppose the number would have been several hundreds. Well, are these the men that are to be treated like gentlemen in jails? Sir, in every street we had these people; of course, the leaders were in the back ground. There are three sets of people, the youngsters, the hooligans and the still bigger men. These youngsters, when they saw cars taking people to see the Prince, they actually prostrate before them. Then come the hooligans to strip ladies of their clothing and give them good beating on their back. And these are the gentlemen whom my friends want to be treated as political offenders and as first class misdemeanants. I seriously ask those gentlemen that saw what took place in Madras last Friday, if these political offenders, non-co-operators, are really the people that deserve better treatment and enjoyment in the jails at the cost of the general tax-payer. They do all kinds of mischief and when they are sent to jail it is suggested to give them a treatment as if they were gentlemen. I submit Sir, this cannot be tolerated."

Rao Bahadur K. GOPALAKRISHNAYYA :—"Sir, I rise to oppose the resolution. There has been a tendency among some members of the public and some members of this House also that if they sympathise with a resolution of this kind they would be in the good grace of the present political agitators. I am sorry to remark like this. I do not understand why any members of this House should be so very touchy and should be inclined to make any difference between the political offender and the ordinary offender. The State provides certain prisons which are guided by certain jail rules such as the Jail Code, etc. I should think that if any difference is to be made, a difference so general in character between political offenders and ordinary offenders, there is a great danger that we will have to be prepared for. I agree that there are certain prisoners who go to jail willingly in order to suffer more than the ordinary felons as according to their view the greater their suffering the nearer would be their goal. Of course they are individual and personal cases which I dare say the Government are prepared to consider. But to draw a broad distinction between the two would, as I already submitted, lead us to grave dangers. Of course resolutions have been passed in certain provinces on these lines. But I do not know how far they have been given effect to by the Government. The resolution suggests that there are some first class misdemeanants in England. Personally I do not know how many classes of misdemeanants there are in England; but so far as we are able to see in this country the so-called political prisoners are courting jails voluntarily and even their political leader Mr. Gandhi has announced publicly that if they did not receive the rigours and horrors of jail they would be less fitted for Swaraj. I think, it

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is impolitic to adopt this resolution. This resolution does not exclude real felons who under the cover of politics commit grave offences. Of course we cannot make jails Swadesa Asrama as the non-co-operators would like to call them; we cannot convert our criminal prisons into civil prisons. But I would say that unless they are punished in accordance with the jail code, we cannot deter people from committing such offences. It is very unfortunate we should seek for a difference in the treatment of the political prisoners which may be necessary in exceptional cases. I oppose the resolution."

Mr. S. SOMASUNDARAM PILLAI :—"Mr. President, I remember to have read in the Penal Code three sorts of offences, offences against state, offences against person and offences against property. Of course punishments also are provided for them. But I do not know if a political murderer is hanged differently from an ordinary murderer. If jail is going to be made a palace, surely a large number of people would seek to get into the jail. The other day when the Madras non-co-operators asked Mr. Gandhi, that 'it is not likely that the Criminal Law Amendment Act be enforced in Madras and if so how the volunteers are to go to jail' it appears he replied asking them to wait till he orders to make civil disobedience so that the Government may then send them to jail. So all these hooligans are ready to go to the jail. The other day I was returning from the harbour and a number of these people attacked my car. I would have treated them properly as they deserved but for the fact that I was by the side of my wife and children. I could therefore do nothing and I simply asked my driver to drive the car. There are the magistrates and judges who use their discretion in giving these men simple imprisonment or rigorous imprisonment as they deserve. Why should there be a resolution of this kind passed by this House? Day before yesterday I was addressing a big meeting in Chingleput. Some of the non-co-operators asked me 'What, Sir, people like Mr. C. R. Das and others are suffering for their country.' I said 'nonsense, they are suffering for their disobedience to the law of the land. If you speak a word more,'—I was then the Chairman,—'I will have to disperse the meeting and so I did.' These people call themselves saviours of the country and commit all sorts of atrocities. As regards the youngsters who are students, I don't think it is advisable to send them to jail. It will spoil their future career. But I would recommend a very severe punishment such that they would tremble to commit a similar offence again. In the case of the youngsters instead of any other punishment, if they are given half a dozen stripes, that will be meet. I therefore oppose the resolution."

Sriman BISWANATH DAS Mahasaya :—"I am very sorry that non-co-operation has been brought into this House which stands for co-operation. The political offender suffers for his own convictions. The Hon'ble Mr. Harikishanlal, who is now the Minister in the Punjab, has once suffered for his convictions. And would it be desirable that a man of his position and attainments should undergo the same troubles as ordinary criminals? Now, Sir, Mr. Surendranath Bannerjee who is now the Chief Minister of Bengal was once undergoing prison life at Barisal. Is it desirable I ask that a man of his repute and fame should undergo the hardship and trouble such as are meted out to ordinary offenders? It is therefore necessary, Sir, that these political prisoners should be given a better treatment than that accorded

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to them at present. They or all of them may or may not be rich men or the better class of people as has been stated by some of my previous speakers. But that is not the question before us. They have committed no crime other than the crime (if at all it is a crime) of acting up to their own conscience and convictions. If they have committed the crime of acting up to their convictions, certainly that is no reason why they should be put to these troubles and made to undergo great hardship. We hear that even men like Lala Lajput Rai were not given proper food in the jail. I appeal to the Government that they should be pleased to see that prisoners of the name and fame of Lala Lajput Rai or the like should have a better sort of treatment. If they do so it is to their credit that they should be treating the political prisoners in a way which may be called generous. If the political prisoner suffers for his convictions and the Government accords to

him a better treatment, certainly the Government will be popular. It is the custom to accord a different treatment to political prisoners in all European countries. The European or Anglo-Indian prisoner is given a far better treatment. Why then is a difference? He is confined because he disobeys the law for the time being in force. I would therefore appeal to this House that a different treatment should be accorded to the political prisoners as is the case in Great Britain. It was only the other day the 'Madras Mail' was attacking the British Cabinet for having concluded a treaty with 'murderers.' While these so-called murderers were accorded a better treatment than ordinary prisoners, there is no reason why the same system which is in vogue in Great Britain should not be followed here. Under these circumstances, I appeal to the House to pass the resolution."

Mr. B. MUNISWAMI NAYUDU :—"Sir, as one who has tabled a similar proposition, though not in the same words, I need hardly say that I am in sympathy with it. It is very unfortunate that this resolution should have come in unexpectedly within a week after the 13th January. It was never expected that in the usual course of business this resolution would be reached this month. I take it, Sir, that however much might be said against us who support the motion, viz., that we want to placate non-co-operators, it must be said in respect of those who oppose it that they are more carried away by the treatment they seem to have received personally. In moving this resolution, it is not the object of the mover or of anybody supporting it that people who in the name of non-co-operation or of any particular propaganda have committed crimes, even those of stone-throwing, assaulting people and smashing windows, should be treated as political prisoners. It would be certainly within the power of the magistrates to give such offenders the punishment that they deserve. But, Sir, taking the vast number of people who in conformity with their political ideas refuse to plead and who suffer, in consequence, and who have been leading respectable lives, there is no justification for any country which calls itself civilized to huddle them among a pack of criminals, dacoits and murderers and say that they should be treated in the same manner as any other criminal. It was this view that lies fundamentally at the bottom of the treatment of such prisoners by all civilized Governments. Taking the view that political prisoners, without being a nuisance to their neighbours or the public, without being dishonest and without depriving others of their property or personal safety, have for

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the political emancipation of their country resolved to suffer from conscientious motives, there is no reason why they should suffer more in this country than in any other country.

"It is said that all prisoners should be treated alike. I would submit to such objectors that it is my conscientious belief that for what they are doing in the interest of their own country, the very fact of imprisonment and exclusion from society, from their homes, their friends and the amenities of life, is itself a sufficient punishment. Having regard to the way in which this Government and other Governments have been treating political offenders when truce is called, when political concessions are given and reforms are introduced, and having regard to the way in which these political prisoners are treated, many of whom are set at liberty, their unexpired sentences being cancelled, all that clearly goes to show that, when Government comes to change its view, when they see eye to eye with these persons who went to jail, Government have been bold and generous enough to set them at liberty. If after a few months of suffering, suffering due to Government failing to see eye to eye with those people, they are entitled to be set at liberty, I see no reason why they should not be treated apart from criminals until the necessity for setting them at liberty arises.

"Sir, it has been pointed out by the honourable mover that similar resolutions were introduced in other provinces and in the November sessions of the Bihar and Orissa Legislative Council, I find a similar resolution, which was much more drastic than the present one and wanted more liberties to be given to political prisoners, was passed by that House. Of course a number of questions were put here as to why this resolution was brought up. I would submit that it was to plead for better treatment of people who did not agree with us and who certainly did not see eye to eye with us. After all what guarantee is there that we are in the right and they are in the wrong? Possibly we may be in the wrong. For all these reasons, I submit, Sir, that political offenders who are not guilty of any acts of violence against anybody and who from their high principles were voluntarily willing to deprive themselves of their personal liberty, should not certainly be treated on a par and be huddled with the ordinary criminals. It has been urged by Mr. Palmer that it is the province of the magistrate to deal with such cases. In times like this, when passions are aroused, we do know that even magistrates are not able to mete out a level-headed and impartial treatment in the case of political offenders. Very often, for various reasons, from various motives, the extreme punishment is given and to leave the matter to their whims and fancies is not proper. It is evidently with this view that the mover brought forward this resolution irrespective of the question whether political offenders are or are not non-co-operators. Whether we are against them or not, in the name of humanity and fairplay, people who are not guilty of any assault should be entitled to a better and fairer treatment, and I hope that this House will accept this proposition."

Mr. G. VANDANAM :—"Mr. President, I have great respect for all those people who suffer for their conscience and as such they deserve all consideration at our hands and if people go to jail on account of their conscientious troubles, they ought to be treated with respect due to their convictions. But I have one serious doubt: how many people go to jail out of sheer conviction and how many people are sent in there, because they have no option? Some

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of these people that have been going to jail, as far as I know, have no convictions of their own. They are put in a position from which they have no way of escape, and I know many of them would have been glad to be at home, but they have committed themselves so far that they have no way of retreat and they have gone on forward, and they are there in the jail. I wish to save such people if the members of the House can have any influence over them in the matter. Somehow or other, I am so sceptical, I am not able to believe, as some members have said, that some of these people that go to jail are honest and some of those are patriots, and that they are going there in the interests of the country. I have very serious doubts about their patriotism, honesty and suffering in the interests of the country. The patriotism of some of these people is beyond question. There are some people—because it has become a fashion to go there—who have been going to jails whose aim is non-payment of taxes. They are working towards that aim and the preliminary steps that they had taken were only towards that consummation. Now, if they have been fighting for the non-payment of taxes, consistently with their principle they cannot accept any comfort which comes to them from the taxes paid. If you want to insult an enemy, offer him a gift. If the non-co-operators treat the Government as an opponent, I am afraid they might take a better treatment of them by the Government as an insult to them; if they are really consistent—they ought to be fed at the expense of the tax-payer and they are fighting against the payment of taxes—they must reject this offer with scorn. Therefore we are to be sure that this offer of ours is not treated as an insult before we offer it. I wish to be enlightened by those members that supported this resolution whether the non-co-operators will not take it as an insult. Then we know our way how to act. For the present I have a very serious doubt whether consistently with their principles the non-co-operators will take this gift as an insult rather than as a courtesy shown to their convictions. Therefore, without dwelling further, I would like to know whether the non-co-operators would accept the gift that we were going to offer."

Mr. R. K. SHANMUKHAM CHETTIYAR:—"Mr. President, Sir, though the non-co-operators, when the reforms were inaugurated, boycotted the Legislative Councils, I am afraid that they are permeating this Madras Council, at least, in a manner much more forcibly than if they had been members of this House here. Because, though not bodily in this hall, I am afraid, Sir, that before every honourable member of this House there is a phantom of the non-co-operator threatening the members at every step. In this proposition we are not trying to lay down the principle under which the non-co-operators of this country are to be treated in jails. This proposition plainly says that political offenders are to be treated in a special way. Those who are accustomed to legal phraseology know what the term 'political offenders' really means. A man who throws stones in the streets, a man who commits house-breaking, and people who take part in acts of hooliganism, these are not considered as political offenders at all in any sense. 'Political offenders' have a definite sense and in that sense, the term is used and understood. I am afraid, Sir, that in our bitter antagonism to one sort of political propaganda in this country we are completely blinding ourselves to the elementary principles of constitutional practice and legal procedure prevailing in any civilized country. Political offenders are those who do not see eye to eye with the *de facto* Government, who are actuated by the motive that the

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de facto Government is not discharging its duties properly, and so violate some laws in the task of bringing about a change in the Government. If under the courage of this conviction, they find it impossible to obey certain laws of the Government, without involving danger to public property and without doing any harm to the community or society at large, then, Sir, we cannot be justified in classifying such persons under the category of ordinary criminals and meting out to them the same treatment which is meted out to persons who themselves are a danger to society. No doubt we are in power now, but in laying down these principles, I am afraid, Sir, a time may come when these wonderful principles that we are enunciating may go against ourselves. Sir, as I said, this resolution does not describe any method of treatment to the non-co-operator or to any sort of political propagandist. It simply seeks to lay down an elementary principle of constitutional practice, and as such I have no doubt, though I have the greatest reverence for some of those gentlemen who opposed the resolution not understanding what is meant by the term 'political offenders', that this House will endorse an elementary principle which has not been disputed by any Government worthy of being called a civilized government."

Mr. K. P. GOPALA MENON:—"Mr. President, Sir, the issue involved in this proposition is a very broad one and certainly very whole-some. But unfortunately in the discussions that we are having this afternoon, it has been clouded with certain specific considerations. The non-co-operator has again been given a very important part which he does not deserve in our deliberations. Certain specific odd overt acts done by certain people which would bring them under sections 352, 323 to 326, 506 and so forth of the Penal Code have also been brought into the discussion. I am sorry that our views have been so narrowed by such considerations as not to give full expression to the real feelings and sentiments that ought to weigh with us in a resolution of this kind. Mr. Somasundaram Pillai, our esteemed friend who very often gives us much amusement, was saying that there ought not to be any distinction between a politically minded man who commits a murder and another man who murders another person in the sort of sentence that each of them should be given. I fail to see whether the law makes a difference in these cases. There is absolutely no difference in the case of those who come within the purview of certain specific sections of the Penal Code making certain acts punishable with a definite sentence. Therefore, Mr. Somasundaram Pillai's illustration is not worthy of any serious consideration. Then again we had instances told of motor cars being stopped on the way a few days ago, stones being pelted and so on. All these things, in my humble opinion, do not come for consideration when we are discussing broad issues involved in a proposition of this kind. My friend, Mr. R. K. Shanmukham Chettiyar has most forcibly told us who a political offender is and why we should not mix a political offender with certain people who might have a political plea and irrespective of the stand that they ought to take in taking a conscientious objection to certain things lend themselves up to committing overt acts and make themselves liable to certain punishments. I am therefore only requesting the honourable members of this House not to be led away by certain specific, particular considerations, however sorrowful these incidents are, but to see that the whole civilized world has made it necessary that the sort of punishment meted to the political offenders must certainly be not the same as that meted to those punishable

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under the Penal Code, and that we have the reforms to work out in a proper spirit. Mr. Vandanam referred to the case of people who refused to pay taxes. Take a case in point. Suppose I owe a certain amount of money to a certain person and suppose there is a decree against me and even then I do not pay. Then because my property has been attached and yet the decree has not been satisfied, am I to be given six months rigorous imprisonment while there is the civil jail under the law. There must be a differentiation and it is high time that we must take a broad view of these things. I would implore the House as I have already done to take a wider view of the whole question and to act in one body to the very wise remarks made by my friends Mr. Shanmukham Chettiyar and Mr. Muniswami Nayudu. I have therefore great pleasure in supporting this resolution."

Mr. S. T. SHANMUKHAM PILLAI:—"Sir, the political offenders, if they are of the description given by the Hon'ble Sir P. Tyagaraya Chettiyar deserve the maximum punishment that can be meted out under the Statute law. If the treatment of the kind that is recommended by this resolution is extended to these offenders, then there will be no difference between these people and the deposed kings and emperors transported and held in honourable captivity. When we look at the offences committed day after day by these people, the unrest created by them in the various provinces, and even in this capital city of this province the other day, we can very well see that they have the worst motive imaginable, i.e., destruction of life and property. By showing any lenience to these people, we only encourage the non-co-operation movement and more atrocities and the worst of offences shall freely be committed. I am afraid the society will go into disorder and therefore I strongly oppose this resolution."

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, the speech of the honourable member who spoke last, Mr. S. T. Shanmukham Pillai was rather very amusing. Even at the risk of being called a non-co-operator by my friend at my back, Mr. Palmer—I am not really one—by reason of my standing up to support this resolution I feel it incumbent upon me to do so. He has also told us that he was unable to perceive logically any person who poses himself to be a co-operator standing up before this House and trying to speak in favour of this proposition. I submit there is no inconsistency in the position I take up. I think it is due to my friend, the honourable member who hailed from Coimbatore, Mr. R. K. Shanmukham Chettiyar who deserves my hearty and sincere congratulations for removing the cloud which has so far gone on enveloping the discussion. To him that credit is due and we are beholden to him for clearing the air of a great deal of misapprehension. There is always the danger of our missing the real issue when we allow the discussion to get into the side-tracts. And as we lawyers are familiar, it puts me in mind of this, namely, drawing a red herring across the track. Coming to the resolution before us I submit that I have not come across either in the spirit or in the language of the resolution the word non-co-operators. The resolution appears to have been carefully worded, for the actual words that I come across in it are 'political offenders', who in most cases may be non-co-operators and in some cases may be non-non-co-operators as well. It is difficult to understand why a person who by reason of certain conscientious objections to the present system or form of Government breaks the law without any violence should be placed on a par with and treated as a ruffian, a bandit or a

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murderer or an assassin. My friend Mr. R. K. Shanmukham Chettiyar has put it very forcibly that these people who commit themselves to certain lines of action unattended with violence are certainly entitled to better kind of treatment than others who indulge in all sorts of violence. If an offender does serious acts of violence, or causes considerable damage to property, certainly he forfeits any claim to any good or decent treatment. But if a person goes about the country on some propaganda work and indulges in strong language and brings himself thereby within the scope of sections 124-A or 153-A of the Penal Code some lenience must be shown, some latitude must be allowed in such cases. I am aware of certain instances of picketting in my district on a small scale. They were not at all attended with violence unless either by a stretch of imagination or by a stretch of some provisions of the Statute it be held to amount to deeds of violence or wrongful restraint and so on. The picketers failing in their oral persuasion fell at the feet of the people going to the liquor shops, prostrated before them and persuaded them to go back. This was construed to be a grave crime. Such persons were hauled up and the wonder is that they declined to defend themselves; they were sent to jail for four months and what was worse asked to execute a bond for good behaviour for one year. True to their conviction they served out the term refusing to appeal. Of course any incitement to violence or attempts at violence must be differentiated from these cases. It may be that cases of serious consequences attended with violent outbreaks, serious disturbances to public tranquillity must be severely punished. But there is absolutely no reason why political non-violent offenders including those who disobey orders issued under section 144 of the Criminal Procedure Code should not be differentiated from violent offenders. With these words I beg leave to accord my hearty support to the resolution."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I expected the Government would speak in reply and I expect still that the Government would take a sympathetic attitude. I wish to make one observation with reference to the statements made by Mr. Palmer as he has strong likes and dislikes. If he does not like potatoes he comes down upon the potato farms; if he does not get ghee or butter he comes down upon the cattle farms; if he does not like to die, he wants it to be postponed at least till the Indian Christian cemeteries get compound walls."

Mr. A. T. PALMER (*interrupting*):—"I like potatoes, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR (*continuing*):—"I am very glad for the correction, Sir. I will then put it this way. Mr. Palmer though he does not like potato farms likes potatoes. Unfortunately, Sir, if he does not like potato farms likes potatoes. Unfortunately, Sir, if he does not like non-co-operators, there is no reason why he should dislike political offenders. To complete my reference, if he does not like hunchbacks, he comes down upon handspinning. There has been a considerable confusion in the minds of several people that political offenders are non-co-operators, that the two phrases are synonymous and are terms that are transferable with each other. I clearly stated both in my speech and when Mr. Balaji Rao Nayudu raised the question that the definition of political offenders does not include those people who do violence either from political or other motives. If the Government think that there is some difficulty about the definition of the word,—so far as I see, no code of British India has as yet attempted a definition of the word—it will be entirely left to

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them to do so in the rules. Therefore, so far as Mr. Palmer and others are concerned, I think the way has been clearly made and Mr. R. K. Shanmukham Chettiyar has clearly stated as to what the word means and I see no reason why there should be a confusion in the debate. The resolution itself was sent long before the 13th of January last. In fact, I sent notice of the resolution when the treatment of Mr. V. V. S. Ayyar, that he was handcuffed and taken along the road, was published in the papers. Our friends in this Council need not at all be anxious that the words political offenders will by any definition either of the Government or of any other body include political offenders, non-co-operators or others who for any reason whatever, from any motive whatever, commit violence. That I want to be made clear.

"Apart from that standpoint and coming directly to the question of differences of opinion, are we not likely to change our opinion? 4.30 p.m. Are we not likely to change our views? Whoever expected that the "Justice" federation would have passed resolutions as they passed two days ago, resolutions which were even stronger than those passed in the Congress two or three years ago. We all change our opinions and we are all very forward and progressive in our opinions. The views that some of us hold to-day may probably be considered by some others as advanced views. Therefore, as Mr. Shanmukham Chettiyar stated, let it not be said that we who are in power to-day, let not the present Government penalize people simply because they hold different opinions and what is more when they actually suffer both in body, mind and property on account of their convictions. Although the Government will be justified in controlling their movements, yet they must treat them with respect. My honourable friend Mr. Baiji Rao Nayudu said that the motive for keeping these people is not only to keep them in confinement but also to make them suffer. But recent history clearly shows that the only object of punishing these people is to keep them under control and thus prevent them from making speeches. That this is the object of the Government in punishing them is clearly seen from the fact that when once a prisoner apologizes and undertakes not to make speeches, he is released. He is punished because he has to be prevented from making speeches which might embarrass the Government in the administration of the country.

"I do not know whether my honourable friend Mr. S. Somasundara Pillai has carefully read the Penal Code of 1860 and the definition of the various classes of offences contained therein. The Penal Code is more than half a century old and therefore it is desirable that there must be some amendments in so far as the punishments are concerned. However much we might differ in our views from Mr. C. R. Das and others, yet I suppose there will be no difference of opinion among us that they are people who deserve better treatment than what they are accorded now and that they are people who are fit to be in much better positions than many of us here. Surely that is one class of people that deserve some special treatment.

"Mr. Vandanam stated that there will be another class of people who deserve special treatment and they are those who are misled and who go to jail not out of their conviction but because they are allured by others. They must also be treated in a different way because they also commit no violence. These are the classes of people who might come under the definition of political offenders. The resolution as worded is broad enough. It gives full

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power to Government. Let us only be humane, let us be courteous, let us be chivalrous and let us be kind even to our enemies. With these remarks, I once more appeal to the Government and the House to accept my resolution."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, we have not had the advantage so far of learning the views of the Government upon this question which is of considerable importance. I was astonished that upon a question of this description in which there has been no difference of opinion expressed anywhere in other civilized countries in this world, there should have been such an array of opposition in this House. I was somewhat surprised that in this democratic assembly which, after the growth of parliamentary institutions here, has been trying to engraft in its own proceedings, principles and precedents in the west, there should have been such strong views expressed against the acceptance of a simple resolution like this. Sir, I take it that the opposition so far expressed is due not to any difference of opinion regarding the main principles underlying this resolution but upon certain side issues which have been raised. My own interpretation of the speech of the honourable member Sir P. Tyagaraya Chettiyar, is that he supports the main principle underlying this resolution. In the very first sentence of his remarks he was good enough to state that so far as the treatment of political offenders was concerned he would not raise any objection but later on he pointed out certain reasons as to why the present motion should not be accepted by the House. He has drawn our attention to the work of the non-co-operators."

Sir P. TYAGARAYA CHETTIYAR (*interrupting*) :—"May I say one word, Sir, by way of correcting my honourable friend? I think he has misunderstood me. I did not say that there should be a different treatment but I said that there should be a severer treatment."

Rao Bahadur A. S. KRISHNA RAO PANTULU (*continuing*) :—"I am rather more surprised than I was before when I find that even in the matter of general principle apart from special considerations which have been placed before this House, he would advocate a severer treatment in the case of political offenders generally. That is a proposition which I must state frankly takes my breath away when it is known that this principle of fair treatment that has been accepted in the west and in other provinces in our own country has not been accepted in this House. May I ask, Sir, what are the special difficulties and what are the special circumstances which would necessitate or justify a harsher or more cruel treatment in the case of political offenders in this country that is not justified in the west? May I ask, Sir, why, if in other provinces in India it has been found possible for those councils to accept motions recommending better treatment in the case of political offenders, in the case of Madras alone it should be so unfortunate as not to have a more or less humane treatment meted out to the political offenders? I appeal to this House to discard from the consideration of this question all feelings or views expressed against the work or the activities of the non-co-operators. I would appeal to this House to take a broad and general view of the whole situation affecting political offenders whether they come within the pale of non-co-operation or not.

"Sir, we have been reminded of the unfortunate and regrettable incidents which took place in this very city on the 13th of January 1922. We all deprecate and we all condemn those events and it will not be for us with the meagre information placed before us to analyze and state exactly the part

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"Sir, we have been reminded of the unfortunate and regrettable incidents which took place in this very city on the 13th of January 1922. We all deprecate and we all condemn those events and it will not be for us with the meagre information placed before us to analyze and state exactly the part

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which can be attributed to different individuals so far as those incidents are concerned. The various sections of the press have given somewhat divergent opinions regarding those incidents. It is stated that there are various agencies at work regarding which there has not been any consensus of opinion. Therefore without a full and complete inquiry as to the persons who were really responsible for those dastardly and cowardly attacks upon innocent persons, it is not possible or it is not safe for us to pronounce a decided opinion as to the persons who are to be held guilty regarding these acts. I would in all humility ask, Sir, whether in view of these regrettable incidents which no doubt took place in our very presence the other day we would violate the well-known principle that political offenders ought to be treated in a different manner from ordinary felons or habitual criminals. It is a point for consideration whether generally in the case of convicts in jails better treatment ought not to be afforded. That question has been engaging the attention of the public for several years and proposals have been under consideration, however modest and inadequate may be the reforms that were effected in that direction. But this resolution does not seek any modification in the present system of treatment given to the criminals, but it suggests that in the case of those who owing to their convictions—which no doubt we all condemn—have gone to jail, they should be treated as persons in their status of life are entitled to be treated.

"Another question has been raised, namely, whether the tax-payers' money ought to be used for the purpose of providing comforts to those who have voluntarily broken the law and gone to jail. In this resolution we are not asking for any special privilege, we are not asking for any special concession, but we are asking only for just and fair treatment to the political offenders. Most of the complaints which have been received, so far as I am able to gather, is in the matter of the food that is given to them while in jail. In the matter of food to be given to them, it is not that we should consider only one aspect of the question, namely, whether the tax-payers' money ought to be spent for that purpose. If they are not allowed to have the food to which they are ordinarily accustomed, at least are they allowed to have it at their own expense? I think the rules do not permit them to do so. They wish to provide themselves not with luxuries, not with special comforts but with whatever food they are accustomed to eat every day. It is not therefore a question of your considering merely whether the general tax-payers' money ought to be used for giving better treatment, but it is a question of considering whether the interests of humanity and consideration and justice do not require that in the case of those who are accustomed to a certain scale of living you would in addition to the rigorous or simple imprisonment inflicted upon them make them suffer by giving food which they are not accustomed to. There has also been a complaint in some cases that the food was unwholesome. Is it fair and just to inflict on them the additional punishment of taking unwholesome food in addition to the punishment provided by the statute? That is another aspect of the question which deserves consideration at your hands.

"Sir, before I close, let me appeal once again to the honourable members of this House not to be carried away by the statement of my honourable friend Mr. Gopalakrishnayya, namely, that those who support this resolution want to be in the good books of the non-co-operators. Shall we say that

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those who oppose this resolution want to be in the good books of the Government? My only submission is that we should not be guided by either statement. For my part I shall refute the one suggestion as strongly as the other. Each of us ought to take an independent view of the matter, not being carried away by some temporary feelings regarding particular incidents which have taken place and view the question from a broad and general standpoint and decide whether we are going to make any exception in the Madras Province alone when in no other province in India such treatment is accorded to political offenders. I hope, Sir, that our Madras Government which I am glad to state has shown considerable restraint in not extending the Criminal Law Amendment Act will show some sort of consideration in giving proper treatment to political offenders. The extension of the Criminal Law Amendment Act in other provinces was followed by regrettable incidents, but our Government has taken a wise and reasonable view and thereby successfully prevented the spreading of the unfortunate movement in this place. Having taken that course which I venture to submit was the only wise and proper course, is it wise to go behind the other provinces and state that in the case of political offenders we shall not treat them in the manner which they deserve. Whatever decision the Government may have arrived at hitherto, I hope they will find it feasible under the present circumstance to accept the resolution and do justice, bare justice, to the political offenders."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Sir, I very much regret that I am unable to accept the resolution as it stands. I am afraid I shall not be able to contribute very much to the discussion of this question because I find that the views of both sides have been placed adequately before the House. Reading the motion as it stands, it recommends 'that all political offenders may be treated as first-class misdemeanants as treated in England.' May I at once mention to this House that this Local Government cannot possibly do that unless there is a change in the legislation, unless the Act is amended and unless the Indian Penal Code also is amended? A first-class

4-45 p.m.

misdemeanant in England corresponds to something like our simple imprisonment prisoner and the rights and privileges of a first-class misdemeanant in England are defined and specified by statute, and I may inform the House that no person in England on whom a sentence of hard labour, or what is called penal servitude,—they are technical expressions—is imposed, can ever come into what is called the first division which includes first-class misdemeanants. As regards political offenders, there is a specific legislative provision by which a person convicted of sedition or seditious crimes—there is no such term as political offender generally—is sentenced to the first division of what are called first-class misdemeanants. Then, Sir, with regard to the sentences of simple imprisonment or rigorous imprisonment provided in the Penal Code, they are being awarded by the magistrates or judges, and I presume that a magistrate or judge when sentencing a person takes into consideration, before awarding the sentence, his social position, his political views and whether he is acting from the highest possible motives. Fortunately, the Indian Penal Code provides for punishments commencing from fines to higher punishments in every class of cases. It is clearly the duty of the magistrates to take into consideration and enter into the motives of particular persons before they inflict a particular punishment and it would not really be proper for the Government to interfere wholesale with the punishments so awarded by the

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magistrates, though they would be entitled in particular cases to act either under section 401 or section 402 if they found that more severe punishment had been awarded in a particular case than what it deserved.

"Now, Sir, coming to the question of prison treatment, without again a change in legislation of the Prisons Act, it is not possible to treat rigorous imprisonment prisoners, that is, those who are sentenced to hard labour, as first-class misdemeanants are treated in England; that would require again, as I said, a change in the Prisons Act. Neither can the Acts be changed by the local legislature because, so far as prisons are concerned, they are subject to legislation by the Central Government; and so far as the Indian Penal Code is concerned, it is wholly a central subject. Within the limits of our power and subject to the rules which have been framed, we are, as a matter of fact, seeing that no undue hardship—I am emphasising the word 'undue'—is imposed upon any particular person.

"Now, Sir, this question of the special treatment of political offenders was considered by the Jails Committee, one member of which was an expert prison official from England, and these divisions into various grades were gone into. They came to the unanimous opinion, recorded in paragraph 132 of their report, that no special treatment should be given to political offenders as such."

Mr. C. V. VENKATARAMANA AYYANGAR (*interrupting*):—"I want to make only one correction, Sir, and that is that the whole of that paragraph deals only with political offences attended with violence."

The Hon'ble Mr. K. SRINIVASA AYYANGAR (*continuing*):—"I beg your pardon, Sir. That is not so. Paragraph 132 is a very long one and my time is very short and unless the President is going to allow me more time, it is not possible for me to read the whole of it. A somewhat similar proposal to that considered in that paragraph was brought forward by several persons. This was to the effect that special treatment, which would affect labour, diet, clothing and accommodation, should be given to all political offenders who should, it was proposed, be included in a special division. There is nothing about violence there. I want to mention to this House that the Government of India, in reply to a question in the Legislative Assembly, said that they agreed with the Jails Committee's recommendation contained in paragraph 132; and quite recently, Sir, they communicated to us a telegram which they had sent to the Assam Government, in which they reiterated that position. They said that they were considering whether certain proposals contained in the Jails Committee's report in paragraphs 130 and 131 could be adopted. With regard to one proposal, which suggests an intermediate stage of punishment between simple imprisonment and rigorous imprisonment, and which, as I pointed out, would require legislation, they are still considering the matter. That of course does not give us leave to proceed as now desired, nor would the Local Government be entitled to change the form of punishment without legislation.

"There is one other paragraph in the Committee's report to which I want to draw attention, that is, paragraph 131, and this was accepted by the Central Government. They say:

'Whenever the medical officer shall have reason to believe that either the mind or the body of a prisoner is likely to be injuriously affected by the discipline or treatment observed in the prison, he shall, after careful scrutiny, report the case in writing to the Superintendent, accompanied by such suggestions as he may think the case requires. The Superintendent shall thereupon in regard to such prisoner alter or suspend the discipline and regulate the prisoner's work accordingly.'

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"We have practically adopted that suggestion.

"Something was said, Sir, with regard to action taken in other provinces. Now, I understand that that action was taken in cases where action had been taken or prosecutions had been undertaken under the extended Criminal Law Amendment Act, or under the Seditious Meetings Act. As was pointed out by my friend Mr. A. S. Krishna Rao, our Government have not prosecuted a single person under the Criminal Law Amendment Act, nor have they extended the Seditious Meetings Act here.

"I want to say one word more, Sir, because in the speech of the honourable mover he stated that persons who had committed violence should not come into the category of political offenders. I agree. He stated that persons should not be unduly punished for a mere difference of opinion which they conscientiously held. There also I agree. But you cannot by accepting this resolution, which says that all political offenders shall be treated in a particular manner, make that distinction possible. I may mention, Sir, as a credit to our Government—whether it is a credit or dis-credit, people may differ—that we have not taken any action against anybody out of motives of revenge, or out of vindictiveness. In all cases, as far as possible, where we found ourselves obliged to prosecute, we were so obliged because we would have been betraying our trust as custodians of law and order if we had not taken that action. We have taken action only in those cases—there may be exceptions—where, so far as we were able to judge, we feared that unless that action was taken, it would lead to an imminent breach of the peace which we could not prevent except by excessive force being applied. Therefore this change in prison treatment, advocated in this resolution, does not really arise, for, we have scarcely prosecuted a case for mere honest difference of opinion, however strongly it might be held by the opposite party. I beg to assure the House that we are taking care that no undue hardship is sustained by any particular persons who have been sentenced, and I may say that in cases where I found in any newspaper that a particular person was subjected to harsh treatment, I have always made immediate inquiries for the purpose of satisfying myself that it was not correct and, if it had been correct, directions were given that such treatment should cease. But I may say that I have not been able to verify one single instance of hardship, although the papers specified instances which, as I said, I duly inquired into.

"In these circumstances, I hope the House will not accept the resolution as it stands, because, as I said, in the first place, it will be impossible for the Local Government to accept it in the face of the difficulties which I have pointed out, and in the face of the communications which, as I have already mentioned to the House, we have had from the Government of India. I only wish to say one thing more. We have got to make rules under the Prisons Act under section 60, but that power, as I said, is limited by legislative enactments, to the imposition of particular kinds of punishment, and it is further limited by the provision that that rule-making power is subject to the control of the Central Government."

Mr. R. K. SHANMUKHAM CHETTIYAR:—"Sir, under Standing Order No. 84, I move that the Council pass to the business next in order."

Mr. B. MUNIYANDI Nayudu seconded the motion.

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The Hon'ble the PRESIDENT:—"The motion before the House is that the Council do, under Standing Order No. 34, proceed to the business next on the agenda."

The motion was put and carried.

The housing of the poor.

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I beg to move the following resolution which stands against my name, viz.

'229. That this Council recommends to the Government to help the housing of the poor by—

- (a) granting loans on easy terms;
- (b) giving subsidies to organizations started on the lines of Public Utility Societies in England; and
- (c) insisting on local bodies undertaking housing schemes for the benefit of the poor.'

"I think, Sir, that about a year ago a committee was appointed to go into this question of housing, and I do not know at what stage its work is at present. I think, Sir, if I remember rightly, a resolution similar to this was accepted in one of the Provincial Councils in this country, and I think it is time that Madras, where this question is very urgent, also took the initiative in this matter and did something to alleviate the congestion which undoubtedly exists in several parts of the Presidency. I do not want to say anything further, Sir, at this stage."

Rai Bahadur T. M. Narasimbachari seconded the resolution.

The Hon'ble Mr. P. RAMARAYANINGAR:—"Sir, as yet no definite principles have been formally approved by this Government regarding the housing problem, except that housing schemes should be financed from loan funds. In fact it was believed that the Madras City Town Planning Trust would examine the general principles regarding the housing problem. But unfortunately that Trust has not yet begun its operations. Hopes were also entertained that the Housing Committee of the Public Health Council would take up this question and outline a general policy. That committee has, instead of suggesting a line of action, evaded the question pleading the excuse that it could not express any opinion before the Government themselves decided their general policy.

"It was suggested by the honourable mover that the housing policy of England should be followed in India. Sir, I am sorry to say that the housing policy of England proved a failure. According to that policy the housing schemes had to be financed from municipal revenues and doles from the Government. I am sure that neither subsidies from municipal resources nor the doles from the Provincial funds can at all solve the housing question in India. I have no doubt that the English policy should, instead of serving as an example, serve as a warning to us.

"No general policy has, as I stated before, yet been laid down either by the Town Planning Trust or by the committee appointed by the Public Health Council. The only course left to the Government is to wait until the Housing Committee, with the help of the Town Planning Expert who has taken charge of his office, outlines the general plan of action. When the

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policy is outlined the Government may think of financing the schemes. Until then, I think it will not be sound for the Government to commit themselves to any expenditure in giving loans to the utility or any other societies.

"Besides, Sir, the Town Planning Act has already been passed, and without giving a trial to the provisions of that Act it will not be fair to introduce any other legislation imposing responsibilities on the local bodies for taking in hand housing schemes. Sir, I hope, realizing the difficulties my friend the mover will not press the resolution."

Mr. A. RANGANATHA MUDALIYAR:—"I understand from the speech of the Hon'ble the Minister for Local Self-Government that this question is engaging the attention of the Government, and that he proposes to take action at the earliest possible opportunity on lines similar to those indicated in the resolution. With this assurance from him, I am prepared to waive my right to press this resolution."

The resolution was by leave withdrawn.

Destruction of crops by pigs in the Anantapur district.

Mr. T. SIVASANKARAM PILLAI:—"Sir, the resolution that stands in my name runs thus:—

'230. That this Council recommends to the Government that a small committee of officials and non-officials be appointed to investigate the complaint of ryots in the Anantapur district that wild pigs thriving within forest reserve limits abutting on village patta lands destroy growing crops, and to suggest remedial measures.'

"Sir, this subject has received some special attention from me, and I have made a personal study of the same. I have had occasion to visit some of these villages at the request of the villagers themselves to verify their complaints. I began my campaign of inspection in the month of July last."

At this stage the Council had to be adjourned for want of a quorum, to meet again at 11 a.m. on Saturday the 21st January 1922.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Saturday the 21st January 1922, the Hon'ble Diwan Bahadur Sir P. RAJAGOPALA ACHARYA, K.C.S.I., C.I.E., President, presiding.

I

QUESTIONS AND ANSWERS.

When the SECRETARY proceeded to call the name of each interpellator the Hon'ble Sir Lionel Davidson said:—"May I invite your attention, Sir, to the fact that there are not thirty members present in the House?"

A few minutes later the required number of members arrived and the business tabled was proceeded with.

[Order made by the President of the Madras Legislative Council under Standing Order No. 15—

(1) Printed copies of the questions and answers to be put and given at a meeting of the Council shall be placed on the Council table an hour before the President takes his seat.

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

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

Retrenchment in the departments.

1211 Q.—Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the Hon'ble the Member for Finance be pleased to state whether the Government have received proposals for retrenchment from various departments and, if so, to lay the same on the table?

A.—The Member is referred to the answer given to Question No. 1118 at the meeting of the Legislative Council held on the 13th December 1921.

Sub-registrars.

1212 Q.—Mr. A. D. M. BAVORTI SAHIB: Will the Hon'ble the Minister for Education (Registration) be pleased to state—

(a) the number of matriculates and school final men who had been appointed during the last twelve years as sub-registrars in the Presidency;

(b) of them, how many are Hindus, how many Muhammadans and how many Christians;

(c) whether the Kammala community of Malabar is recognized as a backward class under the Educational Rules; and

(d) whether any Kammala matriculates or school final men have been appointed as sub-registrars?

A.—(a), (b) & (d) Information has been called for from the Inspector-General.

(c) No.

Professor Rao Sahib S. Krishnaswami Ayyangar, University Lecturer.

1213 Q.—Rao Bahadur P. C. ETHIRAJULU NAYUDU: Will the Hon'ble the Minister for Education be pleased to state—

(a) what the duties are of Professor Rao Sahib S. Krishnaswami Ayyangar, University Lecturer;

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(b) who scrutinizes his work and for what period his appointment is sanctioned;

(c) whether he has written any books and whether they have been published either by the University or by the Government; and

(d) whether he is given special permission to publish books and appropriate their sale-proceeds?

A.—(a) The duties of the Professor are to deliver lectures of a specialised character in Indian History and Archaeology with a view to supplement the ordinary instruction in the affiliated colleges and to make researches.

(b) The Government have no information in regard to the first part of the question. The Professor's appointment has been sanctioned for a period of ten years in all which will terminate with 31st October 1924.

(c) The answer to the first part of the question is in the affirmative. The books have not been published by the Government and the Government have no definite information as to whether they have been published by the University.

(d) The Government have no information.

Mr. O. TANIKACHALA CHETTIYAR:—"May I ask whether the information which is said to be not available will be obtained and placed before the Council?"

The Hon'ble Rao Bahadur A. P. PATRO:—"Information will be obtained from the University to whom reference has been made."

Mr. O. TANIKACHALA CHETTIYAR:—"If the Government could not get the information private members cannot have facilities to have information."

Local Fund Audit establishment, etc.

1214 Q.—Mr. V. HAMID SULTAN MARAKKAYAR: Will the Hon'ble the Member for Finance and the Hon'ble the Member for Revenue be pleased—

(a) to lay on the table a list showing the total number of permanent and acting assistant inspectors in the Local Fund Audit Department and assistant directors of survey in the Survey Department on the 1st December 1921 and the number belonging to each of the communities—Brahman, Indian Christian, non-Brahman Hindu and Mussalman;

(b) to state if it is a fact that the Mussalmans are not at all represented either on the Audit establishment of the Local Audit Department or on the Survey establishment of the Provincial Survey Department; and

(c) to state how many permanent vacancies there are now

(1) in the grade of assistant inspectors in the office of the Examiner of Local Fund Accounts, and

(2) in the grade of assistant directors in the Survey Department?

Local Fund Audit Department.

A.—(a) & (b) The Honourable Member is referred to the statement furnished in answer to question No. 970 on the 15th November 1921. There has been no change since then.

(c) None.

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Survey Department.

(a) A list is placed on the table.*

(b) Yes.

(c) The number of permanent vacancies is five.

Madras Trades Association.

1215 Q.—Mr. V. HAMID SULTAN MARAKKAYAR: Will the Hon'ble the Law Member be pleased to state—

(a) whether the attention of the Government has been drawn to the grievances of the employees—both Europeans and Indians—of the firms under the control of the Madras Trades Association regarding the long working hours, viz., from 8-30 a.m. to 5-30 p.m. during week days and 8-30 a.m. to 2 p.m. on Saturdays; and

(b) whether the Government are aware that 85 per cent of the staff in some of the firms fall ill in consequence of overwork?

A.—(a) The answer is in the negative.

(b) The Government have no information.

Non-Brahman Sub-Registrars in the upper grade.

1216 Q.—Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the Hon'ble the Minister for Education be pleased to state—

(a) how many sub-registrars there are in the upper grade;

(b) how many of them are Brahmans, non-Brahman Hindus, Muhammadans and Christians;

(c) how many vacancies in the upper grade of sub-registrars were filled up by non-Brahman Hindus, Muhammadans and Christians to make up at least 50 per cent in that cadre;

(d) how many appointments in the cadre of probationary sub-registrars were filled up by Brahmans, non-Brahman Hindus, Muhammadans and Christians since January 1921;

(e) what effect was given to G.O. No. 613, Public, dated 16th September 1921, in filling up vacancies among sub-registrars, probationary sub-registrars and clerks in the Registration Department; and

(f) (i) whether there is any time limit for the stay of district registrars and sub-registrars in one district or station;

(ii) whether there is any time limit for the stay of registration clerks in any one station?

A.—(a) & (b) The Member is referred to the published list of officers of the Registration department corrected up to 1st September 1921.

(c) Vacancies in the upper grade are filled up in the order of seniority and selection by sub-registrars found efficient.

(d), (e) & (f) The information will be called for from the Inspector-General.

* Vide Appendix on page 2085 infra.

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Technically qualified Drawing and Sewing Mistresses in Training schools.

1217 Q.—Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the Hon'ble the Minister for Education be pleased to state—

(a) whether there are any technically qualified mistresses in drawing and sewing employed in training schools for girls; and, if so, on what salary; and

(b) the minimum and maximum salaries paid to qualified (1) drawing masters, (2) drawing mistresses, (3) sewing mistresses recommended by the Salaries Committee and sanctioned by the Government?

A.—(a) Drawing and sewing mistresses are employed in some of the Training Schools for mistresses, but it is not known whether any of them are technically qualified mistresses or not.

(b) No standard scales have been fixed.

Technical arts in Training schools.

1218 Q.—Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the Hon'ble the Minister for Education be pleased to state—

(a) what industrial and technical arts are taught in the industrial classes attached to the (a) Rajahmundry Training School for mistresses, (b) Guntur Training School for women; and

(b) what technical examination certificates are possessed by the instructors of the above two schools?

A.—The Government have no information but will call for it.

First increment for clerks on minimum salaries in Government offices.

1219 Q.—Mr. B. MUNISWAMI NAYUDU: Will the Hon'ble the Member for Finance be pleased to state—

(a) whether it is a fact that in the new time scale of pay introduced for non-gazetted ministerial officers in Government offices, clerks on minimum salaries in their respective grades are to remain for two years before they get their first increment; and

(b) whether this rule applies also to incumbents already in service?

A.—The Member is referred to the answer given to Question No. 874 at the meeting of the Legislative Council held on the 15th October 1921 and to the answer to Question No. 1222.

Revised scheme of salary for the office of the Inspector-General of Police.

1220 Q.—Mr. V. P. PAKKIRISWAMI PILLAI: Will the Hon'ble the Home Member be pleased to state—

(a) whether the Government have any revised scheme of salary for the office of the Inspector-General of Police; and

(b) whether it is a fact that the suggested scheme does not take into consideration the past service of the clerks?

A.—No scheme of revision is now under consideration.

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Award of scholarships under communal heads.

1221 Q.—Mr. A. T. PALMER: Will the Hon'ble the Minister for Education be pleased to lay on the table a statement of Government scholarships awarded in the college classes in the following form:—

- (1) name of college,
- (2) number of scholarships held,
- (3) number of Brahmans,
- (4) non-Brahman Hindus,
- (5) number of Muhammadans, and
- (6) number of Indian Christians,

holding them?

A.—If the Member will specify the year for which he requires the information, the Government will obtain the information for him.

Secretariat Upper division clerks.

1222 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Member for Finance be pleased to state whether the question of exempting Secretariat Upper division clerks with more than two years' unbroken service, from the necessity of having to undergo probation for two further years has been taken up?

A.—The question of the extent to which previous permanent and acting service on pay equal to the starting pay of one of the time-scales can be allowed to count towards increments is under reference to the Accountant-General.

Government Press establishment.

1223 Q.—Rao Sahib U. RAMA RAO: Will the Hon'ble the Member for Finance be pleased to state—

(a) whether it is a fact that in the Government Press there has been no general reorganization of the establishment for over thirty years; and

(b) whether it is a fact that Mr. Knapp omitted to deal with the revision of the Government Press technical establishment?

A.—(a) The answer is in the negative.

(b) The Reforms Commissioner did not deal with the technical establishment because the question was already under consideration in consultation with the Controller of Stationery and Printing to the Government of India.

Exodus to Ootacamund.

1224 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Member for Finance be pleased to state the total amount of expenditure incurred in connexion with the journeys of His Excellency the Governor and the Members and Ministers of Government between Madras and Ootacamund during the summer of 1921 and the corresponding figures for 1920 in respect of the journeys of His Excellency and the Members of Government?

A.—The figure for 1920 was Rs. 20,302 and for 1921 Rs. 27,392.

Mr. A. RANGANATHA MUDALIYAR:—“An attempt was made to reduce the expenditure under this head. May I ask why there has been an increase instead of decrease in the amount spent on exodus?”

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The Hon'ble Sir CHARLES TODHUNTER :—" The arrangement which was recommended by the Council last year was that the stay of the Secretariat should be limited to three months, and that the Cabinet could be summoned by His Excellency when necessary. We had to deal not only with the question of a larger Cabinet than before the Reforms, but also with the fact that they had to go to and fro."

Mr. A. RANGANATHA MUDALIYAR :—" Am I to understand that the old arrangement is more economical than the new one ?"

The Hon'ble Sir CHARLES TODHUNTER :—" It seems to be so."

Tube-wells in Kumbakonam.

1225 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the Hon'ble the Minister for Local Self-Government be pleased to state—

(a) the sum that would be necessary to complete the second bore-hole in Kumbakonam;

(b) whether the Government would bear the whole or part of the sum so needed and, in the latter case, what proportion of the expenditure; and

(c) the amount spent on temporary tube-wells in Kumbakonam during the recent Mahamakham festival?

A.—(a) & (b) The cost of the work was estimated at Rs. 43,350. A grant of half this amount has already been given to the Municipal Council. The Sanitary Engineer now estimates that a sum of Rs. 25,000 in excess of the sanctioned estimate will be required to complete the work. The question of financing the excess will be considered when the revised estimate for the work is sanctioned.

(c) Rupees 7,683.

Imperial grant for mass education in India.

1226 Q.—Mr. S. SOMASUNDARAM PILLAI: Will the Hon'ble the Minister for Education be pleased

(i) to state—

(a) whether it is a fact that in the King's Proclamation in 1911 a sum of Rs. 50 lakhs was sanctioned as a recurring grant for the expansion and improvement of mass education for the whole of India;

(b) what sum was allotted to Madras, out of the said grant, every year, since the said proclamation; and

(ii) to place on the table a statement of the receipts and expenditure for the elementary education and inspecting agencies every year since the proclamation?

A.—(i) (a) Yes.

(b) Rupees 8.25 lakhs.

(ii) The Member is referred to the statistics published with the annual reports on public instruction.

War allowance for elementary school teachers.

1227 Q.—Mr. S. SOMASUNDARAM PILLAI: Will the Hon'ble the Minister for Education be pleased to state—

(a) whether it is a fact that the teachers of the elementary schools under local bodies were allowed Rs. 4 war allowance and Rs. 3 capitation allowance each; and

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(b) whether it is a fact that, after the war, the said elementary teachers do not get the said allowance while in other departments the officers get the said war allowance under some other name?

A.—(a) The teachers were not given any war allowance by Government. They were given capitation allowance under rule 88 of the Madras Educational Rules.

(b) The answer is in the negative.

Waiting accommodation for passengers at Tirukkoyilur railway station.

1228 Q.—Mr. R. SRINIVASA AYYANGAR: Will the Hon'ble the Home Member be pleased to state whether it is a fact that the only waiting accommodation for all classes of passengers in the Tirukkoyilur (South Arcot) railway station is a small shed hardly sufficient to meet the requirements of the public?

A.—The question was referred to the Agent, South Indian Railway, who reports as follows:—

"The average upper class passengers booked at the station is five per diem, and the third-class passengers 122 per train.

"The present waiting room accommodation for third-class passengers is only 300 square feet, and it is proposed to extend it by 120 square feet, and to provide an upper class waiting room of 144 square feet, and the work has been sanctioned."

Motor Vehicles Act.

1229 Q.—Mr. W. VIJAYARAGHAVA MUDALIYAR: Will the Hon'ble the Home Member be pleased to state—

(a) whether certain police officers in the City of Madras have been deputed solely for detecting infringements of the Motor-vehicles Rules; and

(b) whether they are receiving any special allowances?

A.—(a) Two sub-inspectors have been deputed for this duty for one year, as an experimental measure.

(b) No.

APPENDIX

[Vide answer to question No. 1214 asked by Mr. V. Hamid Sultan Marakkayar at the meeting of the Legislative Council held on the 21st January 1922, page 2081 supra.]

Assistant Directors of Survey.

Number, permanent	7
Number, temporary or acting	9
Brahmans	2
Indian Christians	..
Non-Brahman Hindus	..
Musalman	..

Remarks.—Out of the remaining three, two are Europeans and one is an Anglo-Indian.

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II

DEMAND FOR SUPPLEMENTARY GRANT FOR 1921-22.

Grant XXXV.—Grant of loans under the Land Improvement and Agriculturists' Loans Act.

"That the Government be granted an additional sum of Rs. 1,00,000 under Class I Loans—Advance to Cultivators—Grant of loans under the Land Improvement and Agriculturists' Loans Act to the ryots in the famine districts of Kurnool and Bellary"

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Sir, I beg to ask for a vote of the Council for a sum of one lakh of rupees for distribution of loans among the agriculturists in the famine-affected districts of Kurnool and Bellary. In addition to the six lakhs of rupees already granted for distribution among the agriculturists of the famine-affected districts, I find that another sum of one lakh of rupees is absolutely necessary for similar distribution. There is a balance of 1.26 lakhs available out of the loan obtained from the Government of India and I intend to appropriate one lakh out of it. The Finance Department has no objection. Therefore I beg of the House to grant that sum."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I shall just say that there is a real necessity for the grant of this loan to agriculturists. Conditions in these districts are by no means yet normal, and I am receiving daily letters from people of different villages describing the hardship they are still suffering and the difficulties they find in paying even the kist which is about to be due. I therefore think that this grant should be sanctioned."

The grant was made.

III

RESOLUTION RE ALTERATION OF 15 (1) OF SCHEDULE X OF THE LOCAL BOARDS ACT, 1920.

The Hon'ble Mr. P. RAMARAYANINGAR:—"Sir, I move the resolution standing in my name—

"That the following draft of the rule proposed to be made by the Local Government under section 201 of the Madras Local Boards Act, 1920, altering rule 15 (1) of Schedule X of that Act be approved:

Draft rule.

"In exercise of the powers conferred on them by section 201 (1) of the Madras Local Boards Act, 1920, the Local Government, with the approval by resolution of the Legislative Council, make the following rule altering rule 15 (1) of Schedule X of the said Act:—

"In rule 15 (1) of Schedule X of the Madras Local Boards Act, 1920, as amended by notification No. 918, published on page 505 of Part I-A of the Fort St. George Gazette, dated 6th September 1921, for the words "six months" occurring in the first line the words "twelve months" shall be substituted."

"Under rule 15 (1) of the Schedule X of the Local Boards Act the taluk boards should, within six months after the commencement of the Act, determine and notify the total and elective strengths of the unions under their jurisdiction. But some of the taluk boards have not yet determined the

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total and elective strengths of the union boards under their jurisdiction, and some more have not notified though they have determined the number. In these circumstances it is found necessary that the statutory period should be extended up to the first March next."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I second it."

The motion was carried.

IV

DISCUSSION ON RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST

Destruction of crops by pigs in the Anantapur district—cont.

The Hon'ble the PRESIDENT:—"The honourable members present yesterday evening are aware that the Honourable Member, Mr. T. Sivasankaram Pillai could not move resolution No. 230 for want of a quorum. The Honourable Member will now have a chance of doing so."

In the absence of Mr. T. Sivasankaram Pillai, Mr. A. Ranganatha Mudaliyar requested leave to move the resolution, and the leave was granted.

Mr. A. RANGANATHA MUDALIYAR:—"The resolution, Sir, which was proposed to be moved yesterday and on which the mover also made a few remarks before the House had adjourned for want of quorum runs as follows:—

"230. That this Council recommends to the Government that a small committee of officials and non-officials be appointed to investigate the complaint of ryots in the Anantapur district that wild pigs thriving within forest reserve limits abutting on village patta lands destroy growing crops, and to suggest remedial measures."

"Sir, you were understood to say yesterday that the Council members were not interested in the matter of the question of pigs."

The Hon'ble the PRESIDENT:—"Whatever I said after the count was not said in my capacity as President."

Mr. A. RANGANATHA MUDALIYAR:—"But I do hope, Sir, that the members will take greater interest in the poor ryots than they were thought to do in the matter of the pigs. Sir, districts like Bellary, and Anantapur suffer under serious disadvantages. Firstly, Providence is not very kind to them because the rainfall there is very precarious. Even though there may be a good rainfall and the crops turn out well these poor ryots are subjected to a severe risk of damage to their crops by these wild animals. Not only in Anantapur but in Bellary also I know there are taluks where the menace from these wild animals is growing day by day. Now what should we do to put an end to this evil? I think, Sir, there are two or three measures that may be adopted: one is that reserves should not be treated with the sanctity, almost superstitious sanctity, with which they are treated at present. Any person who enters a reserve is a trespasser and is exposed to prosecution and punishment. I think, Sir, people should be left free to enter these reserves and hunt these wild animals. That is one thing that I will recommend for the consideration of the Government. Another thing

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that I would suggest is that there must be more licences granted to the people of the villages which adjoin these reserves. The licences must be granted on a more liberal scale. I would even say that there should be no charge whatsoever to these professional shikaries who hitherto were playing a considerable part in keeping these wild animals within limited numbers. A third thing the Government may do is to grant rewards for every wild animal killed by the villagers. Such, among other steps, may, I think, be taken to remove this evergrowing evil. So, Sir, for these reasons I have great pleasure in moving this resolution so that something tangible may be done to help the poor ryots who as I have said are really put to great loss by these animals."

Rai Bahadur T. M. NARASIMHACHARLU:—"I have great pleasure in seconding this proposition and I know that this is a real grievance in a portion of the Ceded Districts."

The Hon'ble Sir LIONEL DAVIDSON:—"Sir, it has already, I think, attracted your attention that the subject matter of this resolution did not appear to be of general public interest yesterday afternoon. As, however, it has been included in the agenda of the Council I propose to deal with the merits of the case. The honourable mover's *impromptu* substitute has stated that there are three methods of remedying the present state of affairs in the Anantapur district."

Mr. A. RANGANATHA MUDALIYAR:—"Among others; among other measures."

The Hon'ble Sir LIONEL DAVIDSON:—"I am naturally compelled to confine my attention to the only three measures mentioned. The first of these is to discontinue the alleged present practice of treating the forest reserves as places of sanctity and to refrain from the indiscriminate prosecution of trespassers. Sir, I think the honourable speaker must have been living in a Utopia if he supposes that to set foot in a forest reserve entails the prosecution of the trespasser. That is not the case in any sense,—particularly is it not the case in the Anantapur district. I have received only this morning by the courtesy of the Chief Conservator a report sent to him by the Conservator of Forests, Mr. Jackson, which in dealing generally with the problems of forest administration in the Anantapur district states that grazing is allowed in all reserves without limit either as to the number of cattle admitted or as to the season during which they are allowed to graze. Grass-cutting is allowed free everywhere. Dealing particularly with the question of the destruction of pigs he states that he has given instructions to the District Forest Officer to allow such destruction in all reserves in the district. Demands having been made for the clearance of jungle in some of these reserves, Mr. Jackson understands that the Collector has asked Mr. Sivasankaram Pillai—possibly, Sir, this fact was not within the knowledge of Mr. Ranganatha Mudaliyar—to indicate the places where this should be done and to state whether the villagers are prepared to carry out the work free of cost under the supervision of the Forest Department."

"The second measure mentioned by Mr. Ranganatha Mudaliyar is the grant of gun licences on a freer scale for the purpose of protection of crops. This measure attracted the attention of Government so long ago as 1904 when the Forest Member of the Board of Revenue, Mr. Sim, toured in the

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district and submitted a special report to the Government—No, Sir, I find I am wrong in quoting that particular paper. Mr. Sim's report apparently did not refer particularly to the matter of guns. His recommendation was on general terms that the District Forest Officer should 'allow the villagers on general terms that the District Forest Officer should 'allow the villagers every convenience and liberty consistent with the forest conservancy for carrying out beats,' that is to any organized beats for the destruction of pigs. The question of the grant of free licences was dealt with in connexion with another district where the Government indicated what the general policy is, viz., that licences in the prescribed forms under the Arms Act—that is to say in Forms XVII and XVIII for the destruction of wild animals which do injury to human beings, cattle or crops—can be obtained without fee. That holds good to-day and I shall be quite ready to instruct the local authorities to issue such licences with the utmost liberality. I believe that they are already doing so.

"The third point mentioned by Mr. Ranganatha Mudaliyar is in regard to the grant of rewards for the destruction of pigs. I am quite ready, Sir, to consider that suggestion. The practice of granting rewards for the extermination of wild pigs obtains already in the districts of the Nilgiris and Malabar. As to whether it is feasible to extend it to Anantapur I am not quite clear, but I have an open mind in the matter and am ready to consider the proposal."

"There is only one other remedy which I can think of and that is the wholesale disafforestation of these areas. I am somewhat inclined to think that the mover and his *impromptu* substitute in their hearts favour that remedy, but it is obviously not one which the Government can seriously entertain. These forests have been reserved for public purposes, and while there may be good grounds for disafforesting individual blocks, wholesale disafforestation throughout the district would be unthinkable. But I may say in passing that, in that very report of the Conservator of Forests from which I was quoting just now, Mr. Jackson mentions the case of particular reserves under Class V, the disafforestation of which he is quite ready to recommend."

"So much, Sir, for the remedies. The terms of the resolution, I observe, propose the appointment of a special committee. Now I venture to urge upon the House that in the circumstances of the case there is no need at all for the appointment of any committee. Such remedies as are possible are already known and the Government are prepared to consider and direct their adoption wherever practicable."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I have not very much to say by way of reply. I do not know much about Utopia. I am but a common man of the people and perhaps know their difficulties better than the Hon'ble the Member for Government. It may be that I have described the forest restrictions in a slightly exaggerated form. But it is true that the reserves are not so freely open to people as the Hon'ble the Home Member seems to think. Any how I am glad to know from the Home Member that he is prepared to sympathetically consider the three requests made by me. I wish only to say one thing in connexion with this. This resolution refers to Anantapur. It does not mention the other districts. The Government may take it from me that similar hardships exist in the case of Bellary and in the case of Kurnool, to my personal knowledge. I shall be very glad to

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furnish a list of the names of the reserves where such hardships exist and I hope the Hon'ble the Home Member will be pleased to issue instructions similar to those he has promised for Anantapur to the Forest officers of Kurnool and Bellary districts so that a separate resolution need not be brought forward in the case of those districts."

The Hon'ble the PRESIDENT:—"Does the Honourable Member withdraw his motion?"

Mr. A. RANGANATHA MUDALIYAR:—"Really I think the Honourable Member will have no objection to give me that assurance with regard to the other districts also."

The Hon'ble the PRESIDENT:—"There can be no question of the Hon'ble the Home Member giving any further assurance. I do not think that I should permit the Hon'ble the Home Member to give any assurance regarding the districts of Kurnool and Bellary which are not found in the draft resolution."

Mr. A. RANGANATHA MUDALIYAR:—"I withdraw the resolution."

The resolution was by leave withdrawn.

Remission to renters of arrack shops.

11-30 a.m. Mr. C. V. VENKATARAMANA AYYANGAR:—"The proposition which I want to place before the House is in these words:—

'231. That this Council recommends to the Government that early orders be issued to all Collectors to afford adequate relief, by granting total or partial remissions as the case may be, to all renters of arrack and toddy shops in all cases where the Revenue Divisional officers report after due inquiry that there has been a material loss on account of trees not being available for marking or on account of substantial reduction in the consumption of toddy and arrack.'

"Sir, this in fact is one of the resolutions dealing with the question of drink; but it is a very mild proposition and may be looked at from two points of view. The first will be so far as the question of temperance is concerned. As regards that point, there are two more resolutions which will probably be coming up later to-day, one by my honourable friend Mr. Ramalingam Chettiyar asking this House to declare the future policy of the Government, so far as this question is concerned, a declaration not to be given effect to in decades or centuries to come, but in the immediate future. I hope the Minister will make a satisfactory response to that. Secondly, coming to details about that question, I have tabled a resolution which will also be probably coming up to-day as to how a specific method can be found out to give effect to that policy. So far as this resolution is concerned, it gives so far as it relates to the question of temperance a method by which temperance can be advanced. Till recently, Sir, the arrack and toddy shop renters were carrying on the trade and advertising drink with the help of various agencies such as prostitutes and others. But unfortunately, recently, one more agency has been added in many places, namely, the Police and the Abkari departments also. So far as this question of drink is concerned, it will be admitted on all hands that this is entirely a national question. One thing which disappointed many public men when they read the proceedings of the recent South Indian Liberal Federation was that they passed a number of satisfactory resolutions such as dominion government and all those things, but there was not any specific resolution dealing with this question."

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Hon'ble the PRESIDENT:—"I should like the Honourable Member to tell me how the omission on the part of the South Indian Liberal Federation to pass a resolution advocating temperance has anything to do with the payment of rent by arrack and toddy shop renters."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I was only saying that the 11-30 a.m. paying of rent had much to do with the temperance question. If I had been permitted to complete my sentence, I would have said that; though there was no resolution, the Chairman of the Reception Committee in dealing with this question said that the temperance question was an all-important question and we should advocate complete and total prohibition very strongly. I was only saying this to show that this question was of a national importance and therefore I was quoting the Chairman of the Reception Committee. All that I wanted to show was that I felt a little regret that the Federation had not passed any resolution. There can be no two opinions at present. Whoever was responsible for the whole question being advanced at very great strides, whether it was non-co-operators or others, there is no doubt that so far as matters stand at present and practical politics are concerned, there is one unanimous voice throughout the country that India should become dry at the earliest possible moment. I was referring to this, Sir, because, recently on account of the various steps that have been taken both by non-co-operators and others to stop or reduce the drink as much as possible, there has been a large fall in the collections in the various toddy and arrack shops. In many cases, the auctions took place before the movement took a practical step and many people in several taluks had bidden at these auctions without knowing that there was going to be a large movement in favour of temperance. In a large number of taluks however, the bids took place after the movement took a practical shape. It is a well known fact that in many places there were not sufficient number of bidders at the open auctions. As usual, these auctions took place first in taluk centres. But thanks to the steps taken by the various people, bidders were not willing to come forth as readily as they did before. Then an attempt was made to hold these auctions in various parts in each taluk. In most of the cases, the attempt ended only in failure. And then we know attempts were made by the various revenue officers and abkari officers to induce the people to sign tenders or agreements to take up various shops for low sums. It is also a well-known fact that at those times of such sales at various places, hopes were given to many of the bidders that if there was any difficulty in getting the number of trees tapped and there was also any other difficulty owing to organised attempts to reduce the drink, a specific promise was given in many places that a substantial reduction would be made in the amount to be paid by the bidders. Unfortunately, Sir, later on when difficulties were encountered by all these people and trees could not be tapped on a large scale and the consumption of liquor fell, the old promises have not been redeemed in many places, with the result that in several places, notices have been given for suits by renters and notices have been given by the Government that steps would be taken to collect the whole rent, whether there was sale or not. In fact, in the Coimbatore district, a number of attachments have also been made or attempted to be made. It also happens that when, for some reason or another, shops have been bid and there is no sale on account of the village movements and Government does not reduce the shop rents, the renters are compelled to resort to various means, legitimate or otherwise

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to increase the sale, and that is unfortunately where our grievances come in. And instead of the Government trying to help the renters by reducing the shop rent, they are in several cases trying to help them to carry on the sales with the help of the police and in some places, we know actually the drunkards were being taken in procession, as it were, by the police and abkari officers. It is therefore very necessary to show that the Government are not anxious to increase the sale, and inducements should be given to these shopmen not to have recourse to illicit way of selling by way of reducing the rental. In several places in the district of Coimbatore and probably other districts also, it is a well known fact that the toddy and arrack shop renters have been allowed to multiply the number of their shops. There is only one registered place for sale, but as a matter of fact, practically every tope is allowed to be a shop with the connivance of the Abkari department. These facts cannot be denied. The parties say it is only a counter-movement against the movement of the villagers.

"As I said, there is another way of looking at the question, viz., in the interests of the Government revenue itself, encouragement should be given to these renters by way of reductions. Owing to great losses incurred by the renters last year and owing to the fact that the promises held out to them have not been fulfilled many people have decided not to take up these shops this year. Consequently, I am sure there will be a very large fall in the price that has to be got by the arrack shop sales in March. So, in the interest of Government, it will be an inducement to the various bidders to bid at the sales if a hope is given by the Government—not by the divisional officers or tahsildars—that if there is fall in the sale at the shops, their rents will be reduced. I know, Sir, that there is a Government Order to the effect that some such concessions as have been mentioned in this resolution would be given. In answer to a question put last month, the Government was pleased to say that so far as two districts were concerned some reductions were made in favour of these renters. But, so far as the public are concerned, and, if I may be permitted to say so, so far as the large number of public authorities are concerned, this Government Order is not known to many of them. I would strongly request the Hon'ble the Minister to take steps to see that this Government Order is published on a large scale and at the time of the auctions also this Government Order is published to the people with a further promise by the Government that the Government Order will be given effect to. Also if the Collectors are given some discretion in exceptional cases to reduce these rents it will be very good. I know that reductions have been given only for 1920-1921. But those were normal times. It was in 1921-1922 that the extraordinary circumstances cropped up, and renters have been put to very great losses unexpectedly. If the Government Order is to be given effect to and if any substantial help is to be done, more remissions on a large scale should be given for the renters of 1921 and 1922 and promises should also be made for 1922-1923. With these few words, I appeal to the Hon'ble the Minister, whose article in the *Hindu* supplement of last Christmas has created a sort of disappointment in the minds of many. I appeal to him that he will now take substantial steps towards the reduction of consumption of toddy and arrack, and trust whatever his individual opinions may be, this House will take up the question in all earnestness and will give him also a lead in this matter. So far as the country and this Council representing the country are

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concerned, there can be no two opinions on this matter, and the policy, the immediate policy and not the future policy of decades or centuries, of the Government should be to reduce the consumption as much as possible and to make this Presidency dry as early as possible. I think this is a matter in which the various members of this Council coming from various districts can very well lead the Minister instead of taking the lead from him on this point. I hope that in this question, so far as we are able to see, the country and the Council and the members will all be unanimous in insisting upon the Minister, not only in words but in deed also, to do something effectual in this question of drink. With these few words, Sir, I have got very great confidence in placing the resolution before the House, and I hope that something substantial will be done to give effect to the recommendation made by me."

Mr. R. SRINIVASA AYYANGAR :—"Mr President, I second the resolution before the House. It is a matter of common knowledge that these renters have been hit hard owing to the development of events beyond their control and which they least foresaw at the time when they bid for these things. I know for a fact, and I was present also on some occasions, that numerous petitions were presented to the Collector of my district complaining of the heavy loss they have sustained and requesting the Collector to inquire into the matter, either by himself or by divisional officers, with a view to make an ultimate representation to the Board of Revenue to give them the necessary redress. That was only about two months ago, and I do not know exactly how these petitions were disposed of. I know as a matter of fact that sales have fallen very considerably and these people have sustained very large and heavy losses. In the interest of these renters who are confronted with difficulties of an exceptional character, almost akin to *vis major*, and also in the interest of the Government which I daresay must naturally be anxious to prevent losses in the future, I think it is incumbent upon the Minister concerned to treat these renters fairly and with a certain amount of consideration.

"With these words I beg leave to second this resolution."

Mr. R. K. SHANMUKHAM CHETTIYAR :—"Mr. President, 11-45 a.m. I was surprised to see that an ardent champion of the anti-drink campaign, as my honourable friend from Coimbatore seems to be, should have been pleased to bring before this House a proposition of this nature. Because, Sir, I should think that by carrying out a proposition of this kind and by asking the Government to give effect to it, he will be a party to encourage these renters to bid for toddy and liquor shops at all times. (Cries of 'hear, hear.') Sir, it is a well known fact that during the last auction sale renters were perfectly aware that there was a great volume of public opinion in the country against this curse of drink and that they had sufficient reason to believe that no attempt would be left unmade by those who are the champions of the anti-drink campaign to see that this evil was put down at all costs and that the people who, in defiance of public opinion, bid for these shops would not get sufficient number of trees to tap toddy. Sir, these facts were well known to those renters and in spite of it, and depending on the weakness of human nature, these heastly traders have bid at the auction and taken up the shops. Now, Sir, if, as a result of this

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Government in future and so I am very sorry for my honourable friend who thought it fit to bring forward this resolution. With these few words I oppose the resolution."

The Hon'ble Rao Bahadur A. P. PATRO:—"Sir, I most emphatically protest against the insinuations and allegations made by the honourable mover of this resolution that the abkari officers, police officers and salt officers are advertising abkari sales or are helping in the matter of drink. It has become almost a fashion to say, in certain quarters, that the Abkari department indulges in this kind of propaganda. I shall just lay before the House a few facts not only from official reports but also from what we have seen since my honourable friend has already alluded to them. We know that the malpractices have been indulged in not by the abkari and police officers but by persons who pretend to have the country's progress and the welfare of the country at heart. It is these people that are responsible for all sorts of intimidation that have been perpetrated during the last abkari sales. I give you an instance wherein abkari renters and a certain class of agitators colluded together in order that the balance of the normal sales of the previous year may be distributed among them and that the renter of the shop may be profited and that those who would compete against that particular shop would be put to difficulties and shame. Instances are too many to be quoted.

"In another place, where an abkari renter who had the courage to bid against this collusion was put on an ass's back, his face was smeared with tar and he was taken round in procession. This, Sir, is the sort of work that has been done by the patriots in order to put down drink.

"The excess profits of that particular shop were distributed among this particular class of patriots and the shop renter. Again, 12 noon. Sir, another abkari renter while the sales were going on, brought a number of hooligans, gave them drink and then created a row, so that those persons that were ready to bid had altogether to clear out, and this renter had the shop for a song. Instances like this could be easily multiplied. We know there are two districts wherein these abkari renters themselves entered into collusion with agitators and then created a disturbance in the name of non-co-operation and bought the shop for a song. In some places the non-co-operation movement was used as a cloak in order to defraud the revenues of the Government and in other places, non-co-operators tried to defraud and failing that resorted to violence and intimidation. These were the excesses that were perpetrated at the time of arrack and toddy sales. If my honourable friend would realize what has happened in other districts where attempts were made and methods were used by the abkari renters themselves to reduce the sales of shops, I am sure he would not be so vehement in his advocacy with reference to the particular point which he has brought forward to-day. But, however, there are certain cases in which the abkari renters have suffered genuinely and honestly. In order to meet such cases the Government already issued an order that investigations should be made into such cases of real suffering in consequence of these particular acts, and that such investigations should be forwarded with the recommendation of the Collector to the Board of Revenue. The Board of Revenue would further scrutinise such particular instances, and if they bring any such instances to the notice of the Government, the Government would be prepared, if satisfied, to give remission in such cases. In some cases this order which was issued was already enforced not only in

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the year 1920-1921 but also in 1921-1922. The cases of such people who incurred genuine loss would be considered and are being considered. There are a number of cases that are recommended by the District Collectors which are now being examined by the Board and Government, and if, after examination, they are found to be deserving genuine cases, relief would be given in such cases, but not in all cases wholesale as my honourable friend asks us to do. There are many cases of fraud and intimidation, and therefore each case has to be examined on its merits, and if it is a deserving case and is recommended by the Board of Revenue, Government would consider the matter of relief. But the proposition is so wide and so vague that it is impossible in any way to accept it as it is."

MR. C. V. VENKATARAMANA AYYANGAR:—"I must thank all the speakers, Sir, who understood the spirit of my remarks so far as the principle and policy of total prohibition is concerned, though they do not understand the wording of the resolution and seem to think that I am recommending every arrack and toddy renter for the favour of the Government.

"Of course, I do not think it necessary for me to answer Mr. Somasundaram Pillai, every particle of whose brain and every drop of whose blood seems to be full of the fear of non-co-operators. He thinks that every one who proposes a resolution that he does not like must necessarily be a non-co-operator in spirit if not in words."

MR. S. SOMASUNDARAM PILLAI:—"I can prove it, Sir, that the spirit of non-co-operation is in them."

MR. C. V. VENKATARAMANA AYYANGAR:—"That is exactly what I am saying. My friend only confirms what I say that his whole world, his whole vision is surrounded by devils of non-co-operation. And at present unfortunately in view of what has taken place personally to him, probably he may not be able to see things properly for some time more. I need not, however, once more say that I am not a non-co-operator. I have suffered most and am suffering most at the hands of non-co-operators, though that is however beside the point.

"All that I want to say is that I am at one with all those gentlemen who said that we must put a stop to drink, and my friend from Coimbatore, Mr. Shanmukham Chettiyar, knows that we were touring through the district lecturing against drink and Mr. Shanmukham Chettiyar is one of those who are doing much in that direction. But so far as the resolution itself is concerned, we must remember that there was a large number of renters who bought these shops before this movement took practical shape. They took these shops for the usual rents and then they had to suffer. If some relief is not given to them they, in order to avoid large losses, may have recourse to various means of taking the usually drinking people and others to the drink shops, by way of encouraging the customers, and if the Hon'ble Minister will excuse me for saying it, by getting the help of the Police and other officers. I do not want to give any specific instances, but I have got with me the numbers and other details regarding the orders issued from a taluk office to encourage drinking. Probably I will have to refer to them later on in dealing with other resolutions. So far as this resolution is concerned, it covers only those specific cases which were referred to by the Hon'ble the Minister. If in any specific case, it is brought to the notice of the Revenue authorities that

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there is anything wrong—the investigation is not to be made by the Abkari officers or low subordinate officers—after the divisional officer himself enquires into the matter and is satisfied that there is actual reduction—not owing to other causes but actual reduction on account of decrease in consumption or on account of the fact that trees have not been available, some remedy should be given in such specific cases. However, taking the assurance of the Honourable the Minister, I do not think it worthwhile to divide the Council and I beg leave to withdraw my resolution.”

The resolution was by leave withdrawn.

Compound walls to cemeteries granted to Indian Christians.

Mr. A. T. PALMER:—“Mr. President, I beg to move the resolution which stands in my name and which runs as follows:—

‘232. That this Council recommends to the Government that in the case of cemeteries granted to Indian Christians the compound walls should be built by the Government half the cost being borne by the local bodies concerned where the Indian Christians are too poor to build them.’

“This resolution, Sir, arises out of conditions that did not exist some 20 or 25 years ago. In those days when the Indian Christian community was not so large, the remains of the dead were buried along with Europeans in cemeteries probably built by the Government. But as the community increased in numbers and as cemeteries began to be filled up, it was thought wise to give to Indian Christians separate cemeteries. There are places where this trouble does not arise because perhaps the cemeteries are very large and the Indian Christian dead are still being buried along with others. But in other places the Indian Christians are given cemeteries and it is very difficult for the community to build walls to protect the burial grounds. Sir, to whatever persuasion we may belong, we respect the remains of the dead and much more so the Indian Christians. I have in my mind's eye a burial ground set apart for the Indian Christians in a far off mufassal station where the sea moans everlastingly and the sea gull flies fishing, the breeze blows through the trees singing its dirge and it is a very fit place for burying the dead. In that place, Sir, a certain father and mother buried their dear little one and built a grave. But the cemetery was not protected by any compound wall with the result that shepherd boys and wayfarers used to go there and break up the grave. The parents after a while came again to see their dead child's grave but found it desecrated and the pang that rent their hearts was greater than that they suffered on the day they had lost the child. I say, Sir, that the Indian Christians desire that their burial grounds should be kept as neat, as tidy and as beautiful as possible. In many places the missionaries give help and build these cemeteries and I am glad that some municipalities are helping in the matter. I asked the Government the other day to let me know if there were any rules for the building of cemetery walls for Indian Christians and they said that there are at present no rules, and it is on that account that I have brought forward this resolution. I am not very particular whether the walls are built by the Government or by the local bodies or by both. It is immaterial to me who

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builds them but I wish that some body undertakes this important matter. It is important to me because I am an Indian Christian. You may say it is all sentiment. If a man, Sir, is not a bundle of sentiments, he is nothing else. The best of our actions are impelled and actuated by sentiment and I beg of this Council to help me in passing this resolution. I want that some help should be given by the Government to the local bodies to build up these walls. As I understand, the cemeteries intended for Europeans are maintained by the Government. If that is so, I do not know why the Indian Christians should be treated otherwise. I know, for example my friend there who is sitting opposite to me, Mr. Suryanarayanamurty Nayudu, is willing to build the walls of the cemetery at Cocanada provided the Government is willing to help him. Therefore I put this resolution before this kind House that they may accept it.”

Mr. T. Arumainatha Pillai seconded the motion.

The Hon'ble Mr. P. RAMARAYANINGAR:—“Mr. President, Sir, in one of the Government Orders, the Government of India laid down that it is not the duty of the Government to provide Indian Christians with cemeteries at public cost. No doubt there is provision both in the District Municipalities Act and the Local Boards Act to provide towns and villages with burning and burial grounds where there are no burial or burning grounds. But the provision does not go beyond providing towns and villages with burning and burial grounds. It does not really extend to the building of walls to the burning and burial grounds. I dare say my friend the honourable mover does not expect special treatment in the case of Indian Christians. If burning and burial grounds have to be walled in all cases the local bodies will have to spend crores of rupees. And this enormous cost, I am afraid, the Government cannot reasonably ask the local bodies to incur. Sir, the resolution if accepted, will form an inconvenient precedent and the other communities

would come forward with similar requests. It is true that in some cases the local bodies have helped the Indian Christians in raising compound walls. But that help is optional with them. The Government cannot bind the local bodies to pay for building the walls. Sir, in these circumstances, I very much regret I cannot accept the resolution.”

Mr. A. T. PALMER:—“I am sorry, Sir, that the Minister for Local Self-Government gave such an unsympathetic reply to my resolution.”

The Hon'ble Mr. P. RAMARAYANINGAR:—“The Government have all sympathy for the poor Indian Christians. They are only sorry that in every case when such requests are made, they are not able to comply with the request.”

Mr. A. T. PALMER:—“The contingency which the Hon'ble Minister for Local Self-Government is thinking of may not arise. He need not fear that all the cemeteries will require to be provided with walls at the same time. All that I wanted was that only in such cases where the Christians are too poor and where these Christians ask for the help of the authorities, the Government or the local boards should do so. I do not think that every day the Government will be called upon to help in building the walls. In a place like Cocanada, if it wants a burial ground and the Christians are too poor and if for the benefit of them such a wall has to be built, I should only be

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very sorry if the Government refuse the help. I suppose I must withdraw the resolution after the relenting attitude of the Hon'ble the Minister."

The resolution was by leave withdrawn.

Levy of punitive tax in Kamudi and other villages.

Mr. W. P. A. SAUNDARA PANDIYA NADAR :—" Sir, the resolution which stands in my name runs as follows :—

' 233. That this Council recommends to the Government to repeal the Government Order for collecting a punitive tax from the people of Kamudi and the surrounding villages.'

" Sir, the punitive tax was imposed as a result of a disturbance which took place at Kamudi in the Ramnad district in September 1918. It was a period of acute economic distress and widespread political agitation. The anxieties of the great war fully engrossed the mind of the Government for the time being. There was a general scare of looting all over the district as well as in other parts of the Presidency. Several weekly shandies in the district had actually been looted. There was a public apprehension that the turn of Kamudi, where a big shandy is held every Tuesday, was to come on the 17th September. The apprehension proved to be true. On that day a horde of Maravars and Pallas, who in normal times follow agricultural pursuits, poured into the town, made an attack on the shops and houses of the Nadars on their way and set fire to them. Before they could commit further depredations their advance was checked.

" The primary causes of the looting were economic distress and the spirit of lawlessness engendered by the reverses of the war and the political agitation in the country. That the disturbance took an anti-Nadar character at Kamudi was probably by accident rather than by design. The dying embers of the old-time hostility between the Maravars and the Nadars were perhaps rekindled for the moment.

" A punitive force consisting of 50 reserve policemen with an inspector and a sergeant was quartered at Kamudi in October 1918 under section 15 of the General Police Act V of 1861 with a view to restore order and to prevent further disturbance. The special force was at first to be stationed for one year only under the proclamation issued by the Government on the 2nd December 1918. It has been continued from year to year by subsequent proclamations.

" Nadars and Maravars alone in and around Kamudi have been called on to bear the cost of maintaining the force. The tax has been levied for the last three years, and a proclamation has been issued by the Government on the 21st September 1921 (vide *Fort St. George Gazette*, Part I, dated 27th September 1921) continuing the punitive force and authorizing the levy of tax for another year.

" The continued imposition of the tax for three years has caused much oppression and indescribable misery to the people, both Nadars and Maravars. Many families have been ruined. Several Nadars have been forced to abandon their homes and migrate to distant parts, being unable to withstand the oppression of the tax gathering officers. In not a few cases people have had to sell their cooking utensils and drinking vessels to pay the tax. There is no longer any hostility between the Nadars and the Maravars.

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Normal trade relations between the two communities have been resumed long ago. There is not the remotest likelihood of any breach of the peace at present either in Kamudi or in the adjacent villages. The leaders of both the communities have begun to realize the need for co-operation and cultivation of fraternal feelings. Thanks to the efforts of the Nadar Mahajana Sabha and the Maravar Mahajana Sangam, there is a prospect of a friendly understanding between the two communities.

" There is absolutely no need for the retention of the special force in Kamudi and the imposition of the punitive tax cannot be justified any longer. Can it be seriously argued by the Government that the conditions that necessitated the quartering of the force three years ago still continue unabated? Is there any apprehension of the breach of the peace at present from the conduct of the Nadar and the Marava inhabitants of the firka? Is there a crisis with which the regular police cannot cope? Is the presence of the punitive force necessary to avert an impending disturbance? Let the district authorities answer.

" The district authorities and the police in particular may, no doubt, find it handy to keep a special force at a central place like Kamudi for emergencies that may arise under new conditions. One cannot attach much importance to the opinion of the police in the matter for they would naturally try to have the additional police force as long as possible. Should the Government consider the retention of the special force at Kamudi necessary for purposes of their own the cost of maintaining the force should be met from the general revenue and not saddled on the Nadars and Maravars alone. The maintenance of order is the primary duty of the Government and the expenses thereon should be the first charge on the revenue.

" The quartering of a punitive force in a disturbed area is no doubt lawful under certain circumstances; but it should not be kept there a moment longer than it is necessary. To continue to keep a punitive force at a place for three or four years when peace and order have been restored and there is no longer any apprehension of immediate danger is an abuse of the power given by the law. Whatever justification there might have been for stationing a force at Kamudi in the first instance, there is none for its indefinite prolongation and continuance under the present improved conditions. The special force has been there too long and it is high time for its removal and the abolition of the punitive tax."

" With these words I beg to move the resolution and I hope, Sir, that this House will give its full support in carrying this out."

Mr. R. K. SHANMUKHAM CHETTIYAR :—" I second the motion."

The Hon'ble Sir LIONEL DAVIDSON :—" Sir, in the course of his speech, the mover invited an answer from the district authorities as to the need for the continuance of the special police force at Kamudi. Before directing the continuance of that force at the cost of the local inhabitants in September last, the Government consulted the district authorities. Earlier in the year in January, the District Magistrate's report was as follows :—

' The parties are at peace for the moment; but the feelings between them are liable to become strained and to break out into open warfare on very small provocation. In cases which come before the Magistrate's courts, there is constantly evidence of the bitter hostility between the Maravars and the Nadars. Kamudi is the centre of an area particularly liable to anti-Nadar disturbance, and is always liable to become the focus at which this feeling will be concentrated and give rise to widespread violence. The retention of the force is undoubtedly necessary as an insurance against outbreaks.'

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growing volume of public opinion, these renters suffer serious loss this year, I am sure, they will learn a better lesson in the next auction. Very serious attempts were made during the time of the auction last year to induce these traders not to bid but in defiance of public opinion they bid for these shops and now my honourable friend wants that these people must be given some relief and that for the loss that they have sustained by their not getting sufficient trees to tap toddy or as a result of decrease of consumption, these people must be compensated. Sir, my honourable friend in his enthusiasm for the welfare of these beastly traders seems to deplore the loss sustained by them on account of the fall in the volume of consumption. I think, therefore, Sir, that by passing a resolution of this nature and by asking Government to give an encouragement to these traders we will be taking away from them the fear that perhaps when public opinion assumes greater proportions more serious loss may have to be incurred by them in future. For these reasons, Sir, I oppose the resolution."

Diwan Bahadur M. KRISHNAN NAYAR :—" I also oppose this resolution. In fact the recommendation contained in this resolution has the effect of assisting the renters of these shops who are agents for spreading and enhancing the evil of drink, and all the arguments advanced by my friend Mr. Venkataramana Ayyangar are for the purpose of preventing the spread of drink. So that, when I was listening to him, it seemed to me that all the arguments which my friend was advancing were against the resolution which he had tabled. I was wondering whether he was speaking in favour of the resolution or against the resolution."

"There is another reason, Sir, for which I oppose this resolution. The effect of carrying out this resolution will be to reduce considerably the amount of revenue which would otherwise go to the coffers of Government. The Government are already confronted with a very serious financial situation. The Finance Member spends very anxious days and nights and the budget, I am afraid, will be one of deficit and certainly it should not be the object of this Council to reduce at present the amount wherever possible which the Government can legitimately obtain. There is also this further fact that these renters bid at the last auction with their eyes open to the possible loss to which they might be put. For these reasons I strongly oppose the resolution."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, I feel confident that most of the members of this House, if not all, are anxious to see the day when we can have total prohibition and abolition of drink. I believe that it is the duty of this House to continue such efforts unceasingly till the Hon'ble the Minister for Excise will create satisfaction by taking steps for the total prohibition of drink. The arguments advanced by the honourable mover of this resolution were more an appeal to this House to declare its policy in favour of the total prohibition of drink, than a case for giving the relief sought for in favour of the renters. If the object we all have in view can be achieved by the acceptance of this resolution, I would have no objection to support this resolution, but I am not satisfied that it will achieve our object and I think that the honourable mover is not in a position to satisfy us that the proposed measure will have the effect of reducing consumption of liquor. Whether we will have the desired end accomplished in

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stant future or in the near future, if the remedy suggested will have assured result of reducing the consumption of liquor, I will have no objection to vote for the proposition. But, Sir, I am not satisfied from the position placed before us that the acceptance of this resolution will have effect of reducing consumption of liquor."

As for the hardships that have been brought to our notice if they at all, I think, we can very well leave them to be settled between the renters and the Government. If it is a case in which the renter was given hopes and was placed in a false position by an officer, then it is a matter which the renter must expose the falsehood and obtain the necessary relief. But so far as this House is concerned, it cannot, while considering general public interest, give its vote in support of a motion affecting all renters when it cannot bring about reduction in the consumption of liquor."

SHRI MANJUNATH RATH Mahasaya :—" If any class of people has been benefited by the non-co-operation movement, it is the class of these renters. Going to picketing at the liquor shops on account of the agitation that was in foot at the beginning of sales of toddy and liquor shops, there were not many bidders coming forward with the result that the few bidders who made got these shops for almost nothing. The Government suffered in revenue and the renters gained but the consumption of liquor has probably remained the same. In most cases the consumption of liquor being the same, the renters have gained much and while the non-co-operation movement with its picketing and intimidation has impoverished the Government to a considerable extent it has not benefited the country to the same extent. Therefore, generally renters as a class have not suffered much. It may be that a few renters here and a few renters there have suffered but undoubtedly renters as a class have been benefited by this agitation. The Government have suffered and I do not see any reason why we should support a resolution of this kind which means giving relief to a people that do not require any relief. I therefore oppose the resolution."

Mr. S. SOMASUNDARAM PILLAI :—" Sir, this question is rather a curious one. This proposition aims at distributing what revenue in spite of picketing Government have derived from abkari sales to the toddy shop renters. This completes the object of the non-co-operators. The object of this proposition is not for doing any good to the country but its object seems to be to redistribute to the renters what money Government have got. There is a Tamil proverb which says that the horse has not only thrown the rider down, but is trying to dig a pit to bury him. This will only help the non-co-operators. If the resolution were framed in another way by which the renters are asked to pay the loss the Government have sustained this year from out of the profits they have made in the previous years, I would have been very glad to support it. Instead of that, the honourable mover has thought it fit that these renters who, with their eyes open to the existence of a campaign to reduce drink, bid at the auction of these toddy shops, should be given remission. Of course, these people were able to make the Government lose some money, but they have not driven drunkenness out of the land. It is impossible to put down drunkenness by force. The object of the non-co-operators is not to put down drunkenness. But their object is to make the Government lose excise revenue. So long as drunkenness exists in the land, there is no fear for the

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"Writing later in the beginning of August in a report covering the fortnight ending on the 31st July, the District Magistrate said:—

'I camped in Kamudi and other places in the Maravarnad this month and was assured by both Nadars and Maravars that all was quiet there now and that the punitive police tax was a great burden; but the only attempt at any sort of organization to prevent disturbances appear to be on the part of the Maravars, a sangam, . . . the members of which are few because the burden of the police tax is such that people cannot afford to subscribe one rupee. The Nadars on their part keep a school and a public library . . . I hope the Kamudi force will not be removed. At present it is remarkable that the area in which the punitive tax is levied is about the only part of the Nadar part of the district where the Na'ars are not in open conflict with somebody else.'

"I venture to think, Sir, that these reports showed the quartering of the additional force in that area to be serving the purpose for which it was sanctioned, and justified the continuance of the force for another year. Again when I received this resolution, I made it a point to refer once more to the District Magistrate. Writing on the 27th October, Mr. Leach said:—

'I have nothing to add to my previous report. To my mind the police force at Kamudi should be made permanent. There is nothing in the situation to justify the removal of the force nor do the Nadars desire this. What they and the Maravars do desire is that the tax should be taken away. . . . Some of the worst characters are in jail and so put out of the way.'

"That, Sir, was the answer that the district authorities gave and I make a present of it to the honourable mover. I think that it furnishes ample justification for the continuance of this force for another year. But this I am prepared to say on behalf of Government; while we cannot in the light of the reports received from the responsible district authorities consent to remove the additional police, since, especially under present-day conditions, it would be criminal to weaken the forces of law and order, I shall be ready at the close of the period of its continuance, i.e., in the end of September next, to consider—or rather to advise my successor to consider,—whether the cost should not be borne by the general taxpayer or distributed over a larger area in the district if it is found that its continuance is not necessitated by specially strained relations between the Nadars and the Maravars in the locality which is now charged with cost. That, Sir, is all that I can say on this resolution."

The RAJA OF RAMNAD:—"Mr. President, from what the Hon'ble the Home Member has mentioned, I think he has only made out a case, if at all, for the continuance of the force but not for the levy of this most iniquitous tax. It is a tax contemplated to be levied on emergency occasions, when additional police are required to cope with that emergency. The Hon'ble the Home Member has said that from the District Magistrate's report he thought that the police force should be made permanent. If that is so, would it be proper that this additional cost should be levied from the people in the shape of a punitive tax, and that from only two communities who were supposed to have taken part in the riot at Kamudi? I cannot agree with the honourable mover that the rioting was due to any political agitation. From my personal knowledge I can say that it was almost a sporadic one which was quelled almost within a few hours of its commencement. It was not an organized rebellion as we are having in Malabar or one which was going on for any number of days, like the trouble in Madras. It was purely a sporadic one lasting for a few hours. All the prominent people who took

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part have been tried by courts and punished with various terms of imprisonment. The Hon'ble the Home Member himself said that the worst characters were in jail."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"Some of the worst characters."

The RAJA OF RAMNAD (*continuing*):—"Probably others are abroad and surely the punitive police is not going to manage them if they create some further trouble in other localities of which there seems to be no immediate prospect. The Hon'ble the Home Member has also said that we should rely only on the reports of the District Magistrate. Though it may not be quite relevant, may I say that within these three years we have had six district magistrates in the district and so one can easily understand what experience and knowledge they can be expected to have of the conditions in the locality? But however that may be, the District Magistrate, Mr. Leach, has clearly said that the local conditions would require the strengthening of the normal police. If that is so, the cost should be borne by the provincial revenues, and the Nadars and Maravars alone should not be subjected to this iniquitous tax. It is not so much the cost in the case of some of the payers as its implication. Many of them are subject to the tax, because they happen to be Nadars and Maravars, not because they were connected with the riot. On the other hand, some of them rendered help in quelling the rebellion, some rendered assistance to the authorities in securing the necessary information about absconding warrantees, and for this help they are obliged to pay this most iniquitous tax. I think in fairness to them it should be stopped immediately and not be continued till September of this year. The Hon'ble the Home Member has not given us a definite assurance that it will be discontinued after September this year, but he will examine the position then. As already pointed out by the honourable mover, there are very many poor people who are concerned and it is a great hardship to them to pay this tax along with the other taxes even for the payment of which they are already grumbling. I, therefore, strongly support this resolution."

Mr. T. C. SRINIVASA AYYANGAR:—"Sir, I beg to support this resolution moved by my friend, Mr. Saundara Pandia Nadar. Some two or three years ago disturbances broke out in various parts of the Ramnad district and of the Madura district. Those disturbances were not due to identical causes nor had they anything in common. Various causes operated for the outbreaks. Either on account of the remoteness of the place from the market or for the dearth of grain or for other economic causes parts of Mudukulathur, Devakottai and Paramagudi firkas were affected. In the immediate neighbourhood of Kamudi, certain disputes which had their origin in the feuds between certain communities may also be said to be a cause. Now for some time there is absolute quiet prevailing in almost all parts of the Ramnad district. Through the very energetic efforts of the then Government tahsildars of Sivaganga, Mudukulathur and Aruppukottai, disturbances which were anticipated in their neighbourhood were prevented. Particularly after rice was made fully available in those parts, everything quieted down. Now in the matter of this riot at Kamudi which led to the punitive police tax, I am afraid that the memory of the troubles of the late nineties had largely to do in investing Kamudi with an abnormal importance so much so that a punitive police was considered absolutely essential to quell these so-called warlike

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tribes from warring against each other, and that in the matter of the levy of the tax some 40 or 50 villages which have not much in common with Kamudi, were also included. I think the Hon'ble the Home Member who said that he would consult the District Magistrate, will do well to go into the matter deeply and see if any relief cannot be given. It is felt particularly hard by many sections of these two communities (Nadars and Maravars) who are specially taxed to maintain the police. It will be a great surprise to many to know that my Honourable friend the Raja of Ramnad who belongs to the Maravar community is also called upon to pay this punitive tax. In fact during these troubles in portions of the Ramnad district he rendered help to put down lawlessness."

The RAJA OF RAMNAD (*interrupting*):—"Not only myself. The original order included even the gods in the temples under the control of the Devasthanam committees."

The Hon'ble Sir LIONEL DAVIDSON (*interrupting*):—"The honourable member may know that the gods have been exempted by a later Government Order."

Mr. T. C. SRINIVASA AYYANGAR (*continuing*):—"We were glad that that was rectified. The Hon'ble Sir Lionel Davidson was good enough to perceive that the gods had nothing to do with the riot and he exempted the gods presiding over those places from the punitive police tax, though this was not originally done. There are particular sections of the community, passing under its generic name, who were not connected with the riot. It seems that innocent persons belonging to these two communities and living at considerable distances are called upon to pay the tax. The Hon'ble the Home Member may accept the assurance coming from those two gentlemen, Mr. Saundara Pandiya Nadar and the Raja of Ramnad, that there will no longer be any disturbance on account of the old feud between Nadars and Maravars. The sooner the tax is done away with, the better will it be for the peace and goodwill among the people of the Ramnad district."

Mr. K. P. GOPALA MENON:—"Mr. President, Sir, I have the privilege of knowing something about Kamudi, and during the time that this Kamudi riot was going on, and very frequently even after it, I had to camp at Kamudi, and from what I have seen I have come definitely to the conclusion that the imposition of this tax is to say the least, most iniquitous, because at the time of the Kamudi riot, matters were so much exaggerated as to say that this was more or less a repetition of the old anti-Shanar riots of Sivakasi. People who were on the spot were perfectly convinced . . ."

Mr. W. P. A. SAUNDARA PANDIYA NADAR:—"The honourable member referred to 'anti-Shanar'. A recent Government Order says that the name 'Shanar' should be removed altogether from all the Government records."

Mr. K. P. GOPALA MENON (*continuing*):—"I am very sorry to have used that name. At that time it was called the 'anti-Shanar riots'. I have got the greatest respect for the Nadars."

"People who were on the spot really do know that the riot that took place last year arose out of a squabble at a shandy place at Kamudi in which certain people joined, but it was mistakenly given out that the Maravars and Nadars alone were responsible owing to their mutual differences. I would

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therefore strongly support this resolution and say that from the experience of people who were on the spot it is quite clear that there was nothing like factious rivalry or any sort of ill-feeling between Nadars and Maravars, or any communal differences which might naturally give room for a disturbance in future. That it may be possible to prevent a recurrence of a disturbance that might take place even in the future, police are to be stationed there and what is more atrocious is that these two communities alone should be asked to pay this tax. As a matter of fact, when we go to the Ramnad district, we see how poor the people are. They can hardly find the money to pay the dues of Government. I think therefore that it is high time that the Hon'ble the Home Member makes more searching enquiries into the matter and consults even non-official opinion in the district of Ramnad and sees his way to see that the tax is done away with."

Mr. W. P. A. SAUNDARA PANDIYA NADAR:—"I do not deny that the Punitive police force stationed at Kamudi had its effect to some extent. But now that the place is quiet, I do not see any reason for its continuance. Even if Government thinks it fit to have the force there, I want that the punitive tax must be removed and therefore I insist on pressing this resolution."

The Hon'ble Sir LIONEL DAVIDSON:—"Sir, I am left somewhat in doubt as to the views of some of the speakers who have addressed this House to-day whether or not they consider it safe that this body of police should be disbanded or whether like the last speaker they are merely concerned with the question who should pay for the cost of it. As regards the first point, I have given my reasons for the view that it is not safe to disband the special police force in the light of the reports we have received from the District Magistrate who is well acquainted with the Ramnad district. His acquaintance is not so very slight as the Raja of Ramnad suggests. Mr. Leach has had a very considerable experience, I believe, not only as District Magistrate but also in other capacities. In the light of the information that we have received from the responsible local authorities . . ."

The RAJA OF RAMNAD (*interrupting*):—"Mr. Leach was never in the south so far as I am aware. He only came there as a Collector and has now reverted as a Divisional Sub-Collector."

The Hon'ble Sir LIONEL DAVIDSON (*continuing*):—"It is possible, Sir, that the Raja is right. I have just sent for the history of the services of Gazetted Officers to verify my recollection which may be at fault. It was certainly my impression that Mr. Leach had been employed in the south as a Special Settlement Officer."

The RAJA OF RAMNAD (*interrupting*):—"In 1910 if I remember right."

The Hon'ble Sir LIONEL DAVIDSON (*continuing*):—"I do not wish to labour the point. My recollection, as I have said, may be at fault. But Mr. Leach is an experienced and capable officer who has been for some little time in Ramnad and I for one am not prepared to set his considered views aside. I should like therefore to say that, conceding the continuance of this force to be necessary of which I am personally convinced, if the House should carry this resolution, effect could not be given to it without a demand for an additional grant for police expenditure in the Ramnad district the cost of which would be spread over the general tax-payers throughout the Presidency."

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12-45 p.m. "As a remote contingency I have always contemplated that arrangement in the event of its being decided that additional police are permanently required in the Ramnad district in view of the dissensions between the Nadars and the Maravars. But I should like at once to say, Sir, that even if they were regarded as a permanent necessity, that would not in any way cut the ground from under the legal justification for the debit of their costs to the inhabitants of the area. The legal authority rests on section 15 of Act V of 1861. There is no mention of penalty in the law and the phrase 'punitive tax' is merely a phrase used in common parlance. There is nothing 'iniquitous' whatsoever about a punitive tax, or rather about a tax imposed to meet the cost of additional police."

The RAJA OF RAMNAD (*interrupting*):—"Even if it is imposed on two communities and no others?"

The Hon'ble Sir LIONEL DAVIDSON (*continuing*):—"The Act merely requires that the Local Government should be satisfied, from the conduct of the inhabitants of the area, that it is expedient to increase the number of police. It also gives the Local Government power to exempt any persons or class or section of the inhabitants from the liability to bear any portion of the cost. The object of that exemption clause is to enable the Government to exempt persons who clearly have nothing whatsoever to do with the need for the additional police. And in this case, it was fortunately possible—ordinarily it is not possible—so to distinguish, because the need for this additional police undoubtedly arose from the long-standing traditional feud between the Nadars and the Maravars. There are not many people in this House, I suppose, old enough to remember the details of the terrible outburst of that feud which extended from end to end of the Tinnevely district in the late nineties and was the basis, I believe, of the creation of a special force at Sivakasi which has now been made permanent and is maintained, if I mistake not, at the cost of the general tax-payer. The mover himself is a Nadar and the principal member speaking in his support, the Hon'ble the Raja of Ramnad, is himself a Maravar."

The RAJA OF RAMNAD (*interrupting*):—"I do not belong to that class of Maravars who have been found by the courts to have taken part in the rioting."

The Hon'ble Sir LIONEL DAVIDSON (*continuing*):—"The Raja of Ramnad is raising a point which he pressed upon the Government and the Government at that time declined to recognize any difference between one sub sect and another of the same community and fixed the liability upon all Maravars. And the Raja himself, notwithstanding the assistance that he gave in the matter, was saddled with a share of the tax because, Sir, he came within the definition of 'inhabitants.' In the explanation to the section it is intimated that that expression includes 'persons who themselves or by their agents or servants occupy or hold land' in the area 'notwithstanding that they do not actually reside there.' Pains were taken to ascertain what particular area was mainly responsible for the disturbances. I mention this, because Mr. T. C. Srinivasa Ayyangar has stated that some villages have been included which ought not to have found place in the list, which covers a fairly extensive area. I see from the last notification that not less than 143 villages are included. Of course, I can quite understand that it

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may be a matter of opinion whether a particular village is really liable. It is very difficult to ascertain exactly what villages ought to bear a share of the burden. But in regard to that aspect of the case, all that I can say is that an honest endeavour has been made by the local officers to apportion the cost amongst the areas primarily responsible.

"Mr. Gopala Menon, I think, characterized the tax as a most 'atrocious' levy. I cannot subscribe to that characterization any more than to the use of the word 'iniquitous'. I believe that if one traced the origin of what are commonly called punitive police, one would have to go back to remote ages—to the practice which existed in the days of the Anglo-Saxons, even before the Norman conquest, if my knowledge of history is sufficiently accurate—to the practice by which the inhabitants of a hundred, the smallest geographical unit corresponding somewhat to the revenue fika in India, were burdened with the entire cost of the police necessary for the maintenance of order in the hundred. The basic principle under our Act is that when an area is disturbed, the inhabitants of the area should be called upon to bear the cost of the additional police necessary for the preservation of peace. Surely persons resident in other districts have every reason to say: because the Nadars and the Maravars of Ramnad by their perpetual quarrelsomeness render it necessary to have additional police located in the tracts which they occupy, why should we contribute towards the cost of such additions?"

The RAJA OF RAMNAD (*interrupting*):—"If the general tax-payer contributes to the Sivakasi additional police and if that is justifiable, it is equally justifiable that he should pay for the additional police at Kamudi."

The Hon'ble Sir LIONEL DAVIDSON (*continuing*):—"That is a matter of argument, Sir. Personally I should have been quite prepared to make the cost of the additional police at Sivakasi leviable from the inhabitants of the affected portions of the Tinnevely and Ramnad districts. From the standpoint of logic there are very strong grounds for that course. However, I am not concerned with that for the moment. I cannot offer anything further than this, to promise a consideration of the question of the continuance of the tax in September next and must again remind the House that the Government do not feel it safe to remove the additional police. I very much doubt whether the residents in the affected area would themselves welcome such removal. I should like to put that point specifically to Mr. Saundara Pandiya Nadar who, I believe, lives there."

The Raja of Ramnad (*rising to speak*):

The Hon'ble Sir LIONEL DAVIDSON:—"I understand the Raja of Ramnad resides outside the locality."

The Hon'ble the PRESIDENT:—"I am sorry one honourable member can't answer for another honourable member. The Hon'ble the Home Member wants to know from the honourable mover, Mr. Saundara Pandiya Nadar, if he is in favour of removing the police from the area and whether he is prepared to urge that the police are unnecessary."

Mr. W. P. A. SAUNDARA PANDIYA NADAR:—"I think that the police should not be removed, but that it is rather unfair that two communities alone should be charged with its maintenance."

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The Hon'ble Sir LIONEL DAVIDSON:—"Not a very decided answer, Sir, I think I am right in inferring that the honourable mover believes that there would be serious risks if the removal of these police were directed. I agree with him if that is his real belief; that there are very grave risks I have no doubt. I had not addressed the same question to the Raja of Ramnad because he himself demurred to the levy of the punitive tax on the ground that he was not a resident of the locality."

The RAJA OF RAMNAD (*interrupting*):—"The tax is not confined to mere residents. The property in the hands of the villagers, whether Maravars or Nadars, is mine. I visit the places. I am constantly in touch with the villagers. My officials are there. I am the President of the District Board and I know the conditions prevailing there. As a precautionary measure, it may be found necessary to keep a punitive police in every part of the district."

The Hon'ble Sir LIONEL DAVIDSON (*continuing*):—"I welcome the admission that, as a precautionary measure, additional police may be desirable, and all that I have to say in conclusion, Sir, is once more to remind the House that if this additional police is to be retained at Kamudi, as I am satisfied it must be, then the cost will have to be met either by a levy from the inhabitants of the locality or by a demand for an additional grant payable by the general taxpayer of the Presidency. I will go so far, if my Honourable friend Sir Charles Todhunter does not demur, as to say that I will not personally oppose a debit of these charges to the general tax-payer if there is an overwhelming sense on the part of this House that that would be equitable and fair."

1 p.m. A poll was taken with the following result.

Ayes

- | | |
|---|---|
| 1. Dr. Appala Narasayya Nayudu. | 23. Diwan Bahadur L. A. Govindaraghava Ayyar. |
| 2. Mr. R. Appaswami Nayudu. | 24. M. Krishnan Nayar. |
| 3. Rao Bahadur V. Appaswami Vandayar. | 25. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 4. Diwan Bahadur C. Arunaachala Mudaliyar. | 26. " C. V. S. Narasimha Reju. |
| 5. Mr. K. P. Gopala Menon. | 27. Mr. A. Ranganatha Mudaliyar. |
| 6. Rao Bahadur T. A. Ramalinga Chettiyar. | 28. Sriman Sasibhusan Rath Mahasaya. |
| 7. Mr. O. Tanikachala Chettiyar. | 29. Mr. B. Srinivasa Ayyangar. |
| 8. Mr. A. T. Muthukumaraswami Chettiyar. | 30. " T. C. Srinivasa Ayyangar. |
| 9. Mr. M. Narayanaswamy Reddi. | 31. " M. Suryanarayana. |
| 10. " C. Natesa Mudaliyar. | 32. " C. V. Venkatramanayyengar. |
| 11. " P. T. Rajan. | 33. " T. Arumainatha Pillai. |
| 12. " W. P. A. Saundara Pandiya Nadar. | 34. " A. T. Palmer. |
| 13. " R. K. Shannmukham Chettiyar. | 35. " M. Ratnaswamy. |
| 14. " T. Somasundara Mudaliyar. | 36. The Raja of Ramnad. |
| 15. Diwan Bahadur K. Suryanarayana murthi Nayudu. | 37. Sri Meka V. Appa Rao Bahadur. |
| 16. Mr. T. C. Tangavelu Pillai. | 38. Mr. K. Prabhakaran Tampar. |
| 17. " V. C. Vellingiri Goundar. | 39. Sayid Diwan Abdul Razak Sahib Bahadur. |
| 18. " K. C. Venkatachala Reddiyar. | 40. Mr. A. D. M. Bavotti Sahib Bahadur. |
| 19. " C. Venkataranga Reddi. | 41. " Hamid Sultan Marakkayar Sahib Bahadur. |
| 20. " W. Vijayaraghava Mudaliyar. | 42. " M. C. Raja. |
| 21. Diwan Bahadur R. Venkataraswami Nayudu. | 43. " L. C. Guruswami. |
| 22. " M. Ramachandra Rao Pantulu. | |

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Noes.

- | | |
|---|---|
| 1. The Hon'ble Sir Lionel Davidson. | 7. The Hon'ble Rao Bahadur A. P. Patro. |
| 2. " " Sir Charles Todhunter. | 8. Mr. F. J. Richards. |
| 3. " " Mr. Md. Habib-ul-lah Sahib Bahadur. | 9. " E. Li Ileshaile. |
| 4. " " " K. Srinivasa Ayyangar. | 10. " E. Periyasayagam. |
| 5. " " " P. Ramaravaniyar. | 11. " A. Ramaswami Mudaliyar. |
| 6. " " " Rai Bahadur K. Venkata Reddi Nayudu. | 12. " C. W. E. Cotton. |
| | 13. Rao Bahadur T. Namburmal Chettiyar. |

Neutral.

- | | |
|--------------------------------------|---|
| 1. Mr. K. Audinarayana Reddy. | 6. Mr. S. Somasundaram Pillai. |
| 2. Rao Bahadur T. Balaji Rao Nayudu. | 7. " S. Muttumanikkachari. |
| 3. Mr. B. P. Devarajulu Nayudu. | 8. " Rai Bahadur T. M. Narasimha Chari. |
| 4. Rao Bahadur A. Ramayya Punja. | 9. Rai Sahib E. M. Mascarenhas. |
| 5. Mr. S. T. Shanmukham Pillai. | |

The resolution was declared carried, 43 having voted *for* and 13 *against*, 9 remaining *neutral*.

Uniformity of scales of salaries for secondary schools.

1 p.m. The following resolution standing in the name of Mr. M. C. Raja was not moved and was therefore deemed to have been withdrawn:—

"234. That this Council recommends to the Government that a uniform standardized scale for the salaries of teachers be introduced in all secondary schools, private and public, including municipal and board schools and that its adoption be made an essential condition of recognition."

Permanent settlement of ryotwari lands.

The following resolution standing in the name of Mr. T. C. Tangavelu Pillai was not moved and was therefore deemed to have been withdrawn:—

"235. That this Council recommends to the Government to introduce legislation for the permanent settlement of all ryotwari lands in this presidency."

Abolition of rewards for detection by Abkari and Police officers.

Mr. A. RANGANATHA MUDALIYAR:—"I beg to move the following resolution:—

"236. That this Council recommends to the Government that the system of granting rewards for detection by officers of the Salt and Abkari and Police Departments be abolished."

"Sir, in moving this resolution, I beg to make certain general observations for the consideration of this House in deciding the question. Sir, officers are paid by the Government to do their work not in a perfunctory manner but in a satisfactory way. I think these officers may be divided into two classes, the honest and the dishonest. People who are honest will certainly do their duty irrespective of the prospect of a reward or otherwise. As regards the other class of officials, I think the reward which the Government may give them will be but as a drop in the ocean when compared with the earnings they may be able to realise by illegal methods. In either case, I think these rewards are not likely to materially affect the officers concerned in the discharge of their duties. There is one other point which I would like to urge for the consideration of this House, namely, that there is really no settled principle underlying the grant of these rewards. Very often these rewards are granted by officers who are not above certain prejudices or partialities

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towards their subordinates. Often it happens that the honest, unostentatious official goes without any recognition whatsoever, while his more pushing, unscrupulous colleague gets all the favours from his superior officers. The Police Administration Report makes mention of several Inspectors and Sub-Inspectors and even of Deputy Superintendents who have been getting rewards. Now, Sir, it would be very interesting, I think, if we tried to find out whether these people really deserved to get these rewards when their integrity is taken into account. If we consider what property these people had at the beginning of their service and what property they have now before or after their retirement and how it was possible for them with their limited income they were getting from the Government to accumulate large properties and estates, then I think it would open the eyes of the Government to the fact that perhaps all is not well with the system of grant of rewards. There is yet another reason why I urge that these rewards should not be granted. There are other inducements to recognize really good work on the part of these officers. The Government liberally bestows titles, that is one way; they may mention their names in the administration reports or other official records, and this is another way of recognizing merit. There is again a system of good service entries for good work done and the black mark system for bad work. I think it should be possible by all these methods for the Government to encourage people for good work and punish them for bad work. What is more important than all, they may give special promotions, if necessary, where exceedingly good work has been done. No doubt attempts have been made to try to place this system of granting rewards on some satisfactory basis. For example, I find that in the Abkari Administration Report for the year 1916-17 certain principles are laid down by which the department should be guided in the matter of awarding rewards. They are :—

- (1) No rewards should be granted in cases in which there is no actual fraud.
- (2) Rewards should not be granted for petty cases detected by officers in the ordinary execution of their duty.
- (3) Where the detection of a case involves special vigilance and personal inconvenience and where it requires some amount of initiative on the part of the detecting officer, rewards may be sanctioned.
- (4) The amount of rewards sanctioned should not be so large as to make it worth the while of subordinate officers to get up false cases.
- (5) A fair share of rewards should be given to outside informers whenever crime is detected with their help.

The report goes on to say—

‘It will be seen from the above that it is not possible for an officer to earn easy rewards by reporting small technical offences and the majority of the rewards are well earned—while some barely cover out-of-pocket expenses.’

‘Now I doubt whether in the working of the rules all these principles are observed or whether it is possible for them to observe these rules. Take for example what are called treefoot sales, i.e., sales in date tops where toddy is drawn and other sales of both toddy and arrack at various unauthorized places. If I am informed correctly, rewards are granted for detection of these offences. Now to my mind most of these cases are more or less technical. They involve not much risk to the officers concerned, but still rewards are granted more or less as a routine. That I think is a misuse of the system altogether. Therefore on the whole I think that this system is neither necessary in the present days nor is it justifiable in its actual operation.’

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‘The last argument I wish to urge against the continuance of this system is that, as a result of the recent revision of the salaries, the pay of these subordinates has been appreciably increased. If any reason existed in the old days for the granting of rewards, they do not at all exist now. I therefore recommend that this system be done away with. But at the same time I may inform the House that I am not at all against the grant of rewards to private persons including therein village officers. They must be remunerated for the help rendered by them but I am totally against all rewards to public officials.’

Mr. B. SRINIVASA AYYANGAR :—‘Sir, I beg leave to second this resolution. The three departments mentioned in this resolution, namely, the Salt, Abkari and Police, constitute, if I may say so, the detective portion of the State. It is true that these detective officers must be placed above temptation, and any reward or promise of rewards for the work done or to be done by them oftentimes makes them succumb to the temptation of putting up false cases. In answer to an interpellation put by my honourable friend, the mover of this resolution, in November last, I find that a sum of Rs. 1,50,000 has gone by way of rewards to the officers of the Salt and Abkari department for a period of five years commencing from the year 1916. That works out on an average Rs. 30,000 a year. From the Police Administration Report for the year 1920, I find that a sum of Rs. 53,690 was paid in 1919 as against Rs. 49,602 in 1920. These were the rewards paid to the officers of that department. To persons other than officers of the Police department, including the village officers, I find that Rs. 34,528 was paid in 1919 and Rs. 37,790 in 1920. All that I would venture to submit for the consideration of this House is that these people are paid for the work they ought to do. There is absolutely no reason why for the work for which they are paid they should also be given this extra remuneration at the expense of the tax-payer which on an average taking all these three departments together works at Rs. 80,000 a year. The question of continuing the grant of rewards was considered and appears to have been tackled by the Inspector-General of Police in the report he submitted to the Government for the year 1920. In paragraph 4 of page 5 of the above report he says :

‘Individuals apart, it cannot be denied that the policy of a free grant of rewards has effected a vast improvement in the co-operation of the public with the police and the steady expansion of the expenditure under the head during the last five years is highly satisfactory.’

‘The order of the Government on this portion of the report is dated the 27th September 1921. In paragraph 5 of the order the Government says :

‘The Government agree with the Inspector-General as to the importance of continuing the policy of rewards. Great care is necessary, however, in the selection of deserving cases. The work to be rewarded should be judged on its own merits and not with sole reference to successful results.’

‘I venture to submit that the remarks of the Government leave me practically cold and unconvincing. I submit that there is little reason to continue this pernicious system. Therefore I have great pleasure in seconding this resolution.’

The Hon'ble Rao Bahadur A. P. PATRO :—‘Sir, I am glad to say that the remarks of the honourable mover and seconder of this resolution support

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the system of granting rewards. The honourable mover stated that rewards are given in some technical cases and that encouragement should be given to outsiders and not to departmental people. As the mover himself is well aware, there are stringent rules in the department governing the grant of rewards and the rules lay down that no rewards should be granted in cases of detection of technical offences. In the matter of encouragement of outsiders, it will be seen that so early as 1912 the Government and the Board of Revenue insisted that the outside informers should be encouraged in preference to departmental detectives. I will read to the House the order of the Government in this matter in 1912. The Board always insisted on the encouragement of outside informers and the Government also insisted in a Government Order of 1912 that outsiders should be encouraged in the matter of giving information.

1-15 p.m. "The principle and its application in practice of giving rewards is this :

'The reward is given only in cases which have ended in conviction before a magistrate, or in which the accused agreed to compound the offence, and no rewards are granted in technical cases detected in the course of routine work.'

"That is the first rule.

'Rewards are granted by the Assistant Commissioners and the rules are regularly scrutinised by the Deputy Commissioner. Where a magistrate awarded a substantive term of imprisonment and a fine, it is either not levied or collected. The power to sanction rewards is limited to Rs. 10 in the case of the Assistant Commissioners and Rs. 25 in the case of the Deputy Commissioner. Cases requiring higher rewards are reported for the orders of the Board.'

"The following general principles have been laid down for the guidance of officers authorized to sanction rewards :—

"The first rule is :

- (1) No reward should be granted in cases in which there is no actual fraud.
- (2) Rewards should not be granted for petty cases detected by officers in the ordinary execution of their duty.
- (3) The amount of rewards granted should not be so large as to make it worth while to the subordinate officers to get up false cases.'

"Sir, the main argument adduced as to the abolition of the reward system is that the staff will be tempted to concoct crimes. The honourable the mover referred that persons who had been drawing small salaries were, at the time when they retired, in possession of large properties. It was not due to the system of these rewards of Rs. 10 and Rs. 20 which they got for detecting cases that they were able to amass so much wealth as was referred to, but it was perhaps due to other reasons, and not entirely and solely due to their earning these rewards."

Mr. A. RANGANATHA MUDALIYAR (*interrupting*):—"I did not say, Sir, that these huge properties were earned as the result of these rewards. What I said was that, considering their earnings otherwise, these rewards were really unnecessary for these people."

The Hon'ble Rao Bahadur A. P. PATRO (*continuing*):—"The salt and abkari prosecutions are instituted only after a preliminary enquiry held by an Inspector and no prosecution is launched unless there is a perfectly clear

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case. That is the real reason for the large percentage of convictions secured by this department. It is not an easy matter to foist a false case and establish it first before the Inspector and then before a Magistrate, and the rewards likely to be obtained will be disproportionate to the trouble which will be involved. That is so because in all the salt and abkari cases, as the honourable the mover knows, there is a preliminary enquiry and if the Inspector of the circle is satisfied that there is a proper case to go into Court, then it is launched. Then again, in the case of investigations of the salt and abkari crimes, the members of this House know what difficulty there is for these subordinate officers to obtain information. Sometimes they have to spend their pocket money in order to induce the talayari, or in order to induce some other informer of the village to give them the clue so that they may work upon it and detect offences. I know of a case particularly in which I myself appeared for the defence. In that case the abkari officials themselves had to spend large sums of money out of their own pocket and if they had not done so, they would not have been able to detect the gang. There were about 24 readdis concerned in illicit manufacture in the case. It was a very famous case, known as the Nowpada case, the trial in which protracted for 21 days. Now that case would not have been detected by the abkari or the police officials unless they had obtained the clue by paying money to the menial servants, and when they worked upon that clue, the whole thing was found out to be true. Therefore, practical experience shows that in the detection of crime in the rural areas, unless we are first able to give an inducement to these informers, we will not be able to obtain information, however much we may try to minimize it and say 'Oh, it is not at all necessary. It is an immoral thing, or an illegal thing.' But when we enter into the practical working of the detection of cases, we will find that unless we are able to get evidence by means of these inducements, we would not get any evidence at all. That is the real difficulty in working up cases. Therefore, these rewards are given in cases where these people really spend money and show special skill in the matter, not merely in obtaining the routine information, or in getting a case prosecuted successfully, but in cases where special skill is shown and where personal risk has been undergone. These rewards do not come out of the people's money, but they come out of the fines. When a magistrate imposes a fine in a case, the reward is paid out of that. Therefore, the House will understand that the rewards are not a loss to our revenue, and secondly, these rewards are necessary in order to obtain the very necessary information that is required for prosecuting a case successfully. You know that there is at the present moment a good deal of illicit manufacture of liquor. People are reluctant to give information for various reasons which the members of this House know. In these times when a man actually knows what is going on, but yet is afraid or unwilling to give information if approached straight demanding to give it, if the officer is to go and work him up, then he will give the clue from which he can discover the whole thing. So, these rewards are necessary, for, in the abkari, salt or police departments they are not given merely as a matter of routine, or in the ordinary course of business, but are given only where special skill is shown and where the higher officers are satisfied that the man has really undergone some risk, or shown special knowledge or skill in the matter. But, as the honourable the mover has pointed out that in the matter of many of these rewards there is some irregularity, if there is any such

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to think that this Council would do wisely to think not once but twice before running counter to the considered opinion of such a body, the more so as police officers generally are agreed that the system of giving rewards is of distinct efficacy in securing good work and in the prevention of crime.

"One of the speakers, I think it was Mr. Srinivasa Ayyangar, quoted from the Police Report of 1920. If he had gone a few years further back, to the reports for the years 1917, 1918 and 1919, he would have seen that there also emphasis was laid on the advantages of liberally granting rewards. The matter was specially considered in 1917 by a conference of police officers under the presidency of Mr. Gillman, and one result of that conference was the decision to extend to other districts a variation of the system of rewards which had been proved to be of special efficacy in the district of Coimbatore. I think the particular feature of the Coimbatore practice was the payment of rewards for preventive work as distinguished from detective work. The general question of rewards, and the method of giving them, came again under the special consideration of the present Government, not more than two years ago, and as a result of the attention then devoted to the matter, we modified the Police Standing Order which deals with the conditions under which rewards should be given. With your permission, Sir, I will read out the relevant portion of the present Standing Order No. 204: 'Rewards should be given freely to subordinate officers for services of special merit and not for work * * * * * which showed no outstanding detective skill.' Then follows an instruction to send up recommendation rolls which concludes with the following sentence: 'The roll should invariably narrate the part played by the individual and set forward the grounds for regarding this as specially meritorious in character.' Substantial rewards under this chapter (XIII) of the Police Orders come up for the consideration of the Government; rewards of less substantial character are dealt with by the Inspector-General, the Deputy Inspectors-General, and Superintendents; and there is an interesting provision which lays down that only the Inspector-General shall sanction rewards to inspectors. The Standing Order is of course designed to ensure that rewards shall be given only in cases of specially meritorious service.

"They are given not merely for detection. Sometimes it is a case of rewards for saving life; sometimes for gallant acts in the suppression of riots or in the apprehension of murderers or persons whose arrest cannot be effected without considerable personal courage and without grave risk to the life of the officers concerned.

"It has been said, I think, by Mr. Ranganatha Mudaliyar that the police are already well-paid, that their pay has recently been increased, and that there is therefore no need for the supplemental reward in the shape of money. The answer to that criticism is that the rewards for meritorious services are and have long been recognized not only here but in other parts of India as well, and constitute one of the attractions for entry into the Police department. If that inducement were withdrawn merely because some increase in pay has been sanctioned, which, as I may remark in passing, those who have received it consider to be quite inadequate, the attractions necessary for the recruitment of the police force would hardly be enhanced, for the increase in pay would be discounted by the loss of the chance of getting reward.

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"It is the fact that something like half a lakh of rupees per annum is being spent on rewards for specially meritorious service, and that this is in addition to the method of rewarding by good service entries and by special promotions. The system of money rewards was, however, recommended by the Indian Police Commission many years ago, and has been found to be of great efficacy in practical working. I venture to say that with the existing safeguards there is little or no likelihood of such rewards becoming a direct or indirect stimulus to the fabrication of false cases."

The Hon'ble Sir CHARLES TODHUNTER:—"Sir, I did not intend to speak on this resolution for the reason that the rewards now granted in the Salt department are so few and far between that it would puzzle the honourable mover to find any to object to. There are, however, one or two points which have been raised in the debate upon which I should like to make certain comments.

"In the first place, I should like to remind the House that this system of giving rewards for the detection of offences against fiscal laws is not a system which is confined to Madras alone, but exists all over India and practically all over the world. An officer who is deputed to detect a fiscal offence is in a very different position from, say, a police officer. If an injury to the person or property of a private individual is done, he goes to the police officer and complains. But when the injury is only to Government revenue, there is no complainant to come forward himself and bring his witnesses. On the other hand, the officer has to discover the offence and every man's hand is against him. If he wishes to secure information, therefore, he must pay for securing it. It has been suggested that you should rely upon the honest men to do the work and get rid of the dishonest ones. But what I should like to remind the Council is this: that you have not to deal with only these two classes of officers. The problem with which the authorities are confronted is that the average officer can go on drawing his pay and possibly get an increase in it so long as he just keeps out of trouble. But there is no inducement to him to run risks in doing special work unless you are prepared to give him special rewards. This state of affairs is aggravated by the new scheme of things which in some departments has put all the officers together on one incremental scale and the increment follows year by year so long as the officer does nothing meriting punishment. Again, under that scale it is difficult to give special promotion for meritorious work as has been recommended. I ask honourable members therefore to consider the case of the young man of the educated class who is posted to some place in the Ceded Districts where we all know illicit distillation under the cognizance of reddy is rife. To detect such a case he may have to walk many miles and to spend his nights in the jungles and perhaps to risk his life in making the arrest, and at the end of it all, he is, according to the supporters of the resolution, merely to draw his ordinary pay. On the other hand, he has undoubtedly a substantial income available to him from the offenders if he is ready to ignore the offence and keep others ignorant of it. I am afraid it is asking too much of any officer to expect him to undertake detection in such circumstances without promise of reward and merely for the sake of doing his duty.

"Again, it has been said that rewards are granted as a matter of routine. I assure the Council that this is not the case and that every case

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instance, he can very well bring it to the notice of the Deputy Commissioner, or the Board of Revenue, and if that case be really a bad case, it will be enquired into."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, if I have been tempted to speak on this motion, it is on account of some remarks made by my friend the Hon'ble the Minister for Excise. He called our attention to the Nowpada case in which he had the privilege of defending the accused and he gave a certificate as to the difficulties under which the officers laboured in the matter of investigation and justified the continuance of the system of rewards. I am glad to have had some information from him in the matter, but it is difficult to subscribe to the general propositions which he has placed before this House that the officers have various difficulties and that it is very difficult to secure convictions in abkari cases, because there is a preliminary inquiry and because it is necessary to satisfy the Inspector about the accuracy of those investigations. I believe the experience of some of us has not been the same as that of the Hon'ble the Minister for Excise. I do not think that, as a general proposition, it can be urged with any degree of certainty that on account of the rule requiring that there should be a preliminary inquiry by some officer of the department, there is no chance or very little chance of a wrong investigation and much less chance of a wrong conviction. The impression has been created in several places that the system now in force is not quite conducive to a proper investigation of such cases. My honourable friend has told us that, so far as the rewards are paid not out of the general revenues but out of the fines collected from the delinquents, there is no loss of revenue, and therefore there is no strong force in the objections. Sir, the objection taken is not to the actual loss of revenue, or to the effect it has on the local finance, but it is to the system itself. The point for consideration is whether a system by which a special value is attached to the investigation and the detection of crimes is likely to improve the state of affairs. I for one would agree with the honourable the mover in thinking that, notwithstanding the advantages which have been pointed out, the disadvantages preponderate. There are several questions in which there are advantages on the one side as also disadvantages on the other, but we have to consider the balance of advantages over the disadvantages. Taking all these circumstances into consideration, it is rather desirable to forego the possible advantages when we are satisfied that there are still greater disadvantages that have to be reckoned with. It is for these reasons that I would say, Sir, that this resolution deserves to be supported.

" The concluding remarks of the Hon'ble the Minister no doubt deserve to be considered. If he was in a position to agree with the honourable the mover as to the principle underlying the resolution, and only stated that on account of the peculiar difficulties in which the department is placed at present, he would advise caution and would advocate its being taken up sometime later, it would have been a matter for consideration. If he had stated that, owing to various unfortunate causes, there are several difficulties they have to confront and that for those reasons he would wait for some time before abolishing the system, I would have been in a position to appreciate that difficulty. That is not what he has done. He has tried to justify the system of giving rewards in these cases, and I think, Sir, that the resolution deserves support."

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Rao Bahadur T. BALAJI RAO NAYUDU :—" Sir, I beg to support the resolution. The reason given by the Hon'ble the Minister is no doubt good in a way, viz., that the abkari officers have got to spend some money to effect the detection of particular cases. That may be so. But in the Police department I suppose they allow a sort of contingent charge to meet the expenses which the police officers have to incur in getting out clues. I think the same course may very well be adopted in the Salt and Abkari department also and the system of paying rewards to public servants may be done away with. Of course nobody grudges giving rewards to private individuals who help the police and abkari officers to detect crime, but why should not the system which is in vogue in the Police department of Government undertaking to pay the expenses incurred by police officers in the detection of particular cases be adopted in the Salt and Abkari department also and the same money paid as contingencies ?

" With these remarks, Sir, I support the resolution."

Mr. S. T. SHANMURHAM PILLAI :—" Sir, the system of granting rewards to officers of the Police, Salt and Abkari departments for doing their legitimate work does not commend itself to me. The system tends to demoralization and leads to corruption. I speak of my personal experience when I say that when cases are brought up in batches for illicit possession of contraband salt or toddy, the accused, who are of the lowest order and could not have seen in a lump Rs. 20 or Rs. 30 during their lifetime, readily pay up when sentenced to pay fines from Rs. 20 to Rs. 50. Such cases are open to grave suspicion. There may be cases in which circumstances would make it most difficult and at the same time necessary in the interests of truth and justice to detect grave offences. In such cases the Government may use their discretion and grant rewards, but not ordinarily to all cases of the kind referred to above.

" For these reasons, I support the resolution."

The Hon'ble Sir LIONEL DAVIDSON :—" I am only concerned with the question of police rewards, and I should like to open by 1-30 p.m. saying that the system of granting rewards for specially meritorious service is very longstanding; possibly it is coeval with the police force itself. It is specially mentioned in the report of the Police Commission, which sat about twenty years ago, where prominent reference to the matter is to be found in two places, and the principle is clearly laid down. In one place it is stated that " specially good service demands special rewards," and that " money rewards, if given immediately and with reasonable liberality, are the most acceptable form of rewards for any special act of good service." In another place the Commission writes that " but for the evidence before them, the Commission would hardly have considered it necessary to say that, if a police officer of any rank is to be punished for bad work, he ought also to be encouraged by praise or reward for any specially good work. A reasonably liberal system of rewards might be adopted with advantage." I should like to invite the attention of the House to the fact that these remarks are those of a body of highly qualified gentlemen who made a special investigation into the administration of the Police Department throughout India. That was their considered opinion, and I venture

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is carefully examined before a reward is granted and that very strict rules are laid down as regards the classes of cases for which rewards are to be given. It has been suggested that we should substitute for this a plan under which every officer should be given a secret service fund out of which he could pay for information. But the gentlemen who made that suggestion did not give us any idea of how it could be carried out and how it could be kept secret. They say that the money could be drawn on contingent bills. I ask the Council to consider whether it would be possible to keep payments made in such a way in any sense secret. Nor would the result differ very materially from that which is at present attained. What happens now is that the officer pays money out of his pocket to informers, arranges to feed them and so forth and ultimately when he gets his reward recoups his out-of-pocket expenses. The honourable mover himself has read passages to show that in many cases the reward given does not cover the actual expenses incurred by the officer.

"He has also read out the very strict conditions under which rewards can be given and, so far as I can understand him, he entirely approves of these conditions. His difficulty is that these conditions are not satisfied. If this is the position, then I venture to think that he is not very consistent and that what he should urge is, not that the system be abolished, but that the conditions be enforced. I can assure him that if he could show that they were not, action would be taken to remedy any defect that was established."

Mr. A. RANGANATHA MUDALIYAR :—"I have listened very carefully to the speeches made by the Hon'ble the Minister, the Hon'ble the Home Member, and the Hon'ble the Finance Member; but I must confess that they left me unconvinced. The Hon'ble the Minister really has not urged anything for me to reply to. I never suggested that people who give information and whose help is necessary to detect cases should go unrewarded. I explicitly conceded that point. All that the Hon'ble the Minister said was that it was impossible for Government officers to detect crimes if they were not allowed to hold out inducements to private individuals to supply information. I have no objection even to these officers being given a certain permanent advance out of which they can meet those expenses. Then the Hon'ble the Minister asked the House to remember that these rewards were not paid out of the general taxes, but out of fine funds. Does the Hon'ble Minister suggest that officers would be more circumspect if the rewards are paid out of the general funds? The fines, after all, should go to the State funds, and the money may be utilized for other public purposes. I don't see how a difference is to be made in this case simply because the amount out of which the rewards are given comes technically from fines instead of from the general taxes.

"Then he said something about special skill and knowledge. I have quoted specific cases wherein the majority of the cases required the display of no special skill or where no knowledge was displayed."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*) :—"The Hon'ble Member has quoted classes of cases, but he has not quoted specific cases."

Mr. A. RANGANATHA MUDALIYAR (*continuing*) :—"I said that in the cases specified by me there is not this element of personal risk, special

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knowledge and skill that were so much emphasised by the Hon'ble the Minister. Now, Sir, as regards the Hon'ble the Home Member's remarks regarding the Police department, I have something to say. He stated that when an officer is appointed, there must be some provision for an incentive for good work. I ask whether he would apply the same remark and introduce a system of rewards to the Revenue department. I think that those who do not do their work well in the Revenue department get punished, but are they specially rewarded for any good work? They are able to get on very well in that department. I do not see any reason why that should not be possible in the case of the other departments. The Hon'ble the Finance Member said that the rewards given in the Salt department were so few that he really did not think the resolution concerned that department. If the Salt department can get on without the system of rewards, I ask why the same method should not be followed in the case of the Police and Abkari departments."

The Hon'ble Rao Bahadur A. P. PATRO (*interrupting*) :—"Because they are quite different in procedure and methods. An illicit salt manufacture is easily discovered, whereas the illicit distillation of liquor cannot be easily discoverable unless you show some inducement."

Mr. A. RANGANATHA MUDALIYAR (*continuing*) :—"If you ask a Salt official, he will give a different story. If special merit has to be rewarded, it should be done in other ways. A reward of seven or eight rupees a year will not tempt any man to do any extraordinary work. After all it is not every man who gets this reward. Probably a sanad presented to a deserving person in an open darbar will advertise him sufficiently and induce others to earn the same recognition by meritorious work. There is further at a later stage promotion by selection, when specially good work of any officer may be duly taken note of. So I think after all there are many other ways in which special merit may be recognized. I do not see where the value of this money system comes at all. The Hon'ble the Finance Member said that if we advance contingent amounts to officers for distribution to men who have information, there will be no privacy. But I ask, is that not being done now? I find from various reports that a large amount is given to private individuals, and I expect they have their names published."

The Hon'ble Sir CHARLES TODHUNTER (*interrupting*) :—"May I interrupt the Hon'ble Member? The names are not published. There is a very special procedure."

Mr. A. RANGANATHA MUDALIYAR (*continuing*) :—"The departmental heads, I think, have the names. The same special procedure may continue. I do not see any reason why this system of reward should be continued."

The resolution was put and declared lost. A poll was then taken with the following result :—

Ayes.

1. Mr. K. Adinarayana Reddi.
2. Dr. M. Appala Narasayya Nayudu.
3. Rao Bahadur T. Balaji Rao Nayudu.
4. Mr. S. I. Shanmukham Pillai.
5. Diwan Bahadur M. Krishnan Nayar.
6. Rao Bahadur U. Rama Rao.

7. Mr. A. Ranganatha Mudaliyar.
8. Mr. B. Srinivasa Ayyangar.
9. Mr. M. Suryanarayana Pantulu.
10. Mr. C. V. Venkataramana Ayyangar.
11. Mr. A. T. Palmer.

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Noes.

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| 1. The Hon'ble Sir Lionel Davidson. | 25. Mr. T. C. Tangavelu Pillai. |
| 2. " Sir Charles Todhunter. | 26. Rao Bahadur C. Venkata Ranga Reddi. |
| 3. " Khan Bahadur Muhammad | 27. Mr. W. Vijayaraghava Mudaliyar. |
| Habib-ul-lah Sahib | 28. Diwan Bahadur R. Venkataratnam |
| Bahadur. | Nayudu. |
| 4. " Mr. K. Srinivasa Ayyangar. | 29. Diwan Bahadur L. A. Govindaraghava |
| 5. " Mr. P. Ramarayaningar. | Ayyar. |
| 6. " Bai Bahadur K. Venkata | 30. Diwan Bahadur M. Krishnan Nayar. |
| Reddi Nayudu. | 31. Mr. S. Muttumanikka Achari. |
| 7. " Rao Bahadur A. P. Patro. | 32. Sriman Sasibhushana Rath. |
| 8. Mr. F. J. Richards. | 33. Rao Sahib E. C. M. Mascarenhas. |
| 9. Mr. B. Littlehales. | 34. Mr. M. Ratnaswami. |
| 10. Mr. E. Periyarayagam. | 35. Mr. G. Vandanam. |
| 11. Mr. A. Ramaswami Mudaliyar. | 36. The Raja of Ramnad. |
| 12. Mr. C. W. E. Cotton. | 37. The Zamindar of Mandasa. |
| 13. Mr. R. Appaswami Nayudu. | 38. Mr. K. Prabhakaran Tampan. |
| 14. Rao Bahadur V. Appaswami Vandayar. | 39. Khan Sahib Saiyid Diwan Abdul Hamid |
| 15. Diwan Bahadur C. Arunachala Mudaliyar. | Sahib Bahadur. |
| 16. Sir P. Iyagaraya Chettiyar. | 40. Munshi Muhammad Abdur Rahman |
| 17. Mr. O. Tanikachala Chettiyar. | Sahib. |
| 18. Mr. A. T. Muttukumaraswami Chettiyar. | 41. Mr. A. D. M. Bavotti Sahib. |
| 19. Mr. M. Narayanaswami Reddi. | 42. Mr. V. Hamid Sultan Marakkayar Sahib. |
| 20. Mr. C. Natesa Mudaliyar. | 43. Mr. M. C. Raja. |
| 21. Mr. V. P. Pakkiriswami Pillai. | 44. Mr. L. C. Guruswami. |
| 22. Mr. W. P. A. Saundara Pandia Nadar. | 45. Mr. M. C. Madurai Pillai. |
| 23. Mr. S. Somasundaram Pillai. | 46. Rao Bahadur P. Namburumal Chettiyar. |
| 24. Diwan Bahadur K. Suryanarayanamurti | |
| Nayudu. | |

The Hon'ble the PRESIDENT:—"While the Secretary is counting the votes, I may mention that this afternoon we adjourn at 4 p.m. so as to enable the Finance Committee to meet. So it is absolutely necessary that honourable members should be back at 2-30. The result of the poll will be announced after the luncheon interval."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"May I mention that I propose to move an adjournment of the consideration of the next resolution? I have told the honourable member concerned already."

The Hon'ble the PRESIDENT:—"You can do that immediately after lunch."

The Council then adjourned for lunch at 2 p.m.

The Council re-assembled after lunch at 2-30 p.m.

The Hon'ble the President announced the result of the poll taken on the motion made by Mr. Ranganatha Mudaliyar, viz., "That this Council recommends to the Government that the system of granting rewards for detection by officers of the Salt and Abkari and Police departments be abolished."

The motion was lost.

Ayes 11 : Noes 46.

Abolition of the Department of Labour.

Resolution No. 237 standing in the name of Mr. O. Tanikachala Chettiyar ran as follows:—

"That this Council recommends to the Government that the Department of Labour Commissioner be abolished immediately."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"I move that this resolution be adjourned to the February sitting of the Council. I have told the honourable mover that I am considering the reorganization of the Labour department

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and that it requires a very considerable amount of detailed examination which has not yet been made. I have got to consult my Labour Board; I have got to consult my honourable colleagues; and, after the whole thing is ready, I propose to place it before the Finance Committee. In these circumstances, I move that this business may go over to the February sitting of this Council."

Mr. O. TANIKACHALA CHETTIYAR:—"I have not the slightest objection to the adjournment."

The motion for adjournment was then put and carried.

The Hon'ble the PRESIDENT:—"This motion will be given precedence over other motions at the February meeting."

Inclusion of women voters in electoral rolls.

Mr. T. C. TANGAVELU PILLAI:—"Mr. President, the resolution which I have to move runs as follows:—

'238. That this Council recommends to the Government that, in view of the passing of the resolution on women's franchise the electoral rolls for all general and special constituencies be immediately revised.'

"In moving this resolution I have no intention of making a long speech. From the enthusiastic way in which the resolution on women's franchise was voted upon in this Council before, I am sure that this resolution will be accepted by every member of this House. Now that the Government have been pleased to accept the franchise, no time should be lost in revising the electoral rolls. The only objection that may be advanced is that it may cost some money to the Government. As it is only to include the names of those who have come under the new franchise, I do not think that much money will be required to be spent in that direction. With these remarks I commend the resolution to the acceptance of the House."

Sri Meka V. Appa Rao Bahadur seconded the resolution.

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"Mr. President, I am in entire sympathy with the resolution, and, as a matter of fact, the Government, even before this resolution was given notice of, desired to revise the electoral rolls for the purpose of making them more complete than they were when they were originally prepared. In preparing a new electoral roll you cannot merely include the women voters who have come in by a vote of this House. The necessary processes have to be gone through, and the real difficulty in the way is the cost. We made inquiries as to the cost, and we were anxious, if the cost was not prohibitive, to undertake the revision of the rolls immediately. I have to remind the House that even if we are prepared to undertake it, we have to prepare the rolls before the end of this Council. We then inquired as to what the cost would be. We found that the cost would be something over two lakhs for revision and preparation, and it is that which has deterred us from undertaking this business. If the Council is anxious that we should do it and vote the required sum, I for one shall not object at all. But if in the financial strain through which we are passing the Council thinks two lakhs are too much to be spent in completing the rolls and that we must wait till we are in a position to complete all the electoral rolls, I for one would not object. As it is, we are undertaking a revision of one or two rolls

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only where obvious mistakes have been committed, for instance, where persons who are not entitled to vote are enrolled under a mistake. This is not likely to cost much, but a general revision will cost about two lakhs of rupees. If the House is prepared to vote it, I for one would gladly undertake it."

Mr. T. C. TANGAVELU PILLAI:—"We are not asking that all the lists should be revised. We simply ask for the inclusion of the names of the women voters in the existing lists."

The Hon'ble Mr. K. SRINIVASA AYYANGAR:—"We cannot do it. When we once undertake the revision of the rolls, we cannot merely add on any particular class of voters."

Mr. T. C. TANGAVELU PILLAI:—"I do not press it."

The resolution was by leave withdrawn.

Holding an Industrial Conference.

Mr. T. C. TANGAVELU PILLAI:—

"239. That this Council recommends to the Government that a conference, like the Ootacamund Industrial Conference of 1908, of persons interested in industrial development in this Presidency be summoned without delay, under a non-official president, to take stock of what has been done in the country and by the Development Department, and to see how far the resources of this Presidency can be developed and to make suggestions to improve the efficiency of the department."

"Since tabling this resolution, I had a talk with the Minister in charge, and he told me that he was personally taking upon himself to go into the question and had called for information from all the departments to see what departments might be retained and what departments should be closed. Therefore I do not move this resolution."

The motion was deemed to have been withdrawn.

Free grazing in forest reserves in Gooty taluk.

"240. That this Council recommends to the Government that free grazing may be immediately allowed in all forest reserves in the Gooty taluk until famine conditions cease."

The above resolution which stood in the name of Mr. T. Sivasankaram Pillai was not moved as the member was absent and was therefore deemed to have been withdrawn.

Investigation for augmenting the water-supply for Vizagapatnam.

"241. That this Council recommends to the Government that an expert Engineer with the necessary staff be deputed at an early date to investigate the perennial sources of water-supply for the Vizagapatnam City and submit comprehensive and practical schemes expeditiously."

Dr. M. APPALA NARASAYYA NAYUDU:—"I do not move this resolution since the Minister for Local Self-Government has deputed an expert Engineer to investigate the matter."

The motion was not made and was therefore deemed to have been withdrawn.

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Exemption from examination fee in the case of depressed classes.

"242. That this Council recommends to the Government that candidates for the Secondary School-Leaving Certificate Examination belonging to the Adi-Dravida and other depressed classes be exempted from the payment of the examination fees."

Mr. M. C. RAJA, in moving the above resolution, said:—"Mr. President, I am sure that there will be no opposition to this request which I make on behalf of my community. Your sympathy with my people in their depressed condition, and with their attempts to raise themselves will, I have no doubt, prompt you to give the little relief which I ask for. You know perhaps in a general way, but you have probably not realized through experience what a sad plight my people are in—sunk in poverty and with none of the hopes and comforts which make life worth living. It is rarely that our people think of educating their sons, and if a few of them send their children to school, they withdraw them by the time they reach the first form. And you know the reason why they are withdrawn from school at such an elementary stage. They are not able to pay the school fees, even the half-fee which a benign Government and a sympathetic Council have out of the abundance of their goodness sanctioned. How could they? Take the case of a domestic servant earning Rs. 17 a month with which he has to keep alive himself, his wife and two children, or a coolie earning 10 annas a day for 26 days a month. He has to pay a rent of Rs. 3 a month and to feed a wife and three children. Even suppose the woman earns 4 annas a day. What does it all come to? About Rs. 22 a month. How can he manage to educate a son? You may ask: 'Are there not men earning such low pay among the lower middle classes who manage to send their sons to school?' It should be remembered that they have in more cases than one some ancestral property to fall back on, some well-to-do relatives to help them on, etc. Our people live a hand-to-mouth existence. If the man or the woman falls sick, the relief they get is from the sowcar, with whom they mortgage their cooking vessels or their clothes and to whom they pay usurious interest."

"I say all this just to give you an idea of the struggle against poverty our people have to maintain. The poor boy who amidst such poverty is sent to school is stopped from school by the time he reaches the first form. Why, because his earnings are required for the family."

"It is a regular up-hill work the boy and the family have got to do, to continue his education till the sixth form, and where has the family got a lump sum of Rs. 12 to pay for the School Final Examination? Surely the Government can afford to excuse this fee in the case of our boys. It is not much they will lose, because it is not many boys that will need such help."

"Referring to the report on public instruction published by the Government for the year 1917-18, we see on page 30, Vol. I, that the number of pupils belonging to the depressed classes reading in high schools appears as 77. Referring again to the reports published by Government for the year 1918-19 on page 32, Vol. I, we find the number as 66 and referring to the same report for the year 1919-20, the number of boys reading in the high schools, belonging to the depressed classes, appears as 70. These figures give us an idea of the number of boys, belonging to the

2-45 p.m.

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community, reading in the high school stage. From this it is obvious that only a very few, say, about a dozen, appear for the Secondary School-Leaving Certificate examination every year. On an average this will cost for the Government only a very small sum. It will be a great help, much appreciated in the darkness and poverty of our houses and will point the way of hope and encouragement to some few boys who may make up their minds to climb the ladder of education till they attain the degrees of the University.

"If you wish well to my community, you will, I am confident, pass this resolution as gracefully as we shall view your acceptance of it gratefully."

Mr. L. C. GURUSWAMI:—"Mr. President, I am very glad that my friend, Mr. Raja, has brought forward this resolution before the House. When once the poverty of the depressed classes is recognized, I think it is necessary that the Government should help them in all possible ways and encourage them in their endeavours to reap the fruits of modern education. This resolution has for its object one of those ways of helping the school-going children of the depressed classes. Only a few among our boys manage to reach the school final class and when they are permitted to appear for the public examination I think it is but fair that they should not be prevented from doing so on the score of poverty. Hence I would request Government to accept this resolution which aims at the opening up of new facilities for the education of the children of the depressed classes. With these few words, I heartily second the resolution."

The Hon'ble Rao Bahadur A. P. PATRO:—"As I said yesterday, poverty should not be brought as a claim for the depressed classes or any other community. I sympathize with the spirit of the resolution, viz., that boys of the depressed classes who struggle up to the high school standard and want to rise up the ladder of higher education, as the honourable mover has put it, certainly when they are poor and deserving must be helped as far as possible. But, if it is a case of helping Mr. Madurai Pillai's son or Mr. M. C. Raja's son. . . ."

Mr. M. C. RAJA (*interrupting*):—"Neither Mr. Madurai Pillai's son nor my son will ask for such a concession. My children are all reading in schools and they are paying full fees."

The Hon'ble Rao Bahadur A. P. PATRO (*continuing*):—"Therefore, what I say is that the resolution is worded very widely. In all deserving cases where on account of poverty one is not able to go up higher, certainly if an application is made his fees would be remitted but it is difficult to put down a general rule which would include every case including cases of my honourable friend, Mr. M. C. Raja. Therefore I am prepared to see that in hard cases where on account of poverty one of his community is not able to pay the examination fees, remission is given. But a general proposition of this sort it will not be possible to accept."

Mr. M. C. RAJA:—"I cannot exactly understand the Hon'ble the Minister for Education."

The Hon'ble Rao Bahadur A. P. PATRO:—"I say in all hard cases if application is made for remission, the same would be granted provided on account of poverty the applicant is not able to pay the examination fee and is prevented from appearing for the examination."

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Mr. M. C. RAJA:—"Certainly, Sir, I will be the last person to ask the Government to help the boys, belonging to my community, who are able to pay their school fees. Although concessions in school fees have been granted for poor boys, it is only on the production of a certificate of poverty. As my friend, Mr. Rama Rao, said yesterday, there is a lot of trouble in securing one such poverty certificate. The Hon'ble the Minister for Education need not fear that rich boys will apply for this concession, and the Government will not grant this concession unless the boys produced the required certificate of poverty. I plead here on behalf of the poverty-stricken people and not for others, and since the Hon'ble the Minister for Education has given me the assurance that he is going to consider the matter I withdraw the resolution."

The motion was by leave withdrawn.

Religious instruction in aided educational institutions.

The following resolution which stood in the name of Diwan Bahadur L. A. Govindaraghava Ayyar was not moved and was therefore deemed to have been withdrawn:—

"243. That this Council recommends to the Government that it should be made a condition of aid to any educational institution aided under the provisions of the Grant-in-Aid Code that no one should be required to attend any religious instruction or observance as a condition of continuance in the institution and that in the case of a minor the sanction of his parent or guardian in writing should be obtained before such minor is required to attend such religious instruction or observance."

Total prohibition of the manufacture, import and sale of all intoxicants.

The next resolution on the agenda paper, standing in the name of Mr. T. A. Ramalinga Chettiyar, ran as follows:—

"244. That this Council recommends to the Government the early adoption of the policy of total prohibition of the manufacture, import and sale of all intoxicants as it is necessary for the social, moral and material progress of the country and the immediate appointment of a representative Committee for considering ways and means to give effect to that policy."

But some time before the resolution was reached, Mr. Ramalinga Chettiyar had handed in a notice stating that the Hon'ble the Minister for Excise was willing to accept a resolution in the following terms in place of the Resolution No. 244 which stood on the agenda paper:—

"This Council recommends to the Government the appointment of a committee consisting of the following gentlemen to consider and advise the Government as regards the excise policy to be adopted by the Government and the methods to be adopted to carry out that policy:—

The Hon'ble the Minister (Chairman),
Sir Charles Todhunter,
Diwan Bahadur R. Venkataratnam Nayudu,
Rao Sahib U. Rama Rao,
Rev. W. Weston,
Mr. H. G. Stokes,
Mr. A. Ranganatha Mudaliyar,

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Mr. N. E. Marjoribanks,
Mr. M. C. Raja,
Mr. T. A. Ramalinga Chettiyar and
Mr. O. Tanikachala Chettiyar with Mr. A. Ramaswami Mudaliyar as
Secretary."

Under the orders of the Hon'ble the President, copies of revised resolution had been circulated to the members.

In rising to move his resolution Mr. T. A. RAMALINGA CHETTIYAR said:—
"The present policy of the Government in regard to excise has been summed up in the words 'minimum of consumption with maximum of revenue'. Well, Sir, from the latest review of the abkari sales of which the Publicity Bureau has taken the trouble to give us a summary we are able to see that the result of this policy has been not a reduction in the consumption of liquor but an actual increase over and above the percentage of increase in the population. It has increased above 8 per cent from what it was ten years back. This only means that people have been drinking the same quantity. Only we have taken more money from them. That is to say the money they might have used for other purposes has been diverted from those purposes and has been taken away by the Government as the price of liquor. So, Sir, that policy cannot be a satisfactory policy at all and ought to be changed. I am glad to find that the Hon'ble the Minister for Excise, referring to the resolution of Mr. A. S. Krishna Rao, said that he would have it as the ideal, but many of us in this Council are not satisfied with that. Instead of a mere ideal we want to bring it into practical politics so that it may be accepted and acted on as early as possible."

The RAJA OF RAMNAD (*interrupting*):—"There was a resolution moved by my honourable friend from Nellore and an amendment to it was moved by Mr. Shanmukham Chettiyar to the effect that the matter may be referred to the Standing Committee on Excise and the Government accepted it."

The Hon'ble the PRESIDENT:—"I believe I will look into it immediately."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I rise to a point of order. The honourable mover has not yet stated what resolution he is moving. He has not read out the resolution, that is why I am taking objection at this stage. If he had read out the resolution, I would have taken objection earlier. As he has not read it to the House, it is my duty to point out that the agenda paper refers to a resolution numbered 244 wherein you will find, I am afraid, a specific suggestion as to the manufacture and sale of liquor and so forth. That is the specific object of the original resolution. We just now find a notice being circulated in which the resolution appears in a new form thus: 'The Council recommends to the Government the appointment of a committee . . . and so forth.' I do not know whether the former or the latter resolution is being moved. In any case I would like to have a ruling from the President as to whether the honourable mover is specially permitted to move it with the consent of the Member for the Government—that is the only procedure so far as I am aware of—or whether it is an amendment of which notice has been given and which has been accepted by the House. If it is as an amendment that the resolution has been moved and the same is accepted by the Council, then the

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President has power with the permission and consent of the Member in charge to allow it. In the absence of that information, I object to the resolution being moved."

The Hon'ble the PRESIDENT:—"I think it will be convenient if the honourable member Mr. Ramalinga Chettiyar will first read out the resolution which he is moving. In the meantime, I will hunt up the previous resolution which is referred to as having disposed of substantially the same question. As soon as I get it I shall pass orders on both the points."

Mr. T. A. RAMALINGA CHETTIYAR:—"I do not know what the objection is. Is it to the original resolution or is it to the revised resolution?"

The Hon'ble the PRESIDENT:—"Order, order. The honourable member will please tell us what resolution he is moving. That is what is wanted just now."

Mr. T. A. RAMALINGA CHETTIYAR:—"Well, Sir, I move the resolution which has been placed in the hands of the members just now."

"We see, Sir, that there is a general desire on the part of the people for a change in the policy of the Government and many of us think that total prohibition ought to be the policy that ought to be adopted. And of course it is with that view that I gave notice of this resolution. After coming here I heard that there was desire to have the whole thing examined by a small committee so that the pros and cons of the policy of total prohibition may be placed before them and I understand, Sir, that the Government are prepared to place the whole matter in the hands of a small committee the committee mentioned in the resolution—and that they are prepared to abide by the conclusions to which the said committee may come. I thought it to be a very satisfactory way of dealing with this very important question—the question that above all others is agitating the public mind at the present moment—and I thought that if we could get the whole policy of the Government defined by this committee it would help all round. So it is with that view that I revised the resolution in this form. I will move the resolution now:—

"224. The Council recommends to the Government the appointment of a committee consisting of the following gentlemen to consider and advise the Government as regards the excise policy to be adopted by the Government and the methods to be adopted to carry out that policy:—

The Hon'ble the Minister (Chairman),
Sir Charles Todhunter,
Diwan Bahadur R. Venkataratnam Nayudu,
Rao Sahib U. Rama Rao,
Rev. W. Weston,
Mr. H. G. Stokes,
A. Ranganatha Mudaliyar,
Marjoribanks,
M. C. Raja,
T. A. Ramalinga Chettiyar, and
O. Tanikachala Chettiyar with Mr. A. Ramaswami Mudaliyar as

Secretary."

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The Hon'ble the PRESIDENT :—" Before the House proceeds further, I should like to mention for the information of the honourable member, Mr. Krishna Rao, and other honourable members, that this is really a new resolution. It covers a wider ground than the first tabled one. The latter referred specifically to the manufacture and sale of liquor, but this one now moved deals with the whole excise policy of the Government and the methods to be adopted to carry out that policy. So this is really a new thing.

" As a matter of fact the resolution in the new form was put in by

3 p.m.

Mr. Ramalinga Chettiyar to be substituted for the old one with the concurrence of the Minister for Excise. And I therefore admitted it, because the rules permit the prescribed period of notice being dispensed with in a case like that. However, another point strikes me, which did not strike me before, namely, that that probably does not dispense with the ballot. No honourable member, even with the concurrence of the Member of Government in charge, could advance a resolution of his in this way. If this is to be treated as a new resolution, it should ordinarily go through the ballot. But this matter need not be further considered, for I find that this question was substantially debated upon and dealt with in the meeting of August 1921. That brings me to the point of order raised by the Raja of Ramnad. I see that on the 2nd August 1921, Mr. A. S. Krishna Rao moved the following resolution : ' That this Council recommends that a mixed committee of officials and non-officials be appointed to investigate and suggest means of improving the excise administration in this Presidency.' That resolution having been debated at some length, was finally passed by the House in the following form :—

' That this Council recommends to the Government that the Standing Committee of the Council which is to be attached to the Excise Department be required to investigate and suggest means of improving the excise administration of this Presidency.'

" There can be no doubt that the ground covered is the same. Only on the previous occasion the House decided to allow the Standing Committee of the Council to be attached to the Excise Department to investigate and suggest means of improving the excise administration of the Presidency. Now a specific committee is put forward in the resolution itself as the one to be appointed. I do not think it can be contended that this is a substantially different matter. Under these circumstances, I must rule out the motion which the Hon'ble Member Mr. Ramalinga Chettiyar has just now made, as raising a question which has been substantially raised and debated upon within a period of one year antecedent to this date."

Mr. T. A. RAMALINGA CHETTIYAR :—" Can I move the original proposition, Sir ?"

The Hon'ble the PRESIDENT :—" I am sorry it cannot be done now." (Laughter).

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR :—" May I point out, Sir, that when the resolution relating to the committee was allowed to be passed, it was not as having any relation to the original resolution, but as a new resolution ? It was in that way that a resolution could be

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brought before this House with the consent of the Member in charge. No doubt, the original object of the honourable member was that this resolution should take the place of the original resolution as printed on the old agenda. But if for any reason it is found that the resolution intended to be substituted is not in form or inadmissible, may I point out that he may be given permission to move the original resolution ? My point is merely this. It is not that the new resolution has taken the place of the original resolution so far as the granting of leave by the President is concerned. It is only considered as a new resolution. Supposing there was no resolution whatever already it was perfectly competent to the honourable member to have put this resolution before the President and with the consent of the Member in charge it was competent for the President to allow that resolution to go in. It was from that point of view that I take it, Sir, that you allowed this new resolution to come up. So that it is not an indispensable condition of this resolution being moved — the one relating to the committee — that it should take the place of the previous resolution, the previous resolution being, as it were, wiped out. It is really an additional resolution which you, Sir, at first considered and admitted, but have now ruled out as it was covered by a previous resolution debated by this House. In these circumstances, may I venture to point out that the honourable member is in order if he wants to move the original resolution, that is to say, the resolution as printed in the old agenda. ?"

The Hon'ble Rai Bahadur K. VENKATAREDDI NAYUDU :—" May I rise to a point of order, Sir, in connexion with this point of order ? The Hon'ble the President has given his ruling on both the propositions before the House, and it is not open to any honourable member of this House to raise any objection or much less to discuss the ruling of the President."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" I venture to think, Sir, that it is open to any honourable member to express himself even with reference to this question of order, and if you allow my honourable friend it cannot be that he is out of order."

The Hon'ble the PRESIDENT :—" There may be some force in what the Honourable member Mr. Govindaraghava Ayyar has said, but it so happens that Mr. Ramalinga Chettiyar has told us in so many words that he does not want the resolution as first tabled by him to go forward, that is to say, that he withdraws that and that he puts forward the new form of it. It so happens that the motion now made turns out to be inadmissible, and the only question is whether the old motion should be allowed to go forward, and I must decide that it cannot be."

Mr. T. A. RAMALINGA CHETTIYAR :—" May I say a word, Sir. It was said that I put forward a new resolution. That was the reason why I did not read out the resolution at first. And I never said that I was not going to move the resolution No. 244 on the paper. That is the reason why I did not want to commit myself."

The Hon'ble the PRESIDENT :—" I do not think we should go back upon what has been decided."

The resolution was not allowed to go forward.

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Disafforestation of isolated forest reserves in Anantapur district.

The following resolution which stood in the name of Mr. T. Sivasankaram Pillai was deemed to have been withdrawn, the said member not being in his seat when called :—

"245. That this Council recommends to the Government that all isolated minor forest reserves in the Anantapur district consisting of scrub jungle, whether on hillocks or plains, and abutting on village lands, on which no planting operations as a means of commercial development have taken place for the past ten years or on which such operations have not proved a success, may at once be disafforested."

Victoria Jubilee Technical Institute Scholarships.

Mr. C. NATESA MUDALIYAR :—"Sir, Mr. President, I beg to move—

"246. That this Council recommends to the Government that they will be pleased to award the Government Victoria Jubilee Technical Institute scholarships which may be available for non-Brahman students undergoing training in the Textile branch of the Institute in Bombay to those who have passed the School Final Examination and have been admitted into the Institute in the order of merit."

"Sir, the training of students in textile industry is becoming a matter of very great importance to our Presidency. Our students experience very great difficulty in getting admission into the various technical institutes and workshops in Great Britain on the continent. To meet our growing demands the only solution is to request the authorities of the Victoria Jubilee Technical Institute to reserve certain seats for students from Madras by paying some annual contribution to meet their expenditure till a similar institute is established in Madras, to send the required number of students from here, giving them scholarships, to consider the School Final Examination as the minimum and to select the students purely on a communal basis. Hitherto, very few students sought entry into the spinning and weaving branch of the Technical Institute because the standard for admission was very high. Now they select students in the order of merit by holding a competitive examination. I request the Government to see that as many students as possible are sent, taking advantage of the situation there, and fixing the School Final as the minimum qualification. I request the Minister to send out a circular to the various schools and colleges, inviting applications from students, for I was very sorry to hear last year that not a single non-Brahman student was sent with a scholarship to this institute because no one who had passed the Intermediate examination was available. And I may inform the Minister that many students do not know that there are scholarships like this in existence. So I request him to send round a circular to various schools and colleges inviting applications from students and to select them on a communal basis."

Mr. R. K. Shamukham Chettiyar seconded the motion.

The Hon'ble Rai Bahadur K. VENKATAREDDI NAYUDU :—"Mr. President, I entirely sympathise with the honourable mover of the resolution. It is a fact — an unfortunate fact — that not a single non-Brahman could be selected last year. But as my honourable friend himself admitted, it was because there was only one application from a non-Brahman and that non-Brahman happened to be a School Final man and not an Intermediate as was required under the rules framed by this Government. I see that my

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honourable friend's request now is that this rule should be relaxed. The question has been under consideration for some time past, and now that the school authorities in Bombay have decided to hold their own examination, what they call entrance examination, to admit students, no educational qualifications that may be required here are of much avail. We have therefore no objection to admit the School Final candidates provided, of course, that they pass the entrance examination in the Bombay Institute. Without that, any recommendation from us would be of no avail.

"As for selecting non-Brahmans and giving opportunities for selecting by wide circulation, I think my friend will take my assurance that I will do my best as early as possible without, of course, in any way 'penalising' others. Considering the vast population of non-Brahmans, their paying capacity and their importance, their claims will of course be duly and justly recognized. I hope with this assurance my honourable friend will not press his resolution."

Mr. C. NATESA MUDALIYAR :—"I thank the Hon'ble Minister for the view taken by him. I beg to withdraw my resolution."

The motion was by leave withdrawn.

Hours for religious instruction in educational institutions.

The following resolution which stood in the name of Diwan Bahadur L. A. Govindaraghava Ayyar was not moved and was deemed to have been withdrawn :—

"247. That this Council recommends to the Government that the time or times during which any religious instruction is given or any religious observance is practised in any educational institution shall not be fixed without the previous approval of the Department of Public Instruction or in such a way that a pupil not in attendance during the time of such instruction or observance is excluded directly or indirectly from the advantages of the secular education given in the institution."

District committees to inquire into cases of official corruption.

The following resolution which stood in the name of Mr. T. Sivasankaram Pillai was deemed to have been withdrawn, the said Member not being in his seat when called :—

"248. That this Council recommends to the Government that a small committee of non-officials, with the District Collector as President, may be appointed for each district, to take cognizance of, and enquire into, cases of official corruption or high-handedness as a step preliminary to disciplinary action being taken by the departments concerned."

Control over the Coal Trade.

Mr. C. NATESA MUDALIYAR :—"Sir, I move the following resolution :—

"249. That this Council recommends to the Government that the control at present vested in the European Chamber of Commerce, Madras, over the regulation of the coal trade and coal supply be not re-introduced, but rather that such full powers of control be given to the Director of Industries alone."

"Sir, it passes one's comprehension why the European Chamber of Commerce should have the privilege of distributing coal to various merchants, while there is in existence, side by side, the South Indian Chamber of Commerce. There is a strong feeling that the European Chamber of Commerce,

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owing to want of knowledge of the status and the needs of Indian merchants, is partial to European merchants alone, and as a consequence the European merchants became the dictators of coal, particularly in Madras, and the price of coal has gone up from about Rs. 14 a few years ago to about Rs. 36 per ton which is the current price. And the Indian merchants, without having sufficient coal to run their industries with, have to fall back on firewood, and so the price of firewood also runs high. While this is the case with the merchants, it is the people that suffer. I always thought that the Director of Industries would be in the know of the necessities of various industries run in this country. So I propose that he should be the controller of the distribution of coal. I may also suggest, if that is not possible, to have a committee on which both the European and the South Indian Chamber of Commerce are represented with the Director of Industries as the Chairman to regulate the coal trade."

Mr. W. P. A. Saundara Pandiya Nadar seconded the motion.

The Hon'ble Sir CHARLES TODHUNTER:—"Sir, there are quite a number of preliminary objections which I might take to this resolution. In the first place, it is well known that

2-15 p.m. there is no such body as the European Chamber of Commerce, Madras, the Madras Chamber of Commerce being a body of members of both races. In the second place, no control over the regulation of the coal trade is vested in the Madras Chamber. In the third place, if it were at present vested, it could hardly be re-introduced, and lastly the whole question of coal supply is one conducted by the Imperial Government in which the Madras Government have no direct concern.

"In view of these fatal objections to the resolution as it stands on the paper, I think that, if we are to debate the matter at all, we must debate what has been called on another occasion the spirit of the resolution, which I understand to be that, because a majority of the members of the Madras Chamber of Commerce are Europeans, if they have anything to do with coal supply, they should be deprived of those functions.

"Now, in order to see whether there is anything in the spirit of the resolution, it is desirable to place before the Council, in the first place, what has been the course of events in the matter since 1917. The shortage of railway wagons became so manifest that the Government of India appointed a committee to regulate the distribution of coal supplies and in the first instance the local agents who assisted this committee by furnishing certificates as to the relative urgency of the demands of different consumers were the Chambers of Commerce. Towards the end of the same year, the Government dissolved the committee and appointed a single Coal Controller to exercise its functions in respect of requisitioning and distributing coal. Later still, the Coal Controller was replaced by the Coal Transportation Officer. The position of affairs with which this officer had to deal was that, whereas an average of 3,025 wagons of coal a day were required to be brought from the coal areas to Calcutta, the average number of wagons available was about 2,500 so that, while the export of coal has had to be very severely restricted, regulations are still necessary to insure that what is distributed to factories and other works is distributed as fairly as may be to all concerned.

"Now, the connexion that apparently still exists between the Chamber of Commerce and the Coal Transportation Officer is that, if persons desiring to

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"have coal in Madras send their applications through the Chamber of Commerce, a committee of that body satisfy themselves as to the genuine nature of the demand before passing on the applications. In doing this, they consult the interest of the trade as a whole and so far are they from favouring Europeans as distinct from Indians that I believe the European firms would be only too thankful to have the control taken out of the hands of the committee and transferred to a Government officer who would be under no suspicion. On the other hand, I have notes before me of specific cases in which they have had to reject claims in which attempts were made to get coal obviously for the purpose of speculative trade and not for the definite industry which was named in the application at all.

"I have also inquired of the Chamber whether they have received any complaints of any sort and they have indicated that there is no discontent on the part of the legitimate consumers of coal with the present arrangements for controlling supplies and I am assured that they have received no complaints of any sort.

"The officer to whom it is proposed to transfer the duty is the Director of Industries who, I need hardly remind the Council, is a touring officer, and while it would no doubt take him a considerable time to gather up all the informations regarding the legitimate demand for coal by different concerns which is in the hands of the committee of the Chamber, the fact that he would frequently be absent from Madras would also tend to delay the forwarding of applications and might result in Madras getting less than its fair share of the coal available.

"This then is the position. The Madras Government have no direct concern of any sort with the arrangements for the supply of coal. These are entirely in the hands of the Coal Transportation Officer. Applicants for coal in this Presidency who wish to have supplies send their applications through the Chamber of Commerce and secure an endorsement that their request is legitimate, and I have no doubt that the Coal Transportation Officer gives this endorsement its full value. So far as I am aware, there is nothing to prevent any applicant who wishes sending his application direct. The Chamber exercises no control in the matter; such functions as they do exercise are purely advisory. The Director of Industries, if he were brought into the matter, could equally exercise no control and his advice has not been asked for. The fact that he is a touring officer would make for delay. Neither the Chamber nor the Government office have received any indications prior to this debate that the arrangements in force are not giving satisfaction, and in the absence of any complaint from the persons concerned, I think the Council would not be well advised to interfere in a matter which does not fall within the scope of their functions."

Sir J. F. SIMPSON:—"Mr. President, I do not want to add very much to what Sir Charles Todhunter has already said. In opposing this resolution I want to be understood I am not complaining because it seeks to remove certain work from my constituency. I oppose it on other grounds. I think the honourable mover convicts himself of one of two things in this resolution and both are bad things. First he convicts himself of race pride, prejudice, arrogance, hostility, antagonism or whatever you like to call it; or second he convicts himself of slipshod and inaccurate work. The honourable mover may take his choice in which class he would like to be placed. There is no such thing as European Chamber of Commerce in Madras as Sir Charles

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Todhunter pointed out. Why does the honourable mover use the word European? Is it because of race pride or slipshod and inaccurate work? Of course we know he refers to the Madras Chamber of Commerce. But let me tell you, Sir, that Chamber has usually had some Indian members, and it is as open to Indian merchants as it is to British merchants. At the present moment there are two very distinguished Indian merchant members of the Chamber of Commerce and I am perfectly certain that these members would bear testimony to the fact that in every way they are treated by the British members as a man and brother. Another point is this. The honourable mover has given us no examples of any complaints that have arisen by the conduct of this control as he calls it. Now, Sir, the Madras Chamber of Commerce exercises no control whatsoever over the supply of coal in this Presidency. Some years ago during the war it did exercise a certain measure of control inasmuch as the supplies were recommended after examination by the Chamber of Commerce. We did the business in such a way that at the end of the war we were mentioned in despatches and I would like to read to the House a letter we received from the Government of India saying how we conducted the affairs when we had the control. In the same way we are conducting the business now when there is no control. The Government of India wrote:

'I take this opportunity of thanking on behalf of the Government your Coal Sub-Committee for the efficient manner in which the coal position in Madras City and the Presidency generally was handled and for the hearty co-operation always accorded to me in working on the Coal Control System. The careful scrutiny of requirements exercised by the Coal Sub-Committee combined with the local knowledge of members enabled me to place entire reliance upon any recommendation or request made by the Chamber.'

"Now, Sir, the position is this, when there is no control. There is plenty of coal in Bengal but there are not sufficient wagons to remove the coal from Bengal to Bombay, Madras and other places in India. A system for the allocation of wagons controlled by the Transport Offices has been introduced. Any one in Madras can go direct to Calcutta and order coal and get coal. But it is another thing for him to get wagons. Now, what happens to-day is that many merchants in the Madras Presidency write and get coal from Bengal. They go to the Transport Officer to get wagons. He sends down these requests to the Chamber of Commerce and asks 'do you recommend it?' Well, Sir, every one of these inquiries we get are examined and investigated without fear or favour, whether they are from Indian merchants or European merchants. And the recommendations are finally made. I would just like to give to the Council examples of the kind of inquiries that the Coal Transport Officer submits to us. I do not want to mention names here; they are on the record and every member of the House can get full opportunities of looking at them in the office of the Chamber of Commerce. A certain merchant says that he wants a 1,000 tons of coal and the Coal Transport Officer sends it to the Madras Chamber of Commerce for inquiry. We inquire into the matter and find he owns a mine somewhere in Salem, that he has ordered machinery to work it, but that the machinery will not even be shipped from England for many months. He cannot possibly use any coal let alone 1,000 tons, for a year or so. We report to the Transport Officer accordingly. Another man in Madras writes up and says he wants 200 tons of coal and 20 tons of coke a month. This is sent down to the Chamber of Commerce which makes inquiries and finds that he has a small workshop. He says he wants 200 tons of coal and 20 tons of coke but we ascertain he uses no coal whatever and only 10 cwt. of coke a month.

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The Madras Chamber reply that they cannot endorse the request. Again the Chamber has a telegram saying that a certain Steam Navigation Company wants 3,000 tons of coal in Madras and whether we can recommend it. We inquire and reply as follows:—'I am directed to state that the concern for whom the coal is required is not known in Madras and that their steamers if they exist at all do not call at Madras.'

"These are constantly the kind of inquiries that the Chamber has to make. As I have said we answer every inquiry without fear or favour whether Indian or British. Frequently I have noticed the earnestness of purpose of the honourable mover and he usually seems anxious to develop democratic institutions; but I am surprised to see in this instance that he wants to take the power from a democratic institution and vest it in the bureaucracy. I trust I have said sufficient to assure the members of this House that the constituency I have the honour to represent, deals with all reference be they about Indian merchants or British merchants, in the proper spirit, that is to say always in the right way. (Applause)."

Mr. C. NATESA MUDALIYAR:—"Mr. President, I am only expressing the feeling that exists in the minds of Indian merchants. Of course, in the light of the assurance made by the representative of the Madras Chamber of Commerce, I have no objection to withdraw the resolution. I trust that the Chamber of Commerce will always have in view the interests of the Indian merchants."

The motion was then by leave of the House withdrawn.

Acquisition of a Bungalow in Puttur in South Kanara.

Rao Sahib U. Rama Rao rose to move resolution No. 250. But before he actually moved his resolution, the Hon'ble Khan Bahadur 3-30 p.m. MUHAMMAD HABIB-UL-LAH SAHIB said:—"Sir, I venture to rise on a point of order at this stage. I notice, Sir, that a similar resolution, though worded in a somewhat different phraseology, was submitted by the honourable mover of this resolution and had been disallowed by the President. The original resolution which he had sent to you, Sir, reads thus: 'That in view of the popular feeling against the acquisition of a bungalow in Puttur, South Kanara district, belonging to a respectable vakil of the place for use as quarters for the Revenue Divisional Officer and in view also of the prohibitive cost which the Government is likely to incur on this acquisition, this Council recommends to His Excellency the Governor to drop the said this Council recommends to His Excellency the Governor to drop the said acquisition and order the selection of another suitable site, if necessary, for the purpose.' That resolution of his was disallowed by you, Sir, on the ground that it was purely a matter which was not of public interest, and we received communications from the Legislative Department informing us that the Hon'ble the President had disallowed the resolution. Now, Sir, the resolution that is before us is substantially the same and raises the same issue, viz., 'That in view of the extreme financial stringency of the province at present and of the undesirability of providing further quarters for highly paid officials, especially in places where quarters can easily be had, this Council recommends to the Government to drop the acquisition of a bungalow at Puttur in South Kanara for the use of the Revenue Divisional Officer.' I therefore venture to think that under Standing Order No. 65 (2), 'when a resolution has been disallowed under the rules, no resolution or amendment raising substantially the same question shall be moved during the same session'."

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The Hon'ble the PRESIDENT:—"The distinction there made is between disallowing under the rules and disallowing under the standing orders. I can only disallow under the standing orders. I believe disallowance under the rules is what His Excellency the Governor does. So far as I am concerned, the only point of order is that this resolution has once been disallowed by me. That disallowance has nothing to do with the members of the Government. But as the honourable member has mentioned it, I think I owe an explanation. After that disallowance was communicated to the honourable member, Mr. U. Rama Rao, there was further correspondence between me and the honourable member, and I finally with some hesitation accepted his assurance that a question of general public importance was involved in the matter, and so the resolution in the altered form was permitted to go into the agenda. I fear that the Hon'ble the Revenue Member was not furnished with the subsequent correspondence."

The Hon'ble Khan Bahadur MUHAMMAD HABIB-UL-LAH SAHIB:—"No, Sir."

The Hon'ble the PRESIDENT:—"I thought as much."

Rao Sahib U. RAMA RAO:—"Sir, I beg to move the following resolution:—

'250. That in view of the extreme financial stringency of the province at present and of the undesirability of providing quarters for highly paid officials especially in places where quarters can easily be had, this Council recommends to the Government to drop the acquisition of a bungalow at Puttur in South Kanara for the use of the Revenue Divisional Officer.'

"Mr. President, having regard to the present financial stringency of the province and the consequent necessity for economy and retrenchment all round, is it advisable to embark on a scheme of providing Government quarters for Government officers and others when more important branches of administration such as sanitation, education, medical relief and the like, are being starved for want of funds and whether it is absolutely necessary and indispensable and advisable, fair and just that the acquisition in question should be proceeded with? Are we in a position, now, to provide Government quarters for big public servants? No.

"Then comes the question why should we proceed with the acquisition in question? The answer will be that the divisional officer has no house at Puttur. The fact is otherwise. For the last two years and more, the divisional officer has secured houses on rent. The present divisional officer is now lodged in a fine bungalow. He is not without a house. There is another decent bungalow in Puttur at a distance of about a mile only from the divisional office now belonging to the Commonwealth Trust family to the Basel German Mission. It is vacant. It is available for hire. That could be secured at any time. I know that buildings are available for rent at Puttur. The district munsif at Puttur for instance, has no Government quarters. He is living in a rented building. Officers such as deputy collectors will secure houses without any difficulty whatsoever. Then the reason of the acquisition in question is not because other suitable houses are not available. It is something else. What is it? Here comes the question why Government has resorted to compulsorily acquiring a particular bungalow and compound in Puttur.

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"Sir, in answering this question I should place before you certain facts which will go to show that the acquisition of the particular bungalow and site is sought after not out of absolute necessity but from other considerations.

"The bungalow and compound in question belongs to a village karnam, a rich landlord paying over Rs. 3,000 towards assessment. His superior officers—the divisional officers—occupied the bungalow and compound in question at nominal rent, which if collected at all was hardly enough to meet the annually recurring expenditure. Having got disgusted at this state of affairs."

The Hon'ble Sir CHARLES TODHUNTER (interrupting):—"May I ask, Sir, whether the honourable member means to imply that the Government officers did not pay rent for their houses?"

Rao Sahib U. RAMA RAO (continuing):—"I did not say so."

The Hon'ble Sir CHARLES TODHUNTER (interrupting):—"Is it suggested?"

Rao Sahib U. RAMA RAO (continuing):—"The divisional officer occupied the bungalow and compound in question at a nominal rent which if collected at all was hardly enough to meet the annual recurring expenditure. I know as a matter of fact that the rent is not actually collected. I cannot prove it. But I have got facts and figures for saying so. I take shelter under that."

The Hon'ble the PRESIDENT:—"If the honourable member says that he is of opinion that the rent is not collected, it means a statement of fact and it ceases to be an insinuation. But whether he is able to prove it or not, that will be a different thing."

The Hon'ble Sir LIONEL DAVIDSON:—"But, Sir, is it not insinuating enough to say so?"

The Hon'ble the PRESIDENT:—"If it is true that the divisional officer is not paying rent, I don't think the honourable member has got any right to complain. The fact is stated that he is not paying the rent; though we do not know whether the honourable member's statement is true; he says that he has reason to believe so."

The Hon'ble Sir CHARLES TODHUNTER:—"But, Sir, he is unable to prove it."

Rao Sahib U. RAMA RAO:—"To my knowledge."

The Hon'ble the PRESIDENT:—"We have got nothing to do just now with the question of proving the statement. There must be other means by which the honourable member can be called on to prove his statement."

Rao Sahib U. RAMA RAO (continuing):—"Having got disgusted at this state of affairs, the karnam leased out the land."

The Hon'ble the PRESIDENT:—"Let me also add this for the information of honourable members. I don't say this as a point of order but by way of advice which I am sure all of you will receive in good part, though I have no right to enforce my advice. It will be better in stating a case to state it as far as possible upon the broad fact and avoid anything like even a remote resemblance to defamation. I don't think violent expressions improve any case. I would earnestly advise all honourable members to bear that in mind."

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Of course the honourable member is making his statement on his own responsibility, and I have no right to pull him up. I only give advice for whatever it may be worth."

Rao Sahib U. RAMA RAO (*continuing*):—"Having got disgusted at this state of affairs the karnam leased out the land on a perpetual mulgeni lease to a leading vakil of the place, belonging to a community with whom the karnam could lodge and board according to the caste rules, at a specially favourable low rate of rent with the double object of having a permanent legal adviser and a place for his lodging and board whenever the karnam has occasion to go to Puttur either for change of climate or in connexion with the management of his vast estate.

"As soon as the karnam put the possession of the bungalow into the hands of the vakil, the divisional officer got wild with the karnam and the vakil, and determined to acquire the house for the Government. These are the circumstances which led to the idea of the present acquisition. If the Government should resort to provide Government quarters for a deputy collector at Puttur, a cry for Government quarters will be raised from all districts. The difficulties in securing houses by Government servants are not less in other places. They have not yet sought Government aid in this direction. There are several departments under the Government. When a cry for Government quarters is raised from all departments and from all places where is the end of all this to be? What is our financial condition? Is the Government now overflowing with money? Are we not dealing with loan money? The acquisition in question will surely bring in its train a never ending demand on the Government purse for quarters.

"Again we have under our consideration a retrenchment scheme. We do not know what all arrangements will come about. The Puttur Divisional Officer has the least work. Puttur taluk has a smallest revenue when compared with Kasaragod and Mangalore. Puttur taluk has a smaller population also. Out of the six taluks in the district of South Kanara, when the northern three taluks, Coondapoor, Udipi and Karkal, have only one divisional officer, it is highly probable that the revenue divisional office at Puttur itself will be abolished and will be amalgamated with that of Mangalore.

"Then, Sir, in dealing with the cost of the acquisition, I should like to place before you some facts by which you may make your own estimate about the same *on the whole in the end*.

"With a view to secure the consent of the Government for this acquisition, a small sum less than Rs. 2,000 has been shown by local officers to be all that is required for this acquisition. The Government sanctioned that amount and made a declaration on or about July last under the Land Acquisition Act. The claimants, i.e., the owner and the mulgeni tenant have put in a joint common claim demanding—

Rupees 11,800	for the value of the site at Rs. 5,500 per acre.
" 1,000	for value of trees, wells, etc.
" 6,000	for value of buildings standing thereon.
" 5,000	for loss of professional saving.
" 100	for shifting charges.

Thus, Sir, with 15 per cent over and above the market value of the land the total value demanded by the claimants comes to nearly Rs. 27,000. No