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The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday, the 12th September 1922, M.R. Ry. Diwan Bahadur P. KESAVA PILLAI Avargal, Deputy President, presiding.

I

NEW MEMBERS.

The following new members were sworn in :—

Mr. CECIL RALPH TOWNSHEND CONGREVE.

Mr. BRADFORD LESLIE, O.B.E., M.INST.C.E., M.I.E.E.

Capt. ERNEST WHITESIDE HUDDLESTON, C.I.E., C.B.E., R.I.M.

II

CONDOLENCE RESOLUTION *RE* THE DEATH OF MR. N. A. V. SOMASUNDARAM PILLAI.

The hon. Sir CHARLES TODHUNTER :—“ 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 through the death of one of our most respected members, Mr. N. A. V. Somasundaram Pillai. Mr. Somasundaram Pillai was born in the village of Nanguneri in the Tinnevely district, in which district he also received his education. At an early stage in his career he took the adventurous course of proceeding almost to the other end of the Presidency, namely, to Vizagapatam to take up an educational appointment. His career as a teacher was short, though in it he found time to lay the foundations of the wisdom which now adorns the High Court in the person of one of its judges. He also found time to gather that knowledge of educational affairs which stood him in such good stead at a later stage when he was directing the destinies of the Hindu College at Tinnevely. It was not long, however, before he abandoned the profession of teaching for the more lucrative practice of the law and he was called to the bar in 1891. He went to practise in Tinnevely where he soon came to the front, and I believe I am right in saying that in later years there was hardly any civil suit of importance which was decided without his assistance. With the years came riches and other distinctions, and Mr. Somasundaram Pillai did much valuable work in connexion with the Hindu College, Tinnevely, and the important devasthanam at Sankaranayinarkoyil of which he was a trustee. He was also largely responsible for the foundation of the Tinnevely Club. At about the same time he began to take an important part in politics and within the last few years he took the chair at two important conferences. When the first election for this Council was held, he succeeded after a keen contest in securing the urban seat in his native district.

“ If he took a comparatively small part in our debates, that does not mean that his influence was small. On the other hand, he was recognized everywhere as a man of weight and wisdom, especially in his own district of Tinnevely. He was a man of many friends and no enemies, and I am sure that the Council will agree with me that in his death we have sustained a great loss. I venture on behalf of the Council to offer a respectful tribute to his memory and our sympathetic condolences to his family in their bereavement. I beg leave now, Sir, with your permission, to move the following resolution :—

‘ That an expression of the sincere regret of this Council at the death of Mr. N. A. V. Somasundaram Pillai and of deep sympathy with his bereaved family be placed on record and conveyed to them. ’

2 CONDOLENCE RESOLUTION re THE DEATH OF MR. N. A. V. SOMASUNDARAM PILLAI.

[12th September 1922]

Mr. S. T. SHANMUKHAM PILLAI:—" Mr. President, I rise to second the resolution. The deceased was a best friend of mine, and I know him from his boyhood. He belonged to a very respectable family in Nanguneri and is himself a respectable landholder. As a pleader, he was one of the most distinguished leaders of the bar. He also held various other honorary appointments. As a trustee of the Sankaranayinarkoyil devasthanam he displayed much zeal and self-sacrifice and it was while he was engaged in the performance of the temple festival there, something pricked the sole of his foot and he got his leg swollen and he was brought to Tinnevely in high fever in an unconscious state. That unconsciousness continued for about four or five days and all operations made proving futile, he succumbed in the end. I may say to his credit, he was free from the prejudice of party, caste or creed. He was a social member and commanded the respect of all classes and his death is very much regretted all over the district and, I think, also in all parts of the Presidency."

Mr. S. ARPUDASWAMI UDAYAR:—" Mr. President, on behalf of the Indian Christian community, I beg leave to associate myself with the sentiments expressed by the hon. the Leader of the House. The late Mr. Somasundaram Pillai was a most genial personality; he had a charm about his person that inspired confidence, that endeared all those who came in contact with him, that made him a pleasant companion and a charming fellow-worker. He had a sweet temper, was ever calm and dignified, ever dispassionate and gentle in his criticisms and observations. He had also a clear grasp of political problems and a practical way of handling them. He was not very fond of words, avoided even ornamental language; he went straight to the point and showed a firm grasp of facts and was lucid in exposition. As the hon. the Leader of the House has remarked in his death not only his relatives and friends, not only the constituents whom he so worthily represented have a share but all the members of this Council. All sections and parties have reasons to regret the loss of so noble a fellow-councillor and fellow-worker, the loss of one whose place it will be hard to fill."

The motion was put and carried unanimously, all the members standing.

III

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.]

Shorthand allowance in mufassal civil courts.

1 Q.—Mr. ABDUR RAHIM KHAN SAHIB: Will the hon. the Law Member be pleased to state—

- (1) whether it is a fact that shorthand allowance in mufassal civil courts is classed as 'duty allowance' and is admissible both while one is on duty and is on leave; and

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(2) whether it is a fact that the post of shorthand writer in the sub-judge's court and in the district court is of the same nature?

A.—The answer to both the parts is in the affirmative.

Annual income to the Bandar taluk board.

2 Q.—S. R. Y. ANKINEDU PRASAD Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) how much income is derived annually to the Bandar taluk board from each of the taluks, Bandar and Divi separately;
- (b) how much money is spent upon each taluk; and
- (c) how many miles of metalled road are maintained by the taluk board in each taluk?

A.—The Government have no information.

Income from toddy sales in Divi taluk, Kistna district.

3 Q.—S. R. Y. ANKINEDU PRASAD Bahadur: Will the hon. the Minister for Education be pleased to publish statements showing the income derived from toddy sales in the taluk of Divi, Kistna district, in the last two years and the amount derivable in this year?

A.—A statement of rentals fetched at sales is given below:—

						RS.
1919-20	..	..	..	..	..	15,768
1920-21	..	..	..	..	..	18,456
1921-22	..	..	..	..	..	12,338

Income from the sale of Government lankas in Divi taluk, Kistna district.

4 Q.—S. R. Y. ANKINEDU PRASAD Bahadur: Will the hon. the Member for Revenue be pleased to state what amount of money was derived by Government by the recent sale of Government lankas for cultivation purposes in the Divi taluk, Kistna district, and the number of acres thus sold?

A.—The Government have no information.

Conference of Agency officials.

5 Q.—Mr. M. APPALANARASAYYA NAYUDU: Will the hon. the Home Member be pleased—

- (a) to place on the table the resolutions adopted at the conference of the Agency officials, held during the first week of July 1922 at Waltair, the headquarters; and
- (b) to state the cost of the conference in the shape of travelling allowances, etc., paid to the officers that attended the conference?

A.—(a) The report, which relates to discussions of the Agency officers on various details of Agency administration, is not of sufficient public interest to justify the expense of reprinting it and laying it on the table, but if the hon. Member so desires it will be sent to him for perusal.

(b) The Government have no information.

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Judicial Commissioner for the Agency tracts.

6 Q.—Mr. M. APPALANARASAYYA NAYUDU: Will the hon. the Home Member be pleased to state the reasons why the judicial commissioner for the Agency tracts, provided for in the budget of the current year, has not been appointed as yet and when he will be appointed?

A.—The hon. Member presumably refers to the provision for district and sessions judge for the Agency. The sanction of the Secretary of State for the appointment is awaited.

Teaching grants to schools in Malabar.

7 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education be pleased to state, with reference to question 1352 (b) put by Mr. K. Kunhammad Koya Sahib at the meeting held on 13th March 1922 and the answer thereto, whether the Government are aware that the District Educational Council, Malabar, adopted only the new scale of teaching grants, 1921-22, in spite of the recommendation of the inspector of schools, Malabar district, and cut short the figures recommended by the Mappilla sub-assistant inspectors?

A.—The Government have no information on the point.

Sub-Assistant Inspectors of Schools, Malabar.

8 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government have received a memorial from the sub-assistant inspectors of schools, Malabar, praying to permit them to draw, in anticipation of sanction, an increase of 50 per cent in their fixed monthly allowance; and

(b) what steps have been taken thereon?

A.—No such memorial has been received.

Casual leave to teachers of elementary schools in North Malabar.

9 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government have received a memorial from the elementary school teachers of North Malabar praying to increase the number of days to be enjoyed as casual leave from 10 to 15; and

(b) what was the order passed thereon by the Government?

A.—No.

Communal representation in the Police Department of the West Coast districts.

10 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Law Member be pleased to state—

(a) how many sub-inspectors of police have been promoted to be circle inspectors since 1st January 1915 in the West Coast districts of the Presidency;

(b) how many of the above are Hindus, Muhammadans and Indian Christians;

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(c) what is the total strength of the cadre of sub-inspectors of police in the districts; and

(d) how many of the above are Muhammadans?

A.—(a) 7

(b) (1) Hindus, 6.

(2) Muhammadans, 1.

(3) Christians, nil.

(c) 107.

(d) 9.

Communal representation in the Revenue Department in Malabar and South Kanara.

11 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Member for Revenue be pleased to state the number of Muhammadans, Hindus and Christians, both permanent and acting, now holding posts of tahsildars, deputy tahsildars and sub-magistrates in the districts of Malabar and South Kanara?

A.—The hon. Member is referred to the district establishment lists which will be found in the library.

Report on the condition of Mappillas in Malabar.

12 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Home Member be pleased to state—

(a) what is the number of Mappilla women and children given in the report of the committee appointed to report on the distressed condition of Mappilla women and children in the martial law area of Malabar; and

(b) who were the members of the above committee?

A.—(a) 70,000.

(b) Khan Bahadur Kalladi Moidutti Sahib Bahadur, O. P. M. Muthukoya Tangal, Khan Bahadur Abbas Ali, K. Koyassan Koya Haji of Calicut, and Khan Bahadur Haji Abdullah Haji Kasim of Udipi, who was however unable to take part in the proceedings.

Muhammadan representation in the Madras Medical Service.

13 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Local Self-Government be pleased to enquire and state—

(a) the number of Muhammadan sub-assistant surgeons in the Madras Medical Service, both permanent and temporary; and

(b) the number of assistant surgeons?

A.—The information will be found in the establishment list of the Medical Department which will be found in the library.

Communal representation in the Malabar District Board.

14 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state the number of clerks' posts under Malabar District Board held by (1) Brahmans, (2) non-Brahmans, (3) Muhammadans and (4) Christians?

A.—This is a matter for interpellation in the district board.

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Public Prosecutors in the West Coast districts.

15 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Law Member be pleased to state—

(i) the names of public prosecutors for the districts of Coimbatore, Malabar and South Kanara, with the following information:—
(a) age, (b) qualifications, (c) dates on which they were first appointed and (d) caste; and

(ii) whether any of them were reappointed in any case after a previous tenure of appointment for three years?

A.—(i) A statement * showing the particulars required, as far as they are available, is furnished.
(ii) Yes.

Memorial from Mr. K. K. Ahammadunni.

16 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Home Member be pleased to state—

(a) whether the Government have received a memorial, dated 11th February 1922, from Mr. Kottilungal Kolathel Ahammadunni residing at Manoorayil in Marancheri amsam and desam of Ponnani taluk, an elected member of the Ponnani Taluk Board, regarding a martial law case against him alleged to have been concocted by the adhigari of his amsam and the sub-inspector of police, Ponnani; and

(b) if any action has been taken on the memorial?

A.—The Government have received no such memorial.

Memorials from hospital compounders.

17 Q.—Mr. A. D. M. BAVOTTI SAHIB: With reference to the interpellation 1286 (b) put by me at the meeting of the Council held on 17th February 1922 and the reply given by the hon. the Minister for Local Self-Government thereto, will the hon. the Minister be pleased to lay on the table the final orders?

A.—G.O. No. 519, P.H., dated 6th April 1922, is laid on the table.

Travelling allowances to supervisors.

18 Q.—Mr. A. D. M. BAVOTTI SAHIB: With reference to the interpellation 1231 (b) put by me at the meeting of the Council held on 14th February 1922 and the reply given by the hon. the Minister for Education thereto, will the hon. the Minister be pleased to state whether the Government have passed orders on the travelling allowances of supervisors?

A.—The posts of supervisors in Malabar are to be abolished under G.O. No. 1002, Law (Education), dated the 29th August 1922, placed on the Editors' Table. The hon. Member's attention is also invited to the revised rules regarding travelling allowance published in G.O. No. 739, Finance, dated the 1st September 1922, also placed on the Editors' Table.

* Vide Appendix I on page 46 infra.

[12th September 1922]

Establishment of a District Munsif's Court at Payyanur.

19 Q.—Mr. A. D. M. BAVOTTI SAHIB: With reference to the interpellation 1204 (b) put by me at the meeting of the Council held on 20th January 1922 and the reply given by the hon. the Law Member thereto, will the hon. the Law Member be pleased to state whether the High Court has reported about the matter, and, if so, to lay the report on the table?

A.—There was no report from the High Court.

Report on the future administration of the Laccadive and Amindivi groups of islands.

20 Q.—Mr. A. D. M. BAVOTTI SAHIB: With reference to the interpellation 1168 put by Mr. K. Kunhammad Koya Sahib at the meeting of the Council held on 16th December 1921 and the reply given by the hon. the Home Member thereto, will the hon. the Home Member be pleased to lay on the table the report of the Special Officer deputed to inspect Laccadive and Amindivi groups of islands and his proposal for the future administration of those islands for their economic advancement and development?

A.—The report will be placed on the Editors' Table.

Exemption to members of Council from the restrictions under the Indian Arms Act.

21 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Home Member be pleased to state, with reference to the resolution passed by the Council at the meeting held on 4th August 1921 to exempt the members of the Legislative Council from the restrictions under the Indian Arms Act, the result of the Government's report on the subject to the Government of India?

A.—No reply has yet been received from the Government of India. The hon. Member is no doubt aware that the Government of India have appointed a committee to examine the provisions of the Arms Rules with special reference to the question of exemptions.

Transfer of sub-registrars.

22 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education (Registration) be pleased to state whether there is any Government Order or departmental order that sub-registrars should not be posted to any taluk where they hold immovable properties?

A.—There is no such order.

Agricultural training to Mappillas.

23 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Development be pleased to state—

(a) how many Muhammadans have undergone training at the Coimbatore Agricultural College within the last six years;

(b) how many are in service in the Agricultural Department; and

(c) whether there are Mappillas as managers or assistant managers in any of the farms in the Presidency?

A.—(a) & (b) Two, both of whom are in service in the department.
(c) No.

[12th September 1922]

Taram rates for Government land.

24 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Member for Revenue be pleased to state—

- (a) the Presidency average taram rates for an acre of ryotwari Government land; and
(b) the average taram rates for dry and wet lands in the Government taluks of Ganjam district?

A.—Tarams vary according to classes and sorts of lands which again show considerable divergencies from district to district. It is therefore not possible to furnish the information asked for in the question.

Taram rates for enfranchised service inams in certain estates.

25 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Member for Revenue be pleased to state the existing taram rates of—

- (a) the enfranchised service inams:—
(i) in the Mandasa estate;
(ii) in the Baruva estate;
(iii) in the Khallikote and Atagada estates;
(iv) in the Dharakote estate;
(b) the Parlakimedi estate;
(c) the Jalantara estate; and
(d) the following villages in the Talatampara muta in Chikkati estate settled by Government:—
(i) Kuttumu.
(ii) Rushikudda?

A.—The Government have no information.

Taram rates under the provisions of the Estates Land Act.

26 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Law Member be pleased to state—

- (a) the names of the villages up till now settled by Government under the provisions of the Estates Land Act in the Mandasa and Baruva estates in the Ganjam district;
(b) the taram rates already fixed by the Settlement Officer; and
(c) the taram rates that are now proposed along with the issue of rough pattas to the ryots?

A.—(a) It is presumed that by 'settled' the hon. Member means settlement of rent. The villages are as follows:—

<i>Mandasa Estate.</i>	
Talabhadra.	Bhinnala.
Pothrakonda.	Ambagam.
Venkatavaradarajapuram.	Karatalipalem and its hamlet
Haripuram.	Sandhikotturu.

<i>Baruva Estate.</i>	
Baruva.	Korlam

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

[12th September 1922]

Settlement of Mandasa and Baruva estates.

27 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Law Member be pleased to lay the whole correspondence regarding the settlement of Mandasa and Baruva estates on the table?

A.—The hon. Member will be furnished with copies of G.Os. Nos. 1673, Revenue, dated 16th July 1919, 129, Revenue, dated 17th January 1920, 333, Revenue, dated 9th February 1921, and 648, Revenue, dated 15th March 1921.

Telegraphic stations at Rasipur and Attur.

28 Q.—Rao Sahib S. ELLAPPA CHEETIYAR: Will the hon. the Member for Finance be pleased to state at what stage the opening of telegraphic communications from (1) Salem to Rasipur and (2) Salem to Attur is at present?

A.—Before the new telegraph offices can be opened, a guarantee must be given. The amount of this has to be calculated with reference to the cost of opening the offices. The old basis of calculation has had to be altered owing to the increase of the cost of materials, wages, etc. A new basis of calculation is being prepared under instructions of the Director-General of Posts and Telegraphs, and this, as the Local Government understand, is the stage at which the matter rests at present.

Pay of the Deputy Superintendents of Police in the Presidency.

29 Q.—Rao Bahadur P. C. ETHIRAJULU NAYUDU: Will the hon. the Law Member be pleased to state—

- (a) whether it is not a fact that in the recent reorganization of pay the Provincial service officers of the Police Department have had less favourable treatment than the Provincial service officers in the Judicial, Revenue and Engineering Departments; and
(b) whether there is any reason why, when it was considered necessary to increase the pay of Assistant Superintendent, the pay of Deputy Superintendent should not be correspondingly increased?

A.—(a) The answer is in the negative.
(b) It is not clear what information the question is intended to elicit.

The late Sarishtadar of the District Court of Ganjam.

30 Q.—Rao Bahadur K. GOPALAKRISHNAYYA: Will the hon. the Law Member, the hon. the Home Member and the hon. the Member for Finance be pleased to state—

- (1) whether it is a fact that Rao Sahib G. Narayanaswami Nayudu Garu, late Sarishtadar of the District Court of Ganjam and late receiver of Nidadavole and Medur estates, Kistna district, was deprived of his pension, and if so, on what grounds;
(2) whether it is a fact that he was dismissed from service and that his title was withdrawn;

[12th September 1922]

- (3) whether any charges were framed against him before depriving him of his pension or title; if so, what charges;
- (4) who were the witnesses examined in support of the charges and whether Mr. Nayudu was given an opportunity to cross-examine them;
- (5) whether Mr. Nayudu was given an opportunity to examine any witnesses for his defence; if so, who were those witnesses;
- (6) why was the appointment of Rao Bahadur T. Varadarajulu Nayudu Garu as District and Sessions Judge of Kistna as successor to Mr. J. J. Cotton, I.C.S., not given effect to;
- (7) whether Mr. J. J. Cotton has asked for his retention for the mere purpose of making an enquiry into the case of Mr. Narayanaswami Nayudu;
- (8) whether the feelings between Mr. J. J. Cotton, I.C.S., District Judge, Kistna, and Mr. Narayanaswami Nayudu were greatly strained at the time;
- (9) whether the rule under which the Government refused to take action on Mr. Narayanaswami Nayudu's petition for compassionate pension is not inapplicable under the circumstances of the case;
- (10) whether the Government propose to revise the order and take further action in the matter; and
- (11) whether the Government will be pleased to lay on the table the report or reports made against Mr. Narayanaswami Nayudu substantiating the various charges of misconduct, if any, against him?

- A.—(1) On the recommendation of the High Court, the Government declined to sanction the grant of a pension to the officer in question on the ground of bad conduct.
- (2) He was not dismissed from service. His title was withdrawn.
- (3) The charges framed will be found in the decision of the High Court which will be communicated to the hon. Member.
- (4) & (5) The Government have no particulars, but they have no doubt that the enquiry conducted at the instance of the High Court was conducted in due form.
- (6) For reasons of administrative convenience.
- (7) & (8) If it is intended to suggest that a district judge who was required to remain in a particular district in order to complete a most unpleasant piece of work sought to do so in order to injure a subordinate, the Government can only reply that the suggestion is one which ought not to have been made.
- (9) No rule was referred to in the petition in question and none was applied in rejecting it.
- (10) The answer is in the negative.
- (11) A copy of the decision of the High Court will be furnished to the hon. Member.

Kistna anicut shutters.

31 Q.—Rao Bahadur K. GOPALAKRISHNAYYA: Will the hon. the Law Member be pleased to state—

- (a) how the matter regarding the raising of the shutters of the Kistna anicut stands;

12th September 1922]

- (b) whether the order for the purchase of the shutters and other articles has been actually placed with any firm and if so, when, and for what amount;
- (c) what the probable time is when this scheme is likely to fructuate; and
- (d) whether the Government will be pleased to lay the whole correspondence on the table?

A.—(a) & (c) The matter is still under consideration and it cannot be stated when the work will be taken up.

(b) No.

(d) No useful purpose would be served by placing the correspondence on the table.

Fee on wet ayacut lands in Kistna eastern delta.

32 Q.—Rao Bahadur K. GOPALAKRISHNAYYA: Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state—

- (a) what action has been taken on the memorial and the deputation of the ryots of Kistna eastern delta praying for the cancellation of the inclusion fee on lands newly proposed to be included in the wet ayacut; and

(b) what amount of this inclusion fee has been paid by the ryots in 1921 and 1922 and on how many acres respectively?

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

(b) Government have no information.

Introduction of the Estates Land, etc., Bills.

33 Q.—Rao Bahadur K. GOPALAKRISHNAYYA: Will the hon. the Member for Revenue and the hon. the Law Member be pleased to state the probable time when they will introduce into the Legislative Council—

- (a) The Estates Land Bill,
- (b) The Irrigation Bill, and
- (c) The Permanent Land Settlement Bill?

A.—(a) & (b) The Government hope to introduce the Estates Land Act Amendment Bill and the Irrigation Bill in the current session.

(c) There is yet no such Bill under the consideration of the Government.

The RAJA OF RAMNAD:—"I rise to ask the hon. the Law Member whether he will be pleased to appoint a committee to examine the Estates Land Act Draft Bill when ready, and to make such recommendations as may be necessary."

The hon. Mr. K. SRINIVASA AYYANGAR:—"As a matter of fact, I am proposing that a small informal committee be formed to discuss the provisions which I am proposing as amendments to the Estates Land Act and also to suggest any further amendments which they may think necessary."

[12th September 1922]

Assignment of lands to depressed classes in Chidambaram taluk.

34 Q.—Mr. L. C. GURUSWAMI: Will the hon. the Home Member and the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that a portion of survey No. 225, Nagarapadi village, Mannargudi division, Chidambaram taluk, was reserved for assignment for the depressed classes;

(b) whether it is a fact that during the time when Mr. T. G. Krishnaswami Nayudu was Revenue Divisional Officer, Chidambaram taluk, petitions were sent to him by the members of the Adi-Dravida community for assignment to them of these lands;

(c) whether it is a fact that the said Divisional Officer submitted these petitions to the Revenue Inspector for subdividing the land as a preliminary to the assignment of these lands; and

(d) whether it is a fact that now these lands have been ordered to be sold by public auction; if so, by whom the order was given and whether the authorities were informed that these lands were reserved originally for assignment to the depressed classes and that these lands were applied for already by the members of the depressed classes?

A.—The Government have no information but will enquire.

Income from the toll-gate of Masakalipatti, Salem.

35 Q.—Mr. K. A. KANDASWAMI KANDAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the average income for the last five years from the toll-gate of Masakalipatti;

(b) whether the income for 1921-22 diminished considerably;

(c) whether it was less than the usual income by about Rs. 15,000;

(d) whether the officer who conducted that year's auction sale was the Vice-President of the Salem District Board; and

(e) whether either the Board or the Government took notice of this?

A.—The Government have no information.

Communal representation in the public service.

36 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Finance be pleased to lay on the table a list of appointments carrying a salary of Rs. 60 and upwards which have been given to non-Brahmans including Muhammadans and Christians in the various departments in the Presidency after the issue of G.O. No. 613, Public, dated 16th September 1921?

A.—A return has been laid on the table.

Muhammadans in the Judicial Department, Guntur.

37 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Law Member be pleased to state the number of Muhammadans employed in the Judicial Department in the Guntur district as compared with non-Muhammadans including Brahmans, non-Brahmans and Christians from Huzur Sarishtadar and onwards?

A.—The figures will be found in due course in the returns prescribed in G.O. No. 658, Public, dated the 15th August 1922.

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Muhammadans in the Revenue Department, Guntur.

38 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Revenue be pleased to state the number of appointments given to Muhammadans in the district of Guntur carrying a salary of Rs. 60 and upwards in the Revenue Department in the years 1921 and 1922 as compared with non-Muhammadans including Brahmans, non-Brahmans and Christians?

A.—The figures will be found in due course in the returns prescribed in G.O. No. 658, Public, dated the 15th August 1922.

Muhammadans in the Judicial Department, Guntur.

39 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Law Member be pleased to state the number of appointments given to Muhammadans in the district of Guntur carrying a salary of Rs. 60 and upwards in the Judicial Department in the years 1921 and 1922 as compared with non-Muhammadans including Brahmans, non-Brahmans and Christians?

A.—The figures will be found in due course in the returns prescribed in G.O. No. 658, Public, dated the 15th August 1922.

Muhammadans in Public Works Department, Guntur.

40 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Public Works be pleased to state the number of appointments given to Muhammadans in the district of Guntur carrying a salary of Rs. 60 and upwards in the Public Works Department in the years 1921 and 1922 as compared with non-Muhammadans including Brahmans, non-Brahmans and Christians?

A.—The figures will be found in due course in the returns prescribed in G.O. No. 658, Public, dated the 15th August 1922.

Irrigation projects in Ganjam.

41 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Law Member be pleased to state the irrigation projects taken in 1922-23 in the Ganjam district to provide labour and to improve the irrigation facilities in the affected areas of the said district?

A.—No such projects have been taken up for execution during the current year.

The Indian Jails Committee.

42 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Home Member be pleased to lay on the table the report of the Indian Jails Committee, if published?

A.—A copy of the report has been already placed in the Council library for hon. Member's reference.

Facilities for prayer for Muhammadan convicts on Fridays.

43 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Home Member be pleased to state the facilities afforded for the Muhammadan convicts of the Madras Penitentiary to say their prayers on Fridays?

[12th September 1922]

A.—The hon. Member's attention is drawn to rule 283 of the Jail Manual reproduced below :—

No undue interference with religion or caste prejudices of prisoners shall be permitted. Prisoners shall be allowed to wear their religious symbols such as the sacred thread, etc., referred to in rule 242 and renew them if necessary, and shall be allowed to perform their devotions in a quiet and orderly manner without undue interference to jail routine and discipline.

Water for ablution and a mat shall be provided in cells or wards where Muhammadan prisoners are confined and facilities shall be given them for saying their prayers (mid-day, Friday and holiday), and for eating food kept over night according to custom in the month of Ramzan, if they desire it.

Pay of village munsifs.

44 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Revenue be pleased to state whether any increase in the pay of village munsifs was given and from what date?

A.—The hon. Member is referred to G.O. No. 1482, Revenue, dated the 15th August 1922, which has been placed on the Editors' Table.

Loans to Adi-Andhra ryots.

45 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Revenue be pleased to lay on the table the grants of loans to Adi-Andhra ryots in the districts of Ganjam, Vizagapatam, Gōdāvari and Kistna for the year 1922?

A.—The Government have not the information asked for.

The Publicity Bureau.

46 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Finance be pleased to state the total monthly expenditure incurred on the Publicity Bureau :—

- (i) by way of salary to the officer and his establishment, and
- (ii) by way of all other expenditure during the year 1921?

A.—The average monthly expenditure during the official year 1921-22 was as follows :—

	RS.	A.	P.
(1) By way of salary to the officer and his establishment	3,837	12	0
(2) All other expenditure	4,398	5	0

Secondary school for girls in Kurnool.

47 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education be pleased to state whether a secondary school for girls at Kurnool was opened in 1922?

A.—The Municipal Elementary School, Kurnool, was taken under Government control on the 1st of October 1921 and converted into a secondary school with effect from the same date.

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Test-works in Ganjam.

48 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Revenue be pleased to state whether any test-works in Ganjam district will be opened in 1922?

A.—So far as the season conditions in the Ganjam district can be judged at present, there is not likely to be any necessity for the opening of test-works.

The Committee on Hindu-Muhammadan disturbances.

49 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Law Member be pleased to lay on the table the report of the Committee of Hindus and Muhammadans appointed last year to recommend the best means of preventing disturbances between Hindus and Muhammadans in connexion with the playing of tom-tom and other music on public roads in front of mosques, etc.?

A.—The Government have not yet received any report from the Committee.

Labour Unions in the Presidency.

50 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Home Member be pleased to state if the Government intend to introduce legislation for the full recognition, protective and regulative, of Labour Unions in the Madras Presidency?

A.—No. The Government of India are considering the question of introducing all-India legislation on the subject.

Fish-curing yards in the Northern Circars.

51 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Finance be pleased to state whether any new fish-curing yards are opened in 1922 in the districts of Ganjam, Vizagapatam, Gōdāvari, Kistna and Guntūr?

A.—No new fish-curing yards have been opened in the current year in the districts named.

Criminal settlements in Guntūr.

52 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Home Member be pleased to state—

(a) the amount of annual contribution given to manufactures in the following criminal settlements in Guntūr district :—

- (1) Yerukala settlement at Sitanagaram,
- (2) Reformatory settlement at Guntūr, and
- (3) Criminal settlement at Stuartspeta near Bapatla; and

(b) the number of men and women that ran away from the above settlements who were subsequently arrested, prosecuted and sentenced under the Criminal Tribes Act in the years 1920, 1921 and 1922?

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- 4.—(a) The hon. Member's attention is invited to page 198 of the preliminary edition of the Civil Budget Estimate for the year 1922-23.
- (b) A statement is laid on the table.*

The Agency district.

53 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Home Member be pleased—

- (i) to lay on the table a statement showing the income and expenditure incurred by the formation of the Agency district as compared with its previous existence when the same area was under the management of different Collectors; and
- (ii) to state what are the special advantages afforded to the tax-payers for the formation of the Agency district?

A.—(i) Prior to the formation of the Agency division, separate establishments were not employed exclusively in the Agency tracts and separate accounts for the income and expenditure of this area were not maintained. The comparative statement asked for cannot therefore be furnished.

- (ii) The organization of the separate Agency division was intended to improve the administration and stimulate the development of a tract which is economically backward. The immediate benefit will be reaped by the inhabitants of the Agency; the material advantage to the Presidency in general will arise from the development of the natural resources of the area and the consequent increase in trade and industry.

Schools for criminal tribes.

54 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Home Member be pleased to state—

- (a) the number of schools started for the benefit of the children of the criminal tribes in Guntur district;
- (b) the places where and the areas in which such schools are established; and
- (c) the places where there are criminal settlements, but schools for their benefit have not yet been established?

A.—(a) Three.

(b) Sitanagaram, Stuartpuram and Guntur settlements.

(c) Schools have been established in all the settlements in the Presidency.

Muhammadan representation in the Department of Industries, etc.

55 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Development be pleased to state—

- (a) the number of Muhammadans employed in the Department of Industries and Fisheries on posts carrying a salary of Rs. 50 and upwards; and

(b) the number of scholarships granted to Muhammadan students by the aforesaid departments during 1920-21 and 1921-22?

* Vide Appendix II on page 47 infra.

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- A.—The figures will be found in due course in the returns prescribed in G.O. No. 658, Public, dated the 15th August 1922.

Redistribution of the Northern Circars.

56 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Revenue be pleased to state as to what has been done in the matter of redistribution of the districts of Ganjam, Vizagapatam, Gōdāvari and Kistna?

A.—The question is under examination by the Board of Revenue.

Compulsory elementary education.

57 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Minister for Education be pleased to state, with reference to section 46 of the Madras Elementary Education Act, 1920, in how many cases in each district the acceptance of resolutions of local authorities relating to the introduction of compulsory elementary education, have been notified?

A.—The Government have till now published notifications sanctioning the introduction of compulsory elementary education for boys in the undermentioned municipalities:—

Tanjore district ..	{ (1) Negapatam.
North Arcot district ..	{ (2) Kumbakonam.
Chingleput district ..	Vellore.
	Conjeeveram.

Recruitment to the Secretariat.

58 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Member for Finance be pleased to state, with reference to the answer given to my question No. 1379 regarding the employment of persons from the mufassal offices in the Secretariat, whether the Government have finished collecting the information, and also to state the number of non-Brahmans communalwar that have been recommended till now by the officers in the mufassal as suitable for employment in the Secretariat?

A.—The scheme of returns by which it is proposed to afford members of the Legislative Council an opportunity of gauging the effects of the action taken on their resolutions in the matter of communal representation in Government offices has been published in G.O. No. 658, Public, dated the 15th August 1922. It is hoped that the returns referred to will satisfy all reasonable demands. The Government do not propose to supplement them in the manner indicated in the question.

Muhammadan Government Pleaders and Public Prosecutors.

59 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Law Member be pleased to state, with reference to the answer to my question No. 1325, the names of the Muhammadan gentlemen whose claims have been considered for appointment as Government Pleaders and Public Prosecutors in any of the districts of the Presidency, the years in which they were considered, and the final result after such consideration?

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A.—The information is not available nor do the Government propose to call for it.

Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB :—" I wish to know if no Muhammadan names were sent for consideration for appointment by Government as Government Pleaders and Public Prosecutors."

The hon. Mr. K. SRINIVASA AYYANGAR :—" I cannot answer."

Muhammadans in the Local Fund Accounts Department.

60 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Member for Finance be pleased to state the number of Muhammadans who are (a) Assistant Inspectors and (b) clerks under the Examiner of Local Fund Accounts?

A.—The hon. Member is referred to the statement furnished in answer to question No. 970 on the 15th November 1921. There has been no subsequent change so far as Muhammadans are concerned.

The Legislative Council proceedings.

61 Q.—Mr. B. MUNISWAMI NAYUDU: Will the hon. the Law Member be pleased to state—

- how many copies were printed of volumes I, II and III of the proceedings of this Council in the book form in which they are now issued;
- the total cost of each volume for printing and paper;
- what the price of each volume is as fixed by the Government;
- how many copies of each volume were sold to outsiders and the amount realized up to 31st July 1922; and
- how many copies of each were distributed free to Members of the Legislative Council and to the various public offices and departments?

A.—(a) Seven hundred and sixty-nine copies were printed of each part of volumes I, I-A, I-B, II and parts 1 to 4 of volume III. Seven hundred and twenty-four copies were printed of parts 5 to 8 of volume III and 780 copies of the index to volume I.

(b) Cost of printing, binding and paper:—

	RS.	A.	P.
Volumes I, I-A and I-B and index ..	5,386	0	11
Volume II	2,569	13	0
Volume III	2,499	2	8
Total ..	10,455	0	7

(c) The price of each part has been fixed at a uniform price of 8 annas and a yearly subscription rate of Rs. 20 has been adopted.

(d) One thousand-and-two separate parts have been sold, realizing Rs. 501.

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(e) Volume I	—Parts 1 to 3—507 copies
	4 to 6—508 "
	Part 7 —507 "
" I-A	—Parts 1 to 8—507 "
" I-B	" 1 to 6—507 "
" II	" 1 to 9—508 "
" III	" 1 to 3—507 "
	Part 4 —509 "
	Parts 5 to 7—510 "
	Part 8 —509 "

Present distribution list—496.

NOTE.—A variation from the distribution list may be noticed in the number of copies given above, which is due to requisitions for spare numbers by Members of the Legislative Council, and to new Members calling for supply of proceedings published previous to their election.

Pay of village munsifs and monigars.

62 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Member for Revenue be pleased to state—
(a) whether the Government have passed orders giving increased pay to the village munsifs and monigars; and
(b) if so, from what date they are to get increased pay?

A.—The hon. Member is referred to G.O. No. 1482, Revenue, dated 15th August 1922, which has been placed on the Editors' Table.

Revenue divisions and taluks in the Cuddapah district.

63 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Member for Revenue be pleased to state whether it is a fact that the revenue divisions and taluks in the Cuddapah district are very light and do not give sufficient work?

A.—The Government cannot accept the statement that the revenue divisions and taluks in the Cuddapah district are very light and do not give sufficient work.

Punitive Police in Rayachoti taluk.

64 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Law Member be pleased to state whether it is a fact that the villages in Rayachoti taluk of Cuddapah district where punitive police are stationed have quieted down completely and settled into peaceful and normal condition?

A.—No trouble has been reported since the additional police were quartered in the area.

Rai Bahadur T. M. NARASIMHACHARLU :—" Will the Government be pleased to abolish the punitive police if no trouble has been reported since the additional police were stationed in the district?"

The hon. Mr. K. SRINIVASA AYYANGAR :—" There is, I think, a resolution on the subject. I shall wait for it."

Provincialisation of the district board engineers.

65 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Minister for Local Self-Government be pleased to state whether the Government have passed orders about the provincialisation of the district board engineers?

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A.—The question is still under consideration. The Government have not been able to find money to give effect to the proposal.

The RAJA OF RAMNAD:—"May I know what the additional cost would be for the provincialisation of the district board engineers?"

The hon. the RAJA OF PANAGAL:—"I think it is between two and three lakhs."

Subordinate and District Munsifs' Courts in the Presidency.

66 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Law Member be pleased to state what the increase or decrease is in the current year in the number of sub-courts and district munsifs' courts in each district of the Presidency as compared with last year?

A.—A statement showing the districts in which during 1922 there has been an increase or a decrease in the number of courts as compared with 1921 is furnished. There were no changes in other districts.

Statement.

Districts.	Sub-courts.		District Munsifs' Courts.	
	Increase.	Decrease.	Increase.	Decrease.
Anantapur	..	..	..	..
Ganjam	..	..	..	..
Godavari	1	1	..	1
Guntur	..	..	..	1
Kistna	..	1	..	2
Kanara, South	..	..	..	3
Nellore	..	..	..	1
Tanjore, West	1	..	..	..
Trichinopoly	..	1	..	..
Vizagapatam	..	1	1	..
Total	2	5	1	10

Other districts: no variations.

The division of the districts of Ganjam, Vizagapatam, etc.

67 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Member for Revenue be pleased to state when final orders will be issued regarding—

- (1) the division of the districts of Ganjam, Vizagapatam, Godavari and Kistna into four convenient districts;
- (2) the reduction of the number of revenue divisional officers in the district of Vizagapatam;
- (3) the location of the headquarters of the divisional officers in the district of Vizagapatam; and
- (4) the reduction of the number of taluks in the district of Vizagapatam?

A.—All the questions are under examination by the Board of Revenue.

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Reduction of Executive Council Members.

68 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Member for Finance be pleased to state what orders have been passed by the Secretary of State regarding the recommendation of the Legislative Council to reduce the number of members of the Executive Council to three?

A.—No orders have been received.

Salaries of village headmen, etc.

69 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Member for Revenue be pleased to state when the proposed enhancement of salaries of village headmen and zamindari karnams will be given effect to?

A.—The hon. Member is referred to G.O. No. 1482, Revenue, dated 15th August 1922, which has been placed on the Editors' Table.

Administration of the Agency tracts.

70 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Home Member be pleased to state what action has been taken by the Government on the resolution passed by the Legislative Council on 5th March 1921 about the revision of rules for the administration of the Agency tracts?

A.—Revised rules prepared by the Agency Commissioner, have been received and are under scrutiny.

Irrigation projects in the Presidency.

71 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Law Member be pleased to state the results of the work done regarding the revision of irrigation projects in the Presidency and which of the projects are likely to be taken up at an early date?

A.—The report of the Executive Engineer, Projects division, on the results of his work has just been received and is under consideration. A list of the projects investigated by him will be placed on the table in due course. None of the projects are likely to be taken up for execution in the near future.

Boiler Inspectors.

72 Q.—Rao Bahadur C. NATESA MUDALIYAR: Will the hon. the Member for Revenue, the hon. the Home Member and the hon. the Law Member be pleased to state—

(a) whether it is a fact that the Government Boiler Laws Committee recommended that the Boiler Inspection Department and the Indian Industrial Commission had recommended that the Factories, Boilers and other industrial services should be forthwith placed under the control of the Director of Industries; if so, what action has been taken in the matter; and, if not, why;

(b) why the Mechanical Engineering graduates of the Madras Engineering College or the L. M. E. diploma-holders of the Victoria Jubilee Technical Institute, Bombay, are not appointed as Boiler Inspectors even on probation;

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(c) whether it is not a fact that four or five years' theoretical and practical training in steam and steam engine, machine construction and design which includes strength of materials and boiler, etc., are respectively given in the Victoria Jubilee Technical Institute, Bombay, and the College of Engineering, Madras; and

(d) what the general educational and technical qualifications and special experience of (1) the Acting Chief Inspector of Steam-boilers and Prime-movers, Madras, and (2) the newly-appointed 6" Boiler Inspector are?

A.—(a) Yes; in regard to the action taken in respect of 'Factories,' the hon. Member's attention is drawn to paragraph 7 of G.O. No. 271, Revenue, dated 2nd February 1920, which has been placed on the Editors' Table and in which it was resolved to place the Factory Inspectors under the control of the Commissioner of Labour; in respect of 'Electricity' and 'Boilers', the question was fully considered by Government and it was decided that the administration of the Electricity and Boiler Acts should continue to be dealt with in the Public Works Department; as regards the recommendation relating to furnishing of advice to Government by the Director of Industries on the industrial and commercial aspects of the Mines Act and of the Mining Rules, the Government have directed that in order to safeguard the interests of industrial development, the Director of Industries should be regularly informed of all applications for prospecting licences or mining leases received by the Board and Collectors so that the Director of Industries would have no difficulty in getting into touch with the applicants and making any enquiries which he thinks fit. It is within the province of the Director of Industries to advise the Board of Revenue on any point regarding a prospecting or mining application which he thinks of importance to the development of industries.

(b) There is no objection to the Mechanical Engineering graduates of the Madras Engineering College being appointed as Boiler Inspectors, on probation, provided they have the requisite practical experience. No information is available as to the qualifications of the L.M.E. diploma-holders of the Victoria Jubilee Technical Institute, Bombay.

(c) Mechanical Engineer students of the College of Engineering, Madras, are given four years' theoretical training in the College and one year's practical training in Workshops. The students are given instruction in the subjects mentioned. No information is available regarding the theoretical and practical training given in the Victoria Jubilee Technical Institute, Bombay.

(d) (1) *General educational qualifications.*—Educated at the Derby Municipal Technical College, September 1909 to July 1913 and at the University College, Nottingham, September 1913 to April 1917.

Technical qualifications.—B.Sc. (Eng.) University of London, 1916.

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Whitworth Exhibition in Engineering with Bronze medal, 1915.

Special experience.—Workshop training as apprentice under Sir Henry Fowler, K.B.E., Chief Mechanical Engineer, Midland Railway, Derby. Machine, fitting and erecting shops, tender and boiler work.

In army.—As District Loco Superintendent on light railways in France.

(2) No appointment of sixth Boiler Inspector has yet been made.

Breach in the bank between the Vennar and the Pulavanar, Kumbakonam taluk.

73 Q.—Rao Bahadur C. NATESA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that some years ago there was a breach in the bank between the Vennar and the Pulavanar near Nemmelkundi village in the Kumbakonam taluk of the Tanjore district;

(b) whether it is a fact that some six or seven years ago the Government sanctioned the closing of the breach; and

(c) whether it is a fact that nothing has yet been done to close the breach which has been causing immense loss to the ayacut of the Nenjuman owing to submersion?

A.—The Government have no information but will enquire.

Head Clerk of the Court of Small Causes.

74 Q.—Rao Bahadur C. NATESA MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) the number of persons employed under the Head Clerk of the Small Cause Court, Madras;

(b) whether it is contemplated by the Government to change the designation of the Head Clerk of the Small Cause Court, Madras, into Deputy Registrar; and

(c) whether the Government have received any representation for the revision of the scale of pay of the Head Clerk and of the Interpreters of the Small Cause Court, Madras?

A.—(a) The number of persons below the Head Clerk employed in the Small Cause Court, Madras, is as follows:—
53 clerks, 19 bailiffs, 37 inferior servants and 8 members of the copyist establishment.

(b) No.

(c) Yes.

Assignment of unreclaimed lands in the Presidency to the depressed classes.

75 Q.—Rao Bahadur M. C. RAJA: Will the hon. the Member for Revenue be pleased to state what the extent is of unreclaimed land in this Presidency (a) under the direct control of the Government, (b) in possession of the zamindars?

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A.—Government are not able to answer this question as it is not clear what areas are actually intended to be included under the term "unreclaimed land".

Exchange of clerks between mufassal Collectorates and the Secretariat.

76 Q.—Rao Bahadur M. C. RAJA : Will the hon. the Member for Finance be pleased to state—

(1) whether it is a fact that in connexion with the introduction of Mr. Tottenham's scheme regarding the exchange of clerks between mufassal Collectorates and the Secretariat, a Government Order was issued in Public Department in 1919; and

(2) if so, whether the Government will be pleased to lay it on the table?

A.—An extract from the orders to which the question apparently refers is appended:—

"The Government also propose that the following points, which, though not embodied in Mr. Tottenham's report, are closely connected with the efficient working of an office, should be taken up for consideration later on:—

Interchange of clerks between Madras and Upcountry offices.—

In order to improve the practical knowledge of clerks in the Secretariat and the office work of Collectors' offices, the Government consider that there should be a more frequent interchange of men with similar qualifications. According to this plan, clerks would be recruited in districts and trained there up to and including the revenue inspectors' stage; they would be brought in for a few years as junior clerks in the Secretariat or Board's Office and then sent out as senior clerks in mufassal offices or as sub-magistrates; they might later be brought back to headquarters as Superintendents and later still sent out on promotion to the mufassal as Tahsildars, or eventually promoted as Deputy Collectors or Registrars in the Secretariat. By adopting this course, men employed in the Secretariat would gain practical and local knowledge and it is anticipated that better work will result in the district offices.

This question will be examined by the Financial Department in consultation with other departments of the Secretariat. It will also be a subject for discussion at the next Collectors' Conference."

77 Q.—[Deferred.]

Kumaki privileges in the South Kanara district.

78 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(1) what are the general principles on which the Government recognize 'kumaki' privileges in respect of 'warg' or 'patta' land in the South Kanara district;

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(2) whether the Government propose to call upon the Board of Revenue to delete the sub-paragraph (4) of paragraph 9 of Standing Order 15 of the Board of Revenue and the note thereunder which contemplate a denial of 'kumaki' privileges to 'warg' or 'patta' lands; and

(3) whether the Government cannot assign waste lands as 'kumaki' to 'warg' or 'patta' lands lying within town limits whether the said waste lands lie outside or inside these limits?

A.—(1) The attention of the hon. Member is invited to the Manual of the South Kanara district and G.O. No. 757, Revenue, dated 25th August 1902, which was placed on the Editors' Table.

(2) No.

(3) Kumaki privileges are not recognized in the six towns mentioned in paragraph 20 of Standing Order No. 15. Elsewhere they are admitted even if the land in connexion with the enjoyment of which the privilege is claimed is situated in a different village.

Special Consulting Architect to Government.

79 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Education and Public Works be pleased to state—

(1) whether, in addition to the permanent Consulting Architect to Government, there is also a Special Consulting Architect;

(2) what the duties of the Special Consulting Architect are; and

(3) how many draughtsmen and other minor technical and ministerial staffs are employed under him?

A.—(1) Yes.

(2) The Special Consulting Architect deals with plans and estimates concerning State-aided educational work in the Presidency, with questions relating to Government lands and property in Madras, with schemes in conjunction with the Director of Office Systems, for the rehousing of Government offices in Government buildings for the purpose of vacating leased properties, and generally with schemes of a special nature such as works connected with Government Houses, the Legislative Council Chamber and other large buildings and all special works allotted by Government or the Chief Engineer.

(3) Four draughtsmen, one estimator, one tracer and one clerk.

Travelling allowances of the members of the Legislative Council.

80 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Law Member be pleased to state the travelling allowances of each of the Legislative Council Members from the date of inauguration of the new Council up to date?

A.—A statement is laid on the table.*

Stamp duty on documents.

81 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that in the case of documents executed after the 1st of April 1922 and before the new Stamp Act became law, and stamped properly according to the law in force at the time, not only the deficiency of stamp duty calculated according to the new Act but also a penalty has been levied from the parties; and

* Vide Appendix III on page 47 infra.

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(b) whether the Government issued any instructions to Collectors to collect a penalty also in such cases?

A.—The attention of the hon. Member is drawn to the Press communication dated 10th May 1922.

Assistant Secretary in the Public Works Department.

82 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Education and Public Works be pleased to state whether it is proposed to abolish the post of Registrar Assistant Secretary in the Public Works Department Secretariat and whether the question of abolition of similar posts with no more onerous duties in the other Secretariats will be considered?

A.—The answer to the first part is in the affirmative. For the second part the hon. Member is requested to address other departments.

Increase of pay of village headmen, etc.

83 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Member for Revenue be pleased to state when the Government will give effect to the increase in the pay of village headmen or monigars for which a grant was voted in the last budget?

A.—The hon. Member is referred to G.O. No. 1482, Revenue, dated 15th August 1922, which has been placed on the Editors' Table.

Imprisonment of Duvvuri Subbamma.

84 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Law Member be pleased to state—

(a) the period of rigorous imprisonment undergone so far by Duvvuri Subbamma, a lady non-co-operator; and

(b) what the unexpired portion of her sentence is?

A.—Duvvuri Subbamma was on the 4th April last directed to enter into a bond for Rs. 100 with two sureties for Rs. 200 each to be of good behaviour for one year. In default of furnishing security she was committed to prison. If she furnishes the required security she will be released at once.

Mr. T. SIVASANKARAN PILLAI:—“Cannot the Government see its way to excuse the unexpired portion of the sentence passed on Duvvuri Subbamma especially as she has been convicted only of a political offence?”

The hon. Mr. K. SRINIVASA AYYANGAR:—“The Government are advised that they have no power to act under section 461 of the Criminal Procedure Code. It is a case of security and not a sentence of punishment for an offence.”

Recommendations of the committee of visitors to jails.

85 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Home Member be pleased to lay on the table the recommendations made by the committee of visitors to the Bellary, Vellore, Ouddalore and Coimbatore jails in the months of March, April, May and June, together with a statement of the orders issued or action taken on each of their recommendations?

A.—The recommendations are not communicated to the Government and the Government see no reason to call for them.

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Treatment of political prisoners.

86 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Home Member be pleased to state whether any correspondence has passed between the Government of India and the Local Government on the subject of the treatment of political prisoners, and, if so, to lay those papers on the table?

A.—There has been correspondence on the subject of the treatment in jail of ‘Political offenders,’ but the Government of India’s final decision has not yet been received. The papers cannot be laid on the table.

Report of the Famine Committee.

87 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased—

(a) to state when he received the report of the Famine Committee appointed by the Legislative Council in August 1921 and the action taken thereon since its receipt; and

(b) to place a copy of the report on the table?

A.—(a) The report of the Committee with the remarks of the officers consulted was finally received on 19th May 1922 and is now under the consideration of the Government.

(b) The report will be placed on the table in due course.

Mr. A. RANGANATHA MUDALIYAR:—“Will the Council have an opportunity to express an opinion on the Famine Committee report and the recommendations of the Government before they are forwarded to the Government of India?”

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—“At the present moment I am unable to give any assurance on the matter; but it is receiving the attention of the Government.”

Forest land in the Tirumalvadi mitta.

88 Q.—Mr. A. RANGANATHA MUDALIYAR: With reference to the answer to question No. 1329, dated 4th March 1922, will the hon. the Home Member be pleased to state what action, if any, has been since taken on the memorial of the inhabitants of the Tirumalvadi mitta praying that the acquisition of forest land in that mitta be not proceeded with?

A.—The matter is under investigation and the Collector’s report is awaited.

Reserve and disafforested areas in Bellary, etc.

89 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to furnish a village-wise statement showing the year, class, name and extent of the reserve and the area disafforested in the Bellary and Kurnool districts and to state if any and, if so, what extents in each of the disafforested areas have been reserved for the use of soldiers or Government departmental purposes?

A.—The Government have no information. It will be called for.

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Travelling, etc., allowance of Directors of Agriculture.

90 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Development be pleased to state, together with their names, the travelling allowance under the heads of mileage, railway fare, daily allowance and any other allowances, if any, which deputy directors and assistant directors of agriculture in charge of circles drew every month in the year 1921-22?

A.—No information is available; it will be called for.

Travelling, etc., allowance of Conservators of Forests.

91 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state, together with their names, the travelling allowance under the heads of mileage, railway fare, daily allowance and any other allowances, if any, which conservators and deputy conservators of forests in charge of circles drew every month in the year 1921-22?

A.—The Government have no information.

Mr. A. RANGANATHA MUDALIYAR:—"Similar information was asked for and furnished or promised to be furnished with regard to the officers of the other departments. Will the Government be pleased to obtain information with regard to this?"

The hon. Mr. A. R. KNAPP:—"I do not know, Sir, what information has been furnished."

Mr. A. RANGANATHA MUDALIYAR:—"So far as the Excise Department is concerned information has been furnished. As regards agriculture and other departments, the Members have promised to obtain information."

The hon. Mr. A. R. KNAPP:—"I think I must follow one of my other hon. Colleagues and say that I do not consider that any useful purpose will be served to justify the labour involved in collecting the information."

Mr. A. RANGANATHA MUDALIYAR:—"Is it proposed to obtain the information asked for?"

The hon. Mr. A. R. KNAPP:—"It is not proposed to do so."

Travelling, etc., allowances of Commissioners of Salt, etc.

92 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Finance be pleased to state together with their names the travelling allowance under the heads of mileage, railway fare, daily allowance and any other allowances, if any, which deputy commissioners of Salt, Abkari and Opium, permanent and acting, drew every month in the year 1921-22?

A.—The information asked for has been furnished to the hon. Member.

Mr. R. SRINIVASA AYYANGAR:—"Will the information asked for be furnished to the other hon. Members as well?"

The hon. Sir CHARLES TODHUNTER:—"The information will be furnished if necessity is shown."

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Travelling, etc., allowances of Inspector-General of Police.

93 Q.—Mr. A. RANGANATHA MUDALIYAR:—Will the hon. the Law Member be pleased to state together with their names the travelling allowance under the heads of mileage, railway fare, daily allowance and any other allowances, if any, which deputy inspectors-general of police in charge of ranges drew every month in the year 1921-22?

A.—The Government are not in possession of the particulars asked for and they do not consider that they would be justified in undertaking the labour of collecting them.

Mr. A. RANGANATHA MUDALIYAR:—"Is the hon. the Law Member satisfied that the travelling allowance drawn at present is not excessive?"

The hon. Mr. K. SRINIVASA AYYANGAR:—"The answer to the question involves an elaborate inquiry. I want notice."

Mr. A. RANGANATHA MUDALIYAR:—"Will he take this as notice, Sir?"

The hon. Mr. K. SRINIVASA AYYANGAR:—"No."

Travelling, etc., allowances of Superintending Engineers.

94 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education and Public Works be pleased to state together with their names the travelling allowance under the heads of mileage, railway fare, daily allowance and any other allowances, if any, which Superintending Engineers in charge of circles drew every month in the year 1921-22?

A.—The information required will be called for.

Travelling, etc., allowances of Assistant Registrars of Co-operative Societies.

95 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Development be pleased to state together with their names the travelling allowance under the heads of mileage, railway fare, daily allowance and any other allowances, if any, which assistant registrars of co-operative societies, Chittoor, Madras, Cuddalore, Kurnool and Guntur, drew every month in the year 1921-22?

A.—The information is not available. It will be called for.

Grazing fees in Harpanahalli Circle, Bellary.

96 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) the scale of grazing fees in force in the Harpanahalli circle, Bellary district, both before and after the introduction of the working plan in the said area;

(b) whether the plan was worked successfully in any year after its introduction; and

(c) whether the questions how the circle is to be worked hereafter and what the scale of grazing fees should be are under consideration by the Conservator or any other higher officer?

A.—The Government have no information and will call for it.

District Court at Anantapur.

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97 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to state whether it is in contemplation to abolish the District Court at Anantapur?

A.—The answer is in the negative.

Pay of village headmen, etc.

98 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state if the enhanced rates of pay promised to village headmen and others from 1st July 1922 have been so paid, and if they have not been paid yet, the reasons for the delay?

A.—The hon. Member is referred to G.O. No. 1452, Revenue, dated 15th August 1922, which has been placed on the Editors' Table.

Representation of Catholic Christians on the School-Leaving Certificate Board.

99 Q.—Mr. M. RATNASWAMI: Will the hon. the Minister for Education be pleased to state why it is that not a single Catholic teacher has been appointed to the Secondary School-Leaving Certificate Board?

A.—The Board is not constituted on a communal basis.

The Madras School of Arts.

100 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Minister for Development be pleased to state—

- (a) the number of teachers giving instruction in the Madras School of Arts;
- (b) the number of boys and girls trained in the said school as painters, sculptors, and architects, etc., in the year 1921-22;
- (c) whether the School of Arts is in close touch with modern industries; and
- (d) whether the school is progressing in the advancement of designs in gold and silver, or bronze, or porcelain, or textiles?

A.—(a) The number of teachers giving instruction in the School of Arts is at present 25.
 (b) There were seventeen boys in the painting class during 1921-22. There are no classes for sculptors or architects.
 (c) The School of Arts is in touch with modern artistic handicraft industries.
 (d) No bronze is used or porcelain made in the school, while the only textiles manufactured are carpets. The answer to the hon. Member's question as regards gold and silver is in the affirmative.

Lower Subordinates of the Public Works Department.

101 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Minister for Education and the hon. the Member for Revenue be pleased to state whether the Government propose to revise the scale of pay of the lower subordinates of the Public Works Department and Minor Irrigation Department?

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A.—The pay of the lower subordinates in the executive branch of the Public Works Department has been fixed at Rs. 50—2½—100 with effect from 1st March 1921. The question of revision of the pay of the lower subordinates in the Minor Irrigation Department is under consideration.

Muhammadian Public Prosecutors.

102 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Law Member be pleased to state—

- (a) if it is a fact that no Muhammadan has been appointed as public prosecutor in any of the 24 sessions divisions of the Presidency;
- (b) if the answer is in the negative, the reason why the claims of senior Muhammadan vakils were overlooked at Trichinopoly; and
- (c) why the G.O. No. 767 of 16th January 1919 has been entirely lost sight of with regard to the appointments in the additional sessions court recently opened at Trichinopoly?

A.—(a) Yes.

- (b) The Government are not aware whether any Muhammadan vakil at Trichinopoly with better claims than the present incumbent for the post applied for it.
- (c) The Government have not issued any order bearing the No. 767 and the date 16th January 1919 in this department.

The pilgrim tax.

103 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Law Member be pleased to state—

- (1) whether the Government are aware that pilgrim tax was levied when the Darga festival took place at Nagore in February 1922;
- (2) if it is a fact that the pilgrim tax was not imposed during the Srirangam Ekadasi festival celebrated last January; and
- (3) the reason why the tax has been totally suspended in the latter case?

A.—(1) & (2) The answer is in the affirmative.

- (3) The Municipal Councils of Trichinopoly and Srirangam submitted separate proposals for the levy of the tax in their respective municipalities, they were advised to refer the question to a Joint Committee of themselves and the District Board which is also interested. The resolutions of the Municipal Councils accepting the proposals of the Joint Committee were received long after the last Ekadasi festival at Srirangam was over. The tax could not therefore be levied during the last Ekadasi festival. It is not correct to say that it was suspended. It cannot be levied without the sanction of the Local Government and the Government of India, and such sanction has not been accorded yet, for the reasons mentioned above. The matter is under correspondence.

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The Coimbatore Agricultural College.

104 Q.—Mr. A. P. I. SAIVID IBRAHIM RAVUTTAR: Will the hon. the Minister for Development be pleased to state—

- (1) whether it is a fact that, in the Agricultural College and Research Institute, Coimbatore, 75 per cent of the low-paid subordinates, especially a majority of non-Brahmans, have been ordered to vacate their quarters; and
- (2) if the answer is in the affirmative, the reason why their services were all on a sudden dispensed with?

A.—Owing to the increase in the number of sections at the Agricultural College and Research Institute, and owing to the inadequacy of the existing quarters on the college estate a reallocation of quarters was made, at which only those officers whose residence on the estate was considered absolutely necessary, were quartered on the estate, and the rest were required to find accommodation for themselves in the town. These will be provided for on the estate as soon as the subordinates' quarters now under construction are completed. The services of no officer were dispensed with.

Dr. Slater's report on the death-rate at Kumbakonam.

105 Q.—Mr. A. P. I. SAIVID IBRAHIM RAVUTTAR: Will the hon. the Minister for Local-Self Government be pleased to lay on the table the full text of the report submitted by Dr. Gilbert Slater who was deputed by the Government to ascertain the reason for the large death-rate at Kumbakonam?

A.—The report is laid on the table.

Lighting of the Trichinopoly Fort railway station.

106 Q.—Mr. A. P. I. SAIVID IBRAHIM RAVUTTAR: Will the hon. the Home Member be pleased to state—

- (a) whether the Government are aware that the Trichinopoly Fort railway station (South Indian Railway) is the only nearest railway station for the innumerable pilgrims and passengers visiting Srirangam and Tiruvanaikaval;
- (b) if it is a fact that only one incandescent light is suspended in the centre of the Trichinopoly Fort railway station platform with a few flickering kerosene lamps to light the whole length of it measuring about two furlongs;
- (c) if it is also a fact that in the approaches to the aforesaid railway station, there is only one incandescent light whose benefit is totally obscured by the shadow of the recently put up Hindu restaurant and by the thickness of the grown-up trees, leaving the adjoining cart-stand in entire darkness;
- (d) whether the Government cannot direct the South Indian Railway Company—

- (1) to provide two more incandescent lights, one at each extremity of the aforesaid platform;
- (2) to place a second incandescent lamp at the aforesaid cart-stand to dispel the darkness and avoid robbery likely to occur in the present pitch-dark condition; and

* Vide Appendix IV on page 50 infra.

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(e) whether the Government cannot direct the South Indian Railway Company to make special arrangements for opening a Muhammadan restaurant at the Trichinopoly Fort railway station for the convenience of the Muhammadan passengers?

A.—(a) Yes.

(b), (c) & (d) The Government are informed that there is a high power light on the platform and another in the third-class waiting shed. The Railway authorities now propose to provide a second light on the platform. It is also proposed to provide another light on the approach road.

(e) It is reported that a Muhammadan refreshment room is not necessary at Trichinopoly Fort as there is one at Trichinopoly Junction.

Manufacture of paper pulp from bamboos.

107 Q.—Mr. A. P. I. SAIVID IBRAHIM RAVUTTAR: Will the hon. the Home Member be pleased to state—

- (a) whether the Government have sold the cutting of bamboos in Kolli-malai hills, 35 miles from Trichinopoly, for 1922-23;
- (b) the amount thus realized in the recent sale; and
- (c) whether any attempt is made to manufacture paper pulp from bamboos?

A.—(a) Yes. The distance of the coupes from Trichinopoly varies from 50 to 70 miles.

(b) Rs. 3,430.

(c) Not so far as the Government are aware.

Government Girls School, Kurnool.

108 Q.—Mr. A. P. I. SAIVID IBRAHIM RAVUTTAR: Will the hon. the Minister for Education be pleased to state—

- (a) the number of girls receiving instruction in the Government Girls School, Kurnool;
- (b) whether it is a fact that the present headmistress of the school is not well conversant with Telugu, the language of the district;
- (c) the reason why the fees have been doubled;
- (d) the reason why the teaching of music has been discontinued; and
- (e) whether the Government propose to close the school in the near future?

A.—(a) Eighty-four.

(b) The headmistress speaks Telugu.

(c) The rates of fees were increased when the school was transformed from elementary to secondary.

(d) The appointment of a teacher of music for the school was not supported for reasons of finance.

(e) The answer is in the negative.

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District Court Sarishtadars in the Presidency.

109 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Law Member be pleased to place on the table a statement containing—

- (1) the names of the Sarishtadars in each district court;
- (2) the stations to which they are posted; and
- (3) the number of years they have remained in each of the stations as Sarishtadars?

A.—The Government have no information.

The Sericultural expert in Kollegal taluk, Coimbatore district.

110 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Minister for Development be pleased to state what appreciable benefits have accrued under the following heads to the rearers of silk worm in Kollegal taluk by appointing a special sericultural expert in the place of a subordinate officer under the following heads:—

- (1) the cheap supply and the superior quality of healthy eggs free from disease;
- (2) increase in the quantity distributed to the rearers;
- (3) the creation of a farm or farms;
- (4) the defects pointed out to the villagers;
- (5) the latest approved methods adopted in each village; and
- (6) the net income of each costly method including the method recommended by the department?

A.—(1) No cheap supply of uniformly healthy eggs free from disease is ever possible. The supply of Government seed is superior to the supply generally made by the village rearers of Mysore province because Government seed is examined and guaranteed; moreover, the Government seed is given on two months' credit, and if the crop is a failure due to reasonable causes, the cost of seed is not recovered. The seed and seed cocoons supplied from the Coonoor silk farm has been a great success. Owing to the superior quality of the cocoons the outturn has been one maund more than the average crop for every 1,000 seed cocoons and the price realised for green cocoons was also more by Rs. 2 per maund.

(2) Distribution of increased quantity of seed will be possible only when the farm in Kollegal taluk now under consideration is opened.

(3) A small farm with two acres of mulberry has been opened at Coonoor. Sericultural operations have been started at Hudem village, Kudligi taluk, Bellary district. Mulberry to the extent of two acres has been successively planted and four small rearings of worms have also been successfully raised. Mulberry to the extent of 35 acres will be planted in the near future.

(4) The chief defects pointed out to the villagers are:—

- (i) Housing of worms in badly ventilated rooms.
- (ii) Keeping worms in an over-crowded state.
- (iii) Bad handling of worms in cleaning.
- (iv) Unsystematic feeding of worms on leaves according to stages.

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- (v) Better handling of worms all round.
 - (vi) Sanitary treatment of trays and other rearing implements.
 - (vii) Bad methods of pruning mulberry bushes.
 - (viii) Defects in reeling raw silk wherein thread of an even quality is never secured.
 - (ix) Bad handling of waste silk.
 - (x) Wastage of silkworm refuse.
- (5) By adopting the advice of the department the loss of the crop has been greatly minimised; the slight improvements made in silk waste alone have brought an additional income of a lakh of rupees to the silk reelers of Kollegal taluk.
- (6) The methods preached by the department have never been costly. Improved scientific methods largely practised in Japan and France have been simplified to suit local conditions and demonstrated as such with very little additional cost to the rearers. Practical demonstrations carried out in the villages under the directions of the department and with very little additional cost gave 30 per cent more cocoons and of superior quality. The area under mulberry cultivation in Kollegal taluk is now 11,100 acres. The Government are advised that the gross yield in silk of an acre of mulberry may be valued at Rs. 284½ a year and on this basis it has been estimated that raw silk to the value of not less than Rs. 32½ lakhs is produced in the Kollegal taluk.

Appointment of Indians as Sanitary Engineers in the Presidency.

111 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) the number of posts filled by Indians as Sanitary Engineers in the Madras Presidency;
- (b) if the answer is nil, the reason why Indians are not appointed to that post; and
- (c) whether Indians with high attainments are debarred from entering the post?

A.—(a) The post of Sanitary Engineer is filled in and held by a European. There is only one post of Sanitary Engineer.

(b) Indians will be employed when occasion arises.

(c) There are no restrictions on the employment of Indians to the post.

Repair of the Karlapakam village tank, Saidapet taluk.

112 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether any active steps have been taken since 1912 to repair a tank—the only means of storing water for irrigation purpose—in the Karlapakam village, Saidapet taluk;

(b) the reason why the order of the Collector (Chingleput) has not been enforced upon the shrotriyamdar of Karlapakam village for the last ten years; and

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(c) whether the petition presented by the villagers of Karlapakam has been finally disposed of; if so, when and with what result?

A.—Government have no information.

Export of raw silk from the Madras Presidency.

113 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Minister for Development be pleased to state whether Madras is exporting large quantities of raw silk to other provinces of India and to foreign countries; if so, to what extent and to what countries and provinces?

A.—The hon. Member is referred to the Review and Returns of the Rail-borne Trade of the Madras Presidency and the Annual Statement of the Sea-borne Trade and Navigation of the Madras Presidency which contain the required information.

Communal representation in the Madras Educational Service.

114 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Minister for Education be pleased to state under the following heads, the selections that are made for the Madras Educational Service:—

- (1) the number of persons selected;
- (2) the number of non-Brahmans including Muhammadans;
- (3) the number of persons selected from the backward communities;
- (4) if there had been any application from Mr. J. Venkatachalapathi, B.A., L.T., Trichinopoly, a qualified member of the backward Sourashtra community having merits and long experience in the field of education; and
- (5) if so, why he has not been selected?

A.—The question gives no indication of the period for which the return is desired. Communal figures will be found in due course in the returns prescribed in G.O. No. 858, Public, dated the 15th August 1922.

Admission of Muhammadan students into the Medical College.

115 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Minister for Local Self-Government be pleased to state—

- (1) the number of S.S.L.C. Muhammadan students recently selected for the Medical College, Madras;
- (2) whether it is a fact that the Government have been compelling the Surgeon-General to select the unpassed S.S.L.C. candidates to fill up the vacant seats;
- (3) the reason why the stipendiary system has been stopped in the Medical College; and
- (4) the reason why the intermediates and graduates are not admitted into the Medical College, Madras, when the S.S.L.C. students are not available?

A.—(1), (2) & (4) No student who has not passed the Intermediate Examination in Arts in the Madras University or an examination equivalent thereto is eligible for admission into the Medical College, Madras.

(3) No stipendiary system was in force in the Medical College.

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Appointment of veterinary graduates.

116 Q.—Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR: Will the hon. the Minister for Development be pleased to state—

- (1) the number of veterinary graduates who have completed their course last March; and
- (2) whether they have been entertained in the service?

A.—Out of twenty students who graduated from the Veterinary College in 1922, ten have been provided with appointments in the Civil Veterinary Department.

Agricultural farm in Marutukudi village, Kumbakonam taluk.

117 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Minister for Development and the hon. the Member for Revenue be pleased to state—

(a) whether any petition has been received by the Government from the mirasidars of the Marutukudi village, Kumbakonam taluk, praying for the relinquishment of the acquisition proceedings started for the purpose of opening an experimental agricultural farm against the wishes of the villagers;

(b) if so, why coercive proceedings under the Land Acquisition Act should be resorted to in this village unlike Manganallur village which has already a farm for the last ten years; and

(c) what action has been taken on the above petition?

A.—(a) Yes.

(b) & (c) The land on which the Manganallur station was situated was leased for the second time in 1919 for a period of three years, the lessor agreeing to the extension on the express condition that the land should not be acquired after the expiry of the lease; the lease expired in March 1922; the Government having been advised by their expert officers that the lands in Marutukudi village, Kumbakonam taluk of the Tanjore district, were the best suited for the opening of a paddy sub-station and private negotiations for the purchase of those lands having failed, action had to be taken under the Land Acquisition Act. The petition from the ryots was considered by Government in consultation with the Standing Advisory Committee on Agriculture and Co-operation and dismissed with its concurrence.

The Madras Irrigation Panchayat Bill.

118 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Law Member be pleased to state—

- (1) why the "Madras Irrigation Panchayat Bill" has not yet been considered;
- (2) whether the Government have any idea of enacting the Bill in the near future; and
- (3) if so, when the Bill will be taken up for discussion and enactment?

A.—Provisions regarding the constitution and working of irrigation panchayats have been embodied in the draft Irrigation Bill. It cannot now be definitely stated when the Irrigation Bill will be introduced in the Legislative Council.

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'Kumaki' privileges in the South Kanara district.

119 Q.—Mr. P. SIVA RAO: Will the hon. the Member for Revenue be pleased to state—

(1) what the general principles are on which the Government recognize 'kumaki' privileges in respect of 'warg' or 'patta' land in the South Kanara district;

(2) whether the Government propose to call upon the Board of Revenue to delete the sub-paragraph (4) of paragraph 9 of Standing Order 15 of the Board of Revenue and the note thereunder which contemplate a denial of 'kumaki' privileges to 'warg' or 'patta' lands; and

(3) whether the Government cannot assign waste lands as 'kumaki' to 'warg' or 'patta' lands lying within town limits whether the said waste lands lie outside or inside these limits?

A.—The attention of the hon. Member is invited to the answer to question No. 78.

Election of taluk board presidents.

120 Q.—Mr. P. SIVA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) how many of the newly constituted taluk boards in the Presidency have been granted the privilege of electing their own presidents, and how many have been refused it, and for what reasons;

(2) whether the Government propose to publish all the papers relating to the subject; and

(3) if it is a fact that four out of five taluk boards in the Bellary district have been refused the privilege of electing their presidents, on whose recommendation this was done and whether the Government will be pleased to lay the connected papers on the table?

A.—(1) Under section 12 (2) of the Madras Local Boards Act, 1920, the Government have reserved to themselves power to appoint presidents in the case of 12 out of the 123 taluk boards in the presidency.

(2) The answer is in the negative.

(3) All the taluk boards in the Bellary district have since been allowed to elect their presidents.

Election of district board presidents.

121 Q.—Mr. P. SIVA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government propose to extend to all district boards the privilege of electing their presidents as vacancies occur in future; and

(b) what their policy is in respect of this matter?

A.—(a) The Government have no such intention at present.

(b) The Government will consider the case of each district board on its merits as occasion arises.

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Retrenchment in the Public Works Department.

122 Q.—Mr. P. SIVA RAO: Will the hon. the Minister for Education be pleased to state—

(i) whether, in giving effect to the retrenchment proposals in the Public Works Department, any temporary upper and lower subordinates have been given notice to vacate their posts by the 1st of April 1922;

(ii) if so, how many and what service they have put in; and what caste or community they belong to; and

(iii) if it is a fact that all those served with notice are Brahmans, some of whom have put in six or seven years of service, while no non-Brahmans have been served with such notice though they have had shorter service?

A.—(i) Yes.

(ii) The following statement gives the information required:—

	Temporary upper subordinates.			Temporary lower subordinates.		
	Number of Brahmans.	Number of non-Brahmans.	Total.	Number of Brahmans.	Number of non-Brahmans.	Total.
Less than 1 year's service	4	1	5	18	7	25
Between 1 to 2 years' service.	50	8	58	17	7	24
Do. 2 to 3 do.	8	1	9	7	2	9
Do. 3 to 5 do.	7	..	7	12	10	22
Do. 5 to 8 do.	8	1	9	2	4	6
Do. 8 to 11 do.	..	..	..	2	..	2
Do. 11 to 14 do.	..	..	..	..	1	1
Do. 14 to 18 do.	1	..	1	..	..	..
Total ..	78	11	89	58	31	89

(iii) The answer to this is contained in the answer to (ii) above.

Removal of grass from forest reserves in Kurnool district.

123 Q.—Mr. T. SIVASANKARAY PILLAI: Will the hon. the Home Member be pleased to state—

(i) if the ryots of the Markapur subdivision of the Kurnool district applied to remove grass from the Forest reserves on permits about the month of March 1921;

(ii) if it is a fact that the Collector of the district supported the grant of such permission;

(iii) if the Forest department refused to allow the removal of the grass and set fire to the whole of it;

(iv) whether there was not water scarcity during the time in the said subdivision;

(v) what were the reasons which led the department to destroy the grass rather than let it be removed by the ryots for use as cattle fodder; and

(vi) what are the other areas in Kurnool district where grass reserved forests were set fire to under similar conditions?

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- 4.—(i) No.
 (ii) It is not necessary for the Collector to support any such grant. He has himself authority to order it, and in this instance he had already granted permission for the free removal of grass.
 (iii) No.
 (iv) Yes.
 (v) The grass was not destroyed so as to prevent the ryots from removing it. Light burning of grass is done by the Forest department early in the season, i.e., from December to March in parts of the reserves. The object of this is to render fires later in the season, when the grass is completely dry, more easily controllable. Unless this is done, the fires spread over the whole forest and cause enormous damage.
 (vi) A greater part of the Nallamalais.

Punishment for wearing Gandhi caps.

- 124 Q.—Mr. T. SIVASANKARAN PILLAI: Will the hon. the Law Member be pleased to state—
 (a) whether Malpuri Narasimham, Gollapudi Srirama Sastri, and Prayaga Viswanatham of the Gōdāvari district were sentenced to 10 days' simple imprisonment each for wearing Gandhi caps; and
 (b) in brief the circumstances under which and the offence for which they were so punished?

A.—The passage in the newspaper *Svarajya* from which the hon. Member has apparently quoted refers to the Guntur district. Four persons who appeared before the District Magistrate in head dresses which he considered to have been put on for the purpose of insulting his court were sentenced to fines under section 228, Indian Penal Code. The Government have no information as to whether they were imprisoned in default of payment of their fines.

Appointment of Honorary Magistrates in Coimbatore.

- 125 Q.—Mr. W. P. A. SOUNDARAPANDIA NADAR: Will the hon. the Law Member be pleased to state, with reference to the answer given to question No. 885 on the 15th October 1921 regarding the appointment of Mr. T. R. Ramaswami Ayyangar as an Honorary Magistrate of Coimbatore, whether Government have inquired into the matter, and, if so, what is the result of the inquiry?

A.—The Government have inquired into the matter. They do not propose to take any action.

Auditors of accounts.

- 126 Q.—Mr. W. P. A. SOUNDARAPANDIA NADAR: Will the hon. the Law Member be pleased to state—
 (a) the number of certificate holders authorized by the Government of Madras to audit accounts, their nationality, educational qualifications or technical examinations passed by them;
 (b) whether the number is sufficient to meet the present demands;

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- (c) whether the qualifications for the grant of certificates notified in the year 1918 have been relaxed in any case; if so, why; and
 (d) how many persons were refused renewal of certificates in 1921 and in previous years; what was the chief reason for so doing?

4.—(a) The total number of certificate holders is 34. Of these, 26 are Hindus, 5 Europeans, 2 Indian Christians and 1 Anglo-Indian.

Educational qualifications.—The majority of the auditors are graduates or have passed the First Examination in Arts, or the Matriculation or Middle School examination, while a few have not passed any recognized public examination.

Technical examinations passed.—Six are holders of the Government Diploma in Accountancy; five are Diplomates of Commerce (Madras); eight have passed one or more of the Madras Government technical examinations; eight others are members of certain institutes; while the rest have no special technical examination qualifications.

- (b) The Government have not received any complaints as to the inadequacy of certified auditors.
 (c) As the rules published in 1914 for the grant of auditors' certificates have been replaced by the new rules, published with notification No. 715, dated the 4th August 1920, on pages 1005-06 of Part I of the *Port St. George Gazette*, dated the 10th August 1920, the question of the relaxation of the old rules does not now arise.
 (d) No applications for the renewal of certificate were refused during 1921. If the hon. Member will specify the year previous to 1921 for which he requires similar information, the information will be collected.

Civil debtors' jail in Cuddalore.

- 127 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Law Member be pleased to state—

- (1) whether it is a fact that in consequence of the recent abolition of the civil debtors' jail in Cuddalore, the debtors are obliged to be taken to Madras which throw on the decree-holders the extra burden of paying for the journey of the debtor to Madras and his escort to and fro besides increased monthly subsistence allowance to the debtor; and
 (2) whether it is intended to re-establish the civil debtors' jail in Cuddalore?

- 4.—(1) Yes.
 (2) Yes, as soon as circumstances permit.

The Madras Jail Manual.

- 128 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Home Member be pleased to state—

- (1) whether it is a fact that suggestions have been made to the Inspector-General of Prisons by some non-official visitors of the district jails (a) to replace the aloes or coir mat of the convicts by country mats of green fibre, (b) to give butter-milk to all the prisoners as a matter of course for being taken with their

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food, (c) to permit them to put on caste marks daily, (d) to supply sufficient quantity of writing materials (to such of them as want them for scriptory work, and (e) to furnish at least one copy of an English or vernacular daily or triweekly paper to the jail to keep them in touch with what is going on outside the prison;

(2) whether any and what orders have been passed by the Inspector-General of Prisons on the said suggestions; and

(3) whether the Government intend appointing a committee to revise the Madras Jail Manual to bring it into line with modern conditions?

A.—(1) (a) & (b) Yes.

(c), (d) & (e) No.

(2) (a) The proposal was disallowed on the ground of expense. Under-trials and simple imprisonment prisoners are, however, permitted to supply themselves with corah mats at their own expense.

(b) The matter is under consideration.

(3) Jail arrangements are undergoing considerable revision as the result of the Jail Committee's report. When orders have been passed on all the recommendations, the Jail Code will be revised. It is not proposed to appoint a committee for the purpose.

Mr. A. RANGANATHA MUDALIYAR:—"I wish to know whether the hon. Member Mr. R. Srinivasa Ayyangar has not made recommendations as pointed out in (c), (d) and (e)?"

The hon. Mr. A. R. KNAPP:—"I have nothing to add to the answer."

Mr. A. RANGANATHA MUDALIYAR:—"That would imply he has not made such recommendations. I understand he has done, Sir."

The treatment of patients in hospitals.

129 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state with reference to the sympathetic reply given to resolution No. 75 moved by Mr. A. T. Palmer, M.L.C., on 1st September 1921, for modifying the rules governing the treatment of patients in hospitals, whether the Government have issued any fresh order, and, if so, to lay it on the table?

A.—A copy of G.O. Mis. No. 1454, P.H., dated 1st November 1921, is placed on the table.

Communal representation in the South Arcot district board.

130 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

- (1) the number of nominated seats in the district board of South Arcot, and how many of them are non-Brahmans;
- (2) the number of members returned to the said district board by the taluk boards by means of election up to the 1st August 1922, and how many of them are non-Brahmans;
- (3) the taluk boards, if any, that have not returned a single Brahman to the said district board;

* Vide Appendix V on page 63 infra.

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(4) whether the members nominated to the said district board under Act XIV of 1920 come under the category of persons mentioned in section 9 (5) of the said Act; and

(5) whether there is a proposal to bifurcate the Tindivanam taluk board?

A.—(1) (a) Ten.

(b) One is a non-Brahman Hindu.

(2) (a) Twenty-two.

(b) Eighteen are non-Brahman Hindus.

(3) Chidambaram, Cuddalore and Tindivanam.

(4) The answer is in the affirmative.

(5) The Government have received no proposal to bifurcate the Tindivanam taluk board.

Mr. R. SRINIVASA AYYANGAR:—"The answer to (1) should state the number of nominated seats in the district board of South Arcot, and how many of them are non-Brahmans. But the answer is '10' as regards the first part. As regards the second part the answer is 'One is a non-Brahman Hindu'. I want a definite answer as to how many of the ten are non-Brahmans, no matter whether they are non-Brahman Hindus, Muhammadans or Christians."

The hon. the RAJA OF PANAGAL:—"I should like to have notice of the question."

Mr. R. SRINIVASA AYYANGAR:—"The question is already there, Sir."

The hon. the RAJA OF PANAGAL:—"The answer is there too."

Sub-assistant inspectors of schools.

131 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Education be pleased to state—

(1) whether it is a fact that the request of the officers in the cadre of sub-assistant inspector of schools for the immediate grant of a scale of pay of Rs. 150—300 has been refused owing to financial stringency;

(2) whether it is a fact that even the scale of pay of Rs. 100—250 approved by the Local Government and the Government of India in 1921 for these officers has not yet been given effect to; and

(3) whether it is a fact that the permission accorded in G.O. No. 793, Financial, dated 29th July 1921, to the officers in the last grade to draw the minimum pay of Rs. 100 in the new scale from 1st March 1921 has since been withdrawn, and if so the reasons therefor?

A.—(1) & (3) Yes; in view of the reorganization of the subordinate inspecting agency orders relating to which have recently been issued.

(2) Yes.

Admission into the Medical College.

132 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) the number of applications received for admission into the Medical College, Madras, and the number of students admitted particularising the community to which they belonged;

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Irrigation boards in delta areas.

138 Q.—Mr. P. VENKATASUBBA RAO: Will the hon. the Law Member be pleased to state whether irrigation boards are to be formed in delta areas; and, if so, what is their constitution and what are their functions?

A.—Yes. The board will consist of five leading and influential Indian landholders in each of the delta systems of the Godavari, Kistna and Cauvery. The functions of the board will be generally to make recommendations to the Executive Engineers of the divisions concerned on questions of policy or other important matters affecting the interests of the particular irrigation system as a whole.

Taluk boards by nomination in Guntur.

139 Q.—Mr. P. VENKATASUBBA RAO: Will the hon. the Minister for Local Self-Government be pleased to state whether any memorial from the president, district board, and the presidents of taluk boards of Guntur district has been submitted to the Government requesting that taluk boards be formed by nomination instead of by election?

A.—The answer is in the negative.

APPENDIX I.

[Vide answer to question No. 15 asked by Mr. A. D. M. Bavotti Sahib at the meeting of the Legislative Council held on the 12th September 1922, page 6 supra.]

District.	Name of Government Pleader and Public Prosecutor.	Age.	Qualifications.	Date of first appointment.	Caste.
Coimbatore ..	N. Ramaswami Ayyar.	59	B.A., B.L., High Court Vakil.	19th June 1920.	Brahmin.
Malabar, North.	Diwan Bahadur T. C. Narayana Kurup.	60	Do.	4th August 1902.	Non-Brahman.
Malabar, South.	A. V. Govinda Menon.	40	B.A., B.L.	14th September 1918.	Do.
South Kanara.	A. J. Lobo ..	Not known.	B.A., B.L.	1st June 1906.	Indian Christian.

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APPENDIX II.

[Vide answer to question No. 52 asked by Khan Sahib Munshi Muhammad Abdur Rahman Sahib at the meeting of the Legislative Council held on the 12th September 1922, page 16 supra.]

Years.	Absconded.	Arrested.	Returned.	Prosecuted.	Sentenced.
<i>Sitanagaram Settlement.</i>					
1919-20	M. 22, P. 16, CH. 12	M. 17, P. 10, CH. 6	M. 2, P. 3, CH. 4	M. 31, P. 9, CH. 1	M. 27, P. 6, CH. 1
1920-21	30 20 12	24 13 10	1 1 1	41 8 0	32 7 0
1921-22	30 6 2	17 4 2	3 1 0	42 15 0	24 8 0
<i>Reformatory Settlement, Guntur.</i>					
1919-20	15 5 2	11 2 2	1 0 0	12 2 0	12 2 0
1920-21	14 8 10	10 8 7		10 8 0	10 8 0
1921-22	18 10 6	7 3 3		7 3 0	7 3 0
<i>Stuaripuram Settlement.</i>					
1919-20	128 97 0	57 46 0	69 73 0	Figures not available.	41 26 0
1920-21	64 46 0	30 10 0	39 17 0		21 8 0
1921-22	89 19 0	17 8 0	10 11 0		17 8 0

APPENDIX III.

[Vide answer to question No. 80 asked by Rao Sahib U. Rama Rao at the meeting of the Legislative Council held on the 12th September 1922, page 25 supra.]

Total travelling allowance paid to the Members of the Madras Legislative Council, up to 26th August 1922 from the inauguration of the new Council.

Name of the Member of the Legislative Council.	Amount.	Remarks.
1. Abbas Ali Khan Bahadur	Rs. 3,378 15 0	Includes Rs. 400-3-0 travelling allowance for Finance Committee.
2. Saiyid Abdul Razaq Sahib	2,896 8 0	
3. Abdur Rahim Khan Sahib	1,410 8 0	
4. Munshi Muhammad Abdur Rahman Sahib.	2,503 8 0	Includes Rs. 10-0-0 as daily allowance on account of Select Committee meeting of the District Municipalities Amendment Bill.
5. K. Adinarayana Reddi ..	1,524 8 0	
6. Ahmad Miran Sahib Bahadur	2,502 10 0	
7. M. Appalarasayya ..	2,497 4 0	
Ankinedu Prasad Bahadur	1,263 12 0	
Moka V. Apparao Bahadur	1,342 8 0	
Appaswami Nayudu ..	2,687 14 0	
V. Appaswami Vaidayar	2,046 4 0	

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Name of the Member of the Legislative Council.	Amount.	Remarks.
12. S. Arpudaswami Udayar	Rs. A. P. 2,354 12 0	
13. C. Arunachala Mudaliyar	1,082 5 0	
14. T. Balaji Rao Nayudu	2,714 12 0	
15. A. D. M. Bavotti Sahib Bahadur	3,264 12 0	
16. Beary Sahib Abdur Quasim	512 8 0	
17. Sriman Biswanath Das	4,233 12 0	
18. Sriman Sasibhusana Rath	4,824 4 0	
19. K. Chakkukutti Nambiyar	1,427 12 0	
20. T. Desika Achariyar	1,530 10 0	
21. B. P. Devarajulu Nayudu	1,446 10 0	
22. S. Ellappa Chettiyar	1,466 4 0	
23. P. C. Ethirajulu Nayudu	2,578 8 0	
24. K. Gopalakrishnayya	2,381 0 0	
25. K. P. Gopala Menon	2,522 6 0	
26. K. A. Kandaswami Kandar	1,641 12 0	
27. P. Kesava Pillai	2,391 12 6	
28. R. T. Kesavulu Pillai	2,940 8 0	
29. K. K. Koya Sahib Bahadur	1,353 12 0	Includes (1) Rs. 152-12-0 travelling allowance for House Committee; (2) Rs. 142-12-0 travelling allowance and daily allowance for Select Committee meeting of Prince of Arcot Endowment Bill.
30. M. Krishnan Nayar	4,588 5 0	Includes (1) Rs. 10-0-0 daily allowance, Public Accounts Committee; (2) Rs. 1,009-7-0 travelling allowance for Finance Committee; (3) Rupees 947-0-0 travelling allowance on deputation to Delhi; (4) Rs. 10-0-0 daily allowance for Ramalinga Chettiyar's Amendment Bill Select Committee meeting; (5) Rs. 10-0-0 daily allowance for Survey and Boundaries Bill Select Committee meeting.
31. A. S. Krishna Rao Pantulu	1,554 0 0	Includes Rs. 202-12-0 travelling allowance for Public Accounts Committee.
32. J. Kuppaswami Garu	1,076 0 0	
33. Marakayar V. Hamid Sultan	1,762 14 0	
34. E. C. M. Mascarenhas	3,537 4 0	
35. B. Munuswami Nayudu	1,427 0 0	
36. S. Muthumanicka Achariyar	2,565 0 0	
37. A. T. Muthukumaraswami Chettiyar	1,478 0 0	
38. T. M. Narasimhaচারু Garu	1,865 4 0	
39. C. V. S. Narasimharaju Garu	3,935 14 0	
40. M. Narayanaswami Reddi	1,074 4 0	
41. Nawas Khan Sahib Bahadur Quadir	129 8 0	
42. Padsha Sahib Bahadur Saiyid Muhammad	2,911 0 0	Includes (1) Rs. 20 as daily allowance for Select Committee meeting on Indian Stamp Act; (2) Rs. 171-4-0 as travelling and daily allowance for Select Committee meeting on Prince of Arcot Endowment Bill.
43. A. T. Palmer	3,097 4 0	Includes Rs. 278-8-0 travelling allowance, Public Accounts Committee.
44. A. Parasuramdoos Patro	1,632 8 0	
45. E. Periyaswami	263 8 0	
46. C. Ponnuswami Nayudu	1,557 1 0	
47. K. Prabhakaran Tampar	2,914 8 0	
48. V. P. Pakkiriswami Pillai	1,388 12 0	
49. Sri Srinivas Rajamani Raja Deo	2,491 0 0	
50. Raja of Ramnad	2,635 11 0	Includes Rs. 452 travelling allowance for Finance Committee and Rs. 40 as daily allowance for meeting of the Salaries Committee.
51. K. V. Ramachari	2,443 0 0	

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Name of the Member of the Legislative Council.	Amount.	Remarks.
52. M. Ramachandra Rao Pantulu	Rs. A. P. 2,332 0 0	Includes Rs. 20 as daily allowance for Select Committee meeting on Court-fees and Stamps.
53. T. A. Ramalinga Chettiyar	3,610 8 0	Includes Rs. 759-8-0 travelling allowance for Finance Committee.
54. M. C. Raja	443 12 0	
55. O. B. Rama Rao	762 8 0	
56. A. Ramayya Punja	8,476 8 0	Includes Rs. 136-4-0 travelling allowance for Public Accounts Committee.
57. A. Ranganatham Mudaliyar	2,902 12 0	
58. J. A. Richardson	2,058 16 0	
59. P. T. Rajan	3,019 6 0	
60. C. K. Reddi	402 12 0	
61. K. Sadasiva Bhat	2,666 4 0	
62. Saiyid Ibrahim Ravuttar	1,966 11 0	
63. K. Sarabha Reddi	3,100 8 0	
64. D. Seshagiri Rao Pantulu	1,744 8 0	
65. M. R. Seturathnam Ayyar	2,139 2 0	Includes Rs. 124-12-0 travelling allowance for Public Accounts Committee.
66. R. K. Shanmukham Chettiyar	2,192 0 0	Includes Rs. 10 as daily allowance for Survey and Boundaries Bill Select Committee meeting.
67. S. T. Shanmukham Pillai	2,916 4 0	
68. K. Sitarama Reddi	385 12 0	
69. P. Siva Rao Garu	2,355 12 0	
70. T. Sivasankaram Pillai	2,501 8 0	
71. N. A. V. Somasundaram Pillai	2,990 8 0	
72. T. Somasundaram Mudaliyar	1,499 10 0	
73. W. P. A. Soundara Pandia Nadar	2,900 9 0	
74. R. Srinivasa Ayyangar	1,637 0 0	Includes (1) Rs. 703-8-0 travelling allowance for Finance Committee; (2) Rs. 944-4-0 travelling allowance for deputation to Delhi.
75. T. C. Srinivasa Ayyangar	3,957 12 0	
76. A. Subbarayudu	3,125 4 0	
77. P. Subbarayan	147 7 0	
78. M. Suryanarayana	3,261 8 0	
79. K. Suryanarayana Murthi Nayudu	2,618 4 0	
80. A. Tangavelu Nayar	881 0 0	Includes Rs. 10, daily allowance, Public Accounts Committee.
81. T. C. Tangavelu Pillai	2,424 6 0	Travelling allowance for deputation to Delhi.
82. O. Tanikachala Chettiyar	784 6 0	
83. G. Vandanam	1,923 4 0	
84. V. C. Vellingiri Kavandar	2,908 0 0	
85. K. C. Venkateshala Reddiyar	155 12 0	
86. K. B. Venkatarama Ayyar	413 8 0	
87. C. V. Venkataramana Ayyangar	2,788 12 0	
88. C. Venkata Ranga Reddi	2,350 8 0	
89. P. Venkatarangayya	2,327 0 0	
90. R. Venkataratnam Nayudu	3,107 8 0	Includes Rs. 70 as daily allowance for meeting of Salaries Committee.
91. P. Venkatasubba Rao	2,182 4 0	
92. W. Vijayaraghava Mudaliyar	1,309 4 0	

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APPENDIX IV.

[Vide answer to question No. 105 asked by Mr. A. P. I. Saiyid Ibrahim Ravuttar at the meeting of the Legislative Council held on the 12th September 1922, page 82 supra.]

Copy of letter from the Professor of Indian Economics, Old College, Nungambakam, to the Secretary to Government, Local and Municipal Department, dated Madras, October 1917.

In accordance with the request of Government I have visited Kumbakōnam, and made enquiries into the vital statistics of the municipality. I arrived on Sunday, 16th September 1917, and left on Friday, 28th September 1917. I had the assistance of my clerk, Mr. V. L. Subba Rao and of Mr. Vaidyanathan, B.A., a Research Student of the University of Madras.

PREVIOUS HISTORY OF THE QUESTION.

Adverse comment on the registration of births and deaths in Kumbakōnam on the part of Government is not new. The order of 8th November 1890 (No. 1661, Mis., Local and Municipal) remarks:—

"The registration of births was again grossly neglected, the number recorded having been but 24.7 per mille of the population against 27.1 per mille in 1888-89, and a normal rate of 42.48 per mille for the Presidency, while, as in many previous years, the registered deaths exceeded the registered births."

Similar comments occur year after year with scarcely any intermission. The belief is annually expressed that the registration is not only incomplete, but exceptionally incomplete. The attitude of the municipality in the face of these comments shows the following changes. At first they are received in silence. Later, replies are made. In 1898, 1899 and 1900 the Chairman's reports dwelt upon the care taken to make the registration accurate; in 1901 he begged for suggestions for securing greater accuracy; in 1903-04 there were 146 prosecutions for neglect to register, in 1904-05, 345. On 1st September 1905 the Council was superseded, and Mr. O. Reilly put in charge as Special Officer; and in the three following years the reconstituted Council had Messrs. Graham, Jackson and Moscardi of the Indian Civil Service as Chairman. Proclamation of the rules for registration was made monthly by tom-tom. The birth-rates reported for these three years were 29.0, 28.61 and 29.7, much the same, that is, as those of earlier and later periods; the birth-rates correctly calculated from the recorded births being 27.74, 27.14 and 28.01. In the subsequent period the Council has again had non-official Chairman. In 1912, on the instructions of Mr. R. B. Wood, Collector for the Tanjore district, the Councillors tested the accuracy of the statistics by a house-to-house enquiry in No. 2 ward. In this way the Councillors ascertained the occurrence of 241 births and 214 deaths in that ward, but failed to detect a single birth or death which had not been recorded.

A similar inquiry which the Collector ordered every Revenue Inspector throughout the Tanjore district to make led to the result that the recorded birth-rate for the district could only be corrected from 26.14 per mille to 26.74 per mille. The Collector also notes that in Karikal, also in the Tanjore delta, the birth-rate is recorded as 27.7 per mille. He notes that—

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(a) the birth-rate from July to December is far higher than from January to June, the greatest number of conceptions occurring in the cold months of November to January, and the fewest in the hot months May to July,

(b) in Tanjore villages where the birth-rate is high, either the village has a large dry area, or it has a large Muhammadan population,

(c) there is a considerable emigration of comparatively young men, often taking their wives and children with them, from the district.

His conclusions were—

(a) "the registration of vital statistics cannot be considered defective";

(b) "if Government considers any inquiries are necessary they should be directed towards ascertaining the reasons for the low birth-rate." (D. Dis. No. 5515, Revenue of 1915.)

Mr. Wood also, in a communication attached to the Kumbakōnam Administration Report, dated 30th June 1916, writes as follows:—

"There are many causes all operating together in the Tanjore delta municipalities, and especially in Kumbakōnam, tending to reduce the birth-rate, viz., the large proportion of Brahmans, who do not have big families; the larger proportion of child widows always found among a Brahman population; the habit of girls going to their mothers' houses for their first, and often for subsequent, deliveries (and more girls marry into the town from the country than *vice versa*); the richness and age of civilization found here; the large numbers of old people who come to spend the evening of their days in Kumbakōnam, and finally the relaxing and enervating effects of the damp climate and low position of the land. If each of these causes is allowed an average effect of 2 per mille, we get a fall of 12 below the expected normal birth-rate, but it is probable that the combined effect is even more serious than this."

SCOPE OF THE PRESENT INQUIRY.

The above being the outline of the history of the previous discussion, my inquiry has in consequence been directed to the following questions:—

1. Are the recorded birth and death-rates for Kumbakōnam approximately correct?

2. If not, do they deviate further from accuracy than those for the Presidency as a whole?

3. If these are not exceptionally inaccurate (since in that case the birth-rate in Kumbakōnam must be exceptionally low), what is the cause of the low birth-rate?

4. Does the investigation into question 3 indicate the existence of any serious preventible sanitary evils?

It is convenient to take questions 1 and 2 together.

1. *The actual and relative accuracy of the recorded Kumbakōnam birth and death-rates.*

(i) *The birth and death-rates are not correctly calculated from the recorded births and deaths.*

The practice followed in Kumbakōnam, and I believe generally in India, in calculating birth and death-rates is to assume that the population has

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Now, whereas Tanjore has a net loss of children by migration, Kumbakonam can be proved to have a net gain. Therefore all, and more than all this proportion of 206 children per thousand born, is available to represent the children registered in the decade, but dying before the Census. It is clear therefore, not only that

(a) *Registration of births in Kumbakonam is far more complete than in Tanjore district as a whole, and beyond comparison than in the whole Presidency, but*

(b) *Registration of births in Kumbakonam is not far short of perfect accuracy.*

(iii) Turning from a *priori* argument to the tests that have been applied, reference has already been made to the enquiry of 1912. Ward No. 2 was selected for the application of the test, and municipal councillors and a few available officials divided it among themselves and made a house-house canvass, noting down what births and deaths had occurred in each house during the previous year, whether male or female, and the month of the occurrence. These notes were then compared with the registration, and only two discrepancies were found, and in each case on further examination the error was found to lie in the councillor's information, and not in the register.

There are two possible defects in this test—(a) Parents who had failed to register, knowing that they are liable to prosecution for such failure, might falsely deny to the councillor visiting the occurrence of the birth or death although assurances were given that on that occasion no penalties would follow. (b) The unregistered birth might be that of a child whose mother had visited the town from outside for delivery, and who left again. It is also conceivable, but I do not suggest the possibility, that (c) the comparison of results was not honestly made. Nevertheless, if there had been any appreciable number of unregistered births and deaths, it is hardly possible that not one of them should have been detected.

I was unable to think of any better test that could be applied, and therefore arranged for Mr. Subba Rao and Mr. Vaidyanathan to conduct a similar enquiry in the non-Brahman portions of Ward No. 1 and in a part of Ward No. 7 where it was suggested to me by a resident unconnected with the municipality that omissions to register would, if anywhere, be most probably discovered. I further directed them that they should themselves make the comparison with the registers. They found considerable difficulty in carrying out this enquiry particularly in the last-named district. The people there seem to rejoice in *aliases*, so that it was, in some cases impossible to ascertain whether a particular child has been registered or not, the name of the father given to them on enquiry at the house being different from the name on the register.

They were, however, able to assure me that even the poorest and most ignorant sections of the population are thoroughly aware of the obligation to register, and that penalties follow if they fail to do so.

I have further discussed this question of accuracy of registration with various residents. It has been pointed out to me that it is a local custom very strictly observed, to hang up margosa leaves in front of a house either for a birth or for a case of smallpox and that this makes the discovery of births easy at the time they occur. I attribute special importance to the

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opinion of Mr. J. W. Wright, who was for 17 years the Medical Officer in charge of the Municipal Hospital, and who is still practising in the town. He is of opinion that there is reason to apprehend inaccuracy in the registration of causes of death, particularly in the early stages of an epidemic, owing to the special measures which are in theory enforced, but which in practice often take the form of "a peon carrying a bottle and going to sleep with it on a verandah". On the other hand, the mere fact of death can hardly escape registration as all the burial grounds are in charge of watchmen, to whom the burial parties must deliver papers. He holds that if any births escape registration, the unregistered births are among the offspring of mothers who come to Kumbakonam for delivery, and that they must be inappreciable in numbers.

It is obvious that as there is considerable danger of these infants dying as well as being born in Kumbakonam, and as the birth in that case would be detected, and a penalty for failure to register be inflicted, there is even in this class of births an effective reason for registering. The crucial fact is that the people know they have to be careful in the matter.

This relatively high standard of registration in Kumbakonam is of fairly long standing.

Births recorded between April 1, 1891, and March 31, 1901, were	17,331
Children aged 0-10, Census 1901	13,673
Difference	3,658

or 211 per thousand registered births.

The difference between this figure and 206 per thousand for the comparison between registered births in the following decade with the Census of 1911, can fairly be attributed to a slight decline in infant and child mortality, and this is in accordance with the registration of deaths, which shows an average death-rate for 1891-1901 of 32.42, and for 1901-11 of 29.72.

Not only, therefore, do I endorse the opinion expressed by Mr. J. P. Bedford, when Acting Collector in 1907, that "the attention paid to vital statistics is far above the average", and that expressed by Mr. A. F. G. Moscardi, Chairman of the municipality in 1908, that "no such number of births as would appreciably modify the result can have escaped registration", and the similar opinions repeatedly expressed by Mr. R. B. Wood, but, further, I can unhesitatingly declare that the true difference between the birth and death-rates of Kumbakonam and those of the Presidency as a whole is understated in the published figures.

THE CAUSES OF THE LOW BIRTH-RATE.

Six causes for the low birth-rate are enumerated by Mr. R. B. Wood—

- (a) the large proportion of Brahmans;
- (b) the larger proportion of child widows;
- (c) the custom of girls going to their mothers' houses for first and often for subsequent deliveries;
- (d) the richness and age of the local civilization;

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(e) a large proportion of old people who come to spend the evening of their days in Kumbakonam;

(f) the relaxing and enervating effects of the damp climate and low position.

Mr. Wood suggests allowing a reduction of births of 2 per mille of population in the average for each of these factors. Some of these factors are, however, capable of more exact statistical valuation. I take them in a different order.

(i) Age Distribution.

It no doubt is true that a certain number of Brahmans after retirement come to Kumbakonam to live, but I have no evidence before me that the same is true to any large extent among other castes. I have received the most varying estimates as to the number of these retired people. One official estimated them, with their families, at a population of 10,000. Another thought about one hundred households, and between two and three hundred individuals was about the right figure. I fancy the lower estimate is approximately correct, but it is quite unnecessary, for the purpose in hand, to make any special enquiry to settle this question. There are all sorts of factors affecting the age distribution, some favourably to a high birth-rate per thousand of population, and some unfavourably. We can estimate the net sum of all these factors, together with sex distribution, and condition as to marriage, by merely ascertaining what proportion the married women of child-bearing age bear to the total population.

Here we get the following surprising results:—

<i>Presidency—</i>	
Married women, aged 15-40	6,767,717
Total population	41,870,160
Percentage of married women of child-bearing age	16.14
<i>Tanjore district—</i>	
Married women, aged 15-40	401,914
Total population	2,362,689
Percentage of married women of child-bearing age	17.01
<i>Kumbakonam Municipality—</i>	
Married women, aged 15-40	11,225
Total population	64,647
Percentage of married women of child-bearing age	17.36

So far, therefore, from the net effect of the age-sex-marriage distribution factor helping to explain the low birth-rate, it only adds to what has to be explained. If 42.5 be the 'normal birth-rate', with an average proportion of married women, this is equivalent to a birth-rate of fractionally over 263 per thousand married women between 15 and 40. The corresponding rate for Kumbakonam is fractionally less than 163, i.e., under 62 per cent of the normal, whereas the birth-rate per thousand of population is over 66 per cent of the normal, average Kumbakonam birth-rate for last 10 years being 28.246 per mille.

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(ii) Religion and Caste.

Kumbakonam had in 1911 60,296 Hindus out of a total of 64,647, or 933 per thousand against 889 per thousand in the whole Presidency. It also has apparently an exceptionally large Brahman population, though I have not the figures relating to this. Further, the non-Brahman population is to an exceptional degree permeated with Brahma influence. Here, again, we can dispense with special inquiries into the various facts that makes up the religion-caste-marriage custom factor, because their net result is pretty accurately indicated by the proportion of young widows. Kumbakonam had 22 widows under 15 in 1911; but the more important fact is that out of a total female population between 15 and 40 of 13,926, there were 2,107 widows, or 15.0 per cent as compared with a percentage of 11.6 per cent for Tanjore district, and 11.8 per cent for the Presidency.

This high percentage of widows is not in itself a direct explanation of the low birth-rate. It is true that these widows cannot contribute to the total of legitimate births, and that they will generally avoid contributing to that of illegitimate births, but in this respect they are merely to be classed with those too old and too young to bear children; and the high proportion of widows must be taken as one of the factors that tend to reduce the proportion of married women of child-bearing age, and the net effect of all the factors of that order has been calculated above.

Nevertheless this high proportion of young widows throws a very clear light upon the general sociological conditions in Kumbakonam and its significance will be further considered below.

(iii) Delivery in the mother's house.

"More girls," says Mr. Wood, "marry into the town than *vice versa*" I think this statement can be proved.

Between 1891 and 1901 there were registered in Kumbakonam 17,331 births and 18,640 deaths, a net loss of population of 1,129. But the Census showed an increase of 5,366. Assuming (for reasons given above) that the figures are approximately accurate, there was in the decade a net gain of population by migration of 6,495. In the next decade we have—

Deaths	18,506
Births	17,810
Excess of deaths	696
Total gain in population	4,974
Net gain by migration	5,670

We thus have an average net gain of population of 649 per annum during 1891 to 1900, and of 567 per annum from 1901 to 1910, by excess of immigration over emigration.

Of the reality of this phenomenon there can be, I think, no doubt. Even at the present time, with her two chief industries weaving and metal work, very seriously depressed by the high prices of yarn, dyes and metals, and difficulties in some cases of obtaining these things at any price, Kumbakonam exercises a strong attraction upon the surrounding population. It is impossible, I am told repeatedly, to get a coolie for less than 8 annas per day, a rate much higher than in the surrounding district. Hence the total

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adds to the effectiveness of his prayers by taking artificial means of preventing conception is another question; and though I am told on good authority that the practice does exist in Kumbakōnam, I have not met anyone who thinks it is followed on sufficiently large a scale to affect the vital statistics appreciably.

(It should be noted that the high proportion of literacy is in itself a strong argument for the accuracy of the vital statistics.)

(b) *Prostitution*.—"The city abounds in temples and every temple has its *devadasis*." I have neither the time nor the inclination to make an exact statistical inquiry on this head, but it may be taken as a fact that the temples are exceptionally large, numerous, and wealthy, and that the number of *devadasis* is correspondingly large. These form, however, only one section of the whole body of prostitutes. One gentleman, who wrote to me on the subject, suggested that an approximately accurate return of the number of houses used for vice could be obtained by the help of the municipal collectors. I pass on the suggestion in case further inquiry in this direction is desired. The same writer proceeds to enumerate what are, in his opinion, the principal causes of the low birth-rate, as follows:—

(1) Prostitution, which prevails in Kumbakōnam on a far larger scale than in any other sister municipal city.

(2) Immorality among the public, specially among extremely high families and extremely poor families. Poverty often drives women to immorality. And attempting to conceal their immorality women resort to abortion of the conception in the womb, by means of secret indigenous drugs. The absence of widow remarriage largely accounts for a large proportion of immorality. Immorality among a certain section of the people is marked, and medical examination of the ladies of the particular caste will reveal that 95 per cent of them are the unhappy victims of venereal disease.

(3) *Venereal diseases*.—The hospital statistics will show that the major portion of the patients that go to the hospital suffer from diseases that affect the vital functions.

(4) The insanitary state of the city, which has no comparison in the world!!

Without pledging myself to the detailed statements of my correspondent, I have to report that the general truth of the picture it paints is confirmed by the best evidence available. Mr. Ishwara Ayya, the Medical Officer of the Kumbakōnam Municipal Hospital, has not been long enough in the town to speak with confidence. He, however, took me round the hospital, and it appeared that about half the admissions were due to severe complications of venereal diseases; and he explained that it is usual only in the case of venereal disease taking such exceptional forms that sufferers resort to the municipal hospital or dispensary. In all ordinary cases they resort to the Ayurvedic physicians, who are well practised in this department of medical science. Mr. J. W. Wright confirms these observations from his long experience. On the other hand one member of the hospital staff expressed the opinion that venereal disease is not more common in Kumbakōnam than in Burma, where he previously resided, and not much more common than in Tinnevely and Trichinopoly, which he also knows. As, however, he added that in Burma these diseases are more prevalent than anywhere else in the world, his statement scarcely conflicts with the other medical evidence. I have added as appendix the statistics of cases of disease treated by the

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Kumbakōnam hospital and dispensary for ten years which the medical officer considers likely to affect the birth-rate. The fact that in the two years 1915 and 1916, 1,559 cases of syphilis were treated, taken in conjunction with the fact that the proportion of such cases that come to the municipal institutions for treatment is extremely small, is significant.

(c) *Concubinage*.—I have already referred to the fact that wages are relatively high in Kumbakōnam. I am informed that a very large proportion of the men who earn Rs. 20 per mensem and upwards spend their surplus wealth on concubines. The consequence is that the legitimate wife has fewer children, and the concubines, when with child, resort to abortion, and 'for this purpose the Cauvery is very handy.' The fœtus is thrown into the river and though it may be discovered, its origin is not traced.

It is not possible for me to estimate the statistical importance of the factors of prostitution, concubinage and venereal disease as affecting the Kumbakōnam birth-rate relatively to that of the rest of the Presidency. Some light on this matter is thrown by the figures in the appendix, and that *devadasis* and widows are exceptionally numerous is beyond question.

(v) *Site and sanitation*.

Mr. Wood cites 'the relaxing and enervating effects of the damp climate and low position of the land.'

Kumbakōnam is built upon a swamp, made possible for habitation by the digging out of tanks and piling up the earth on the land around. The inhabited area is further surrounded and intersected by mere swamp converted into paddy fields, and much of it is below the flood level of the rivers Cauvery and Arasalar between which it lies. These unfavourable conditions are aggravated by the congested condition of the town, which mainly consists of narrow streets swarming with cattle, goats, poultry, dogs and human beings, unmetalled, with no system of drainage. The backyard area is largely taken up with cowsheds and stagnant pools of human and animal excrement. The tanks are generally filthy. Several irrigation channels and an open municipal drain traverse the town; the irrigation channels being used indifferently for washing clothes, the person, cooking utensils, the bedding of the healthy and the sick, as receptacles for sewage and as supplies of drinking water.

The municipal drain above mentioned was the result of a scheme which received sanction in 1890-91 at an estimated cost of Rs. 1,10,000. The work was let out to contract in that year, and handed over to the municipality in November 1894, but 'in an imperfect state.' It is still in an imperfect state. Here and there one sees concreted drains by the side of the road which in some cases end in the open sewer, and in some cases begin and end in the street, but the total length of such drains is very small. Some of the filth of the town is collected in small foul pits, and periodically removed, but I am informed that on the municipal estimate not less than 60 per cent soaks into the ground in the streets and backyards, just round the houses. Thus the accumulation of filth on the site is continually added to. Another drainage scheme, of a different character, is believed to be in process of realization.

The water-supply is partly from the irrigation channels above mentioned, partly from the rivers Cauvery and Arasalar, partly from numerous shallow wells, private and municipal, and partly from a deep well which provides a

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pure supply. The boring of this last was completed in 1912-13, and at the close of that year Mr. B. B. Wood, Collector estimated that its success indicated that Kumbakonam could secure a sufficient supply of excellent water for an outlay of 1 to 1½ lakhs of rupees. But on visiting it I found the pump was working only three hours a day, when it might very well be working twelve hours. However, I understand that a further extension of supply from this well and the sinking of a second one are works in hand.

As one indication of the character of sanitation in Kumbakonam Dr. Kuppuswami informs me that he estimates that half the population is afflicted with elephantiasis. Dr. J. W. Wright also declares that elephantiasis is increasing by leaps and bounds. Rao Bahadur N. Krishnaswami Ayyangar confirms these statements. He asked those who conducted the inquiries for the census of 1911 to make confidential inquiry as to the number of sufferers from this disease, and found that there was at least one case in almost every house.

I conclude that the sanitary state of Kumbakonam goes far to explain the low birth-rate, and that with the other factors which I have found to be actually operating in this direction, the explanation is complete and adequate.

REMEDIAL MEASURES.

In addition to the schemes for water-supply and drainage which I have referred to above, the Council has a Town Extension plan, to which it has secured the assent of Government. Out of the very small dry area within the municipal boundaries it is compulsorily purchasing a plot of 87 odd acres, known as 'the Odayar's Garden site', and proposes to divide this into 50 house sites, each 80 cents in area, the number to be ultimately increased to 67. The particular gentlemen, among whom are some Councillors, to whom sites have been allotted, will pay the bare cost, the Council having rejected, on what appear to me to be frivolous grounds, the proposal that the sites should be put up to auction. The site in question is a very beautiful one, resembling a sequestered Surrey Common, as nearly as any spot in South India can. The fortunate allottees are to be congratulated, but I do not see how the carrying out of this scheme can fail to be disastrous to the future of the city as a whole. Even supposing the 67 houses to be built on the site have an average of nine or ten inhabitants each, the number of people provided for will be only about equal to one year's normal increase of population. On the other hand the richest and most influential section of the population, escaping themselves from the congested and insanitary city, will probably lose a large portion of what zeal for its sanitary improvement they may have at present; and this site being taken up there will remain scarcely any more dry land available for improving the housing conditions of the mass of the people. I note that the few poor people at present living on the site are to be ejected, but that Ayanar, who has a little shrine there, is not so easily disposed of. He, as the protector of low caste people, may well protest.

Nothing would be easier than to offer suggestions for the sanitary improvement of Kumbakonam. The past history of the city demonstrates the futility of making them. The essential condition for success has been and still is lacking. It is that the sanitary administration of the city should be put under the control of an honest, well-qualified and hardworking medical officer, adequately supported, and vested with sufficient authority. The

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Council, I understand, is prepared to appoint a medical officer but only on condition that the salary offered shall be very low, so low as only to permit the engagement of a man of meagre qualifications, who would carry little authority. If it persists in this attitude, the city, in my opinion, is likely to remain for a long period in the deplorable condition in which I have found it.

Appendix

List of cases of disease likely to check births treated at Kumbakonam Municipal Hospital and Dispensary.

Years.	Syphilis.	Gonorrhoea.	Anemia and debility.	Diseases of the lymphatic system (elephantiasis, etc.).	Diseases of the urinary system.	Other diseases of genitourinary system (in addition to syphilis and gonorrhoea).	Hydrocele.	Totals (columns 2-8).	Total treated during the year.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1907	302	351	451	532	216	634	112	2,486	21,766
1908	285	466	491	490	198	788	85	2,809	24,439
1909	279	289	514	217	93	1,383	85	2,810	28,478
1910	281	217	727	355	255	1,070	63	2,968	28,065
1911	120	59	493	228	388	789	68	1,963	26,201
1912	100	124	188	288	653	1,170	99	3,330	27,569
1913	521	102	312	360	549	966	102	2,629	19,269
1914	407	111	803	452	616	1,352	45	3,770	32,401
1915	788	135	419	351		851	153	3,409	37,327
1916	771	135	533						

APPENDIX V.

[Vide answer to question No. 129 asked by Mr. R. Srinivasa Ayyangar at the meeting of the Legislative Council held on the 12th September 1922, page 42 supra.]

G.O. No. 1454, P.H., dated 1st November 1921.

Rule 3 of the rules annexed to G.O. No. 339, Medical, dated the 17th September 1917, is modified as follows:—

"3. All persons with an income not exceeding Rs. 30 per mensem shall be given medicines free of charge. All other out-patients shall be required to pay 2 annas for medicines on each occasion."

(By order) of the Government, Ministry of Local Self-Government)

F. J. RICHARDS,
Secretary to Government.

To the Surgeon-General.
"Accompanied-General."

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Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" I second it."

The RAJA OF RAMNAD :—" May I ask, Sir, some information about this committee? I am aware that the first committee, though I was a Member of it, did not meet at any time. I want to have particulars of the work to be done by the second committee."

Diwan Bahadur M. KRISHNAN NAYAR :—" I wish to say one word, Sir. I do not make any complaint against any member of the committee. I suppose that one of the items comprising the comfort of hon. Members is the arrangement in regard to the lunch that is supplied to them and for which they pay. The refreshments served to the Indian Members are not satisfactory and I wish that the Members of the House Committee will kindly bestow some attention on this point."

The hon. Sir CHARLES TODHUNTER :—" Sir, I am bound to say that from the point of view of the Government, it seems an extraordinary position for the member of the committee appointed to look after the comfort of the House to ask the Government what this committee has to do."

The RAJA OF RAMNAD :—" I ask the information about the working of the second committee. The members of the first committee of which I was a member were not summoned to meet and did not do anything."

The hon. Sir CHARLES TODHUNTER :—" Sir, my only answer can be that what the second committee have to do is to supply the deficiencies of the first."

Rao Bahadur P. C. ETHIRAJULU NAYUDU :—" I do not see the fun of having a House Committee. I don't think it can do anything."

The DEPUTY PRESIDENT :—" The Council has to appoint a House Committee under the Standing Orders, whether there is any work actually to be attended to or not. I have to announce that nominations to this Committee should be handed in to the Secretary before 3 p.m. to-day."

XII

AMENDMENT TO STANDING ORDERS.

The following amendment to Standing Order No. 54 standing in the name of Rao Bahadur C. Natesa Mudaliyar was not moved :—

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."

XIII

THE MADRAS PORT TRUST ACT (AMENDMENT) BILL.

The hon. Sir CHARLES TODHUNTER :—" Sir, under Standing Order No. 38 I beg to move that the Madras Port Trust Act (Amendment) Bill be read in Council.
"The principal provisions of the Bill are explained in the Statement of Objects and Reasons and I need not therefore weary the House by any lengthy statement."

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"I might, however, perhaps say this by way of preface. We understand that the Government of India have the whole question of marine administration and the general form to be taken by such Bills as the one under examination, and that it is quite possible that they may ask us at no very distant date to carry out a more drastic revision of the law. They would indeed have been glad if we could have seen our way to postpone this particular measure. While, however, the changes for which the Bill provides are by no means radical, they are changes that are necessary to regularize arrangements which are already in force and which it would be very inconvenient to cancel. Some of these relate to the constitution of the Board and the appointment of the Chairman and the regulations for the benefit of the staff. Others deal with the difficult question of the transfer of services which are imposed by the law upon the Board to the agents for lines of steamers, who can more conveniently carry them out, while a third set relate to the issue and conversion of the documents of security which are necessary whenever the Port Trust issues a loan."

"All these are questions which have been under discussion for some very considerable time, and in connexion with some of them arrangements have been carried into effect which do not fall strictly within the letter of the present law in anticipation of an amendment of the Act, and we therefore thought that, although it may be necessary to re-cast the whole of the Act a year or two hence, it would be as well to carry through these more or less formal changes the purpose of which is largely to legalize arrangements to which effect has already been given."

"There is only one point in which I think the majority of the members of the Council are likely to be interested and that is the new clause 7 under which provision is made for the first time for securing that there shall always be a minimum number of Indian members of the Board and that there shall not be more than a maximum number of officials."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the motion.

Khan Bahadur MUHAMMAD USMAN SAHIB :—"I beg to support the motion made by the hon. the Finance Member. I wish to point out one or two defects in the provisions of the Bill. Of course, this Bill is an improvement on the present Act. But with regard to the constitution of the trust it has been represented to me that no definite provision has been made in the Bill for the return of Muhammadan members to the Port Trust. Two years ago the Government asked the Skins and Hides Association of Southern India to elect a member to the Madras Port Trust. That practice was given up this year. So, the Muhammadan merchants who are largely engaged in the export and import trade in this Presidency are anxious that a definite provision should be made in the Statute for the return of a member from the Muhammadan community. I make this suggestion so that the hon. the Finance Member might consider this aspect of the question when the Bill is referred to the Select Committee. With this reservation, I beg to support this motion."

The motion was put and carried.

The Secretary then read the title of the Bill.

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The hon. Sir CHARLES TODHUNTER :—" Sir, I now beg to move that the Bill be referred to a Select Committee consisting of the following gentlemen :—

The hon. Mr. K. Srinivasa Ayyangar.

The Advocate-General.

Diwan Bahadur Govindoss Chathurbhujadoss.

Sir M. C. T. Muttayya Chettiyar.

Rao Bahadur T. Namburumal Chettiyar.

Capt. E. W. Huddleston.

Mr. B. Leslie.

Mr. P. W. Partridge and the Mover."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur seconded the motion.

The motion was put and carried.

Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB :—" I wish that the name of a Muhammadan member is added to this list."

The hon. Sir CHARLES TODHUNTER :—" I have no objection, Sir, to add the name of Khan Bahadur Muhammad Usman Sahib Bahadur. I move that his name be added to the list of members of the Select Committee."

The hon. Mr. K. SRINIVASA AYYANGAR seconded the motion.

The motion was put and carried.

XIV

A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920.

Rao Bahadur K. GOPALAKRISHNAYYA :—" Under Standing Order No. 37, I beg to move for leave to introduce a Bill to amend the Madras Local Boards Act, 1920."

Mr. B. MUNISWAMI NAYUDU :—" I second the motion."

Diwan Bahadur M. KRISHNAN NAYAR :—" Before leave is granted, Sir, I wish to have at least a superficial idea of the mover in introducing this Bill. I certainly do not oppose the motion before the House. All members, including the Members of Government, will be desirous to have some idea of what the hon. mover wants. No doubt, under the rules, it is not necessary to circulate a copy of the Bill before this motion is made. But it is desirable that we should have some idea of what the hon. mover wants."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—" I think the hon. mover should have, under the rules, furnished the Government with a copy of the Bill. But whether he has done so or not, I think it is only due to the Council that my hon. friend should mention which of the 450 sections of the Local Boards Act he wants to amend. When leave is asked for the introduction of a new measure, I think it is the recognized practice of this Council not to oppose the motion for leave. But I do not think that my hon. friend should seek to obtain leave without even mentioning exactly what his object is in bringing forward this motion. With every respect to him I think he should have indicated the exact provision which he wishes to amend, and I suppose there can be no difficulty about this, because the Government must be aware of it."

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Rao Bahadur K. GOPALAKRISHNAYYA :—" I thought my Bill had been circulated to the Members of this Council, because I gave notice of this Bill with the Statement of Objects and Reasons to the Secretary. Therefore the only course open to me under Standing Order No. 37 is simply to move as a formality, and unless there is any opposition on the part of any hon. Member, which of course necessitates a brief explanatory statement on my part, it is not necessary for me to make any speech dilating upon the objects of the Bill. It was only with that object in view that I simply moved for leave to introduce the Bill. But now as my hon. friends on the opposite side desire me to give a brief explanatory note on the principles of changes which I want to be introduced by this Bill, I shall say that this is merely a Bill directing a change in rule 26 of Schedule IV, that is, with reference to tolls. Under the old Local Boards Act, Madras Act V of 1884, some animals, not laden or ridden, were exempt from tolls. But under the present Act, Act XIV of 1920, mules and other animals although not laden or ridden are sought to be levied with a toll fee of two annas a head. My purpose is simply to go back to the old method of exempting such animals, especially agricultural cattle. In the Statement of Objects and Reasons which I furnished to the Secretary, I stated as follows:

"Under the old Local Boards Act, Madras Act V of 1884, buffaloes, bulls, bullocks, cows and asses, not laden or ridden, were exempt from the payment of tolls. Under the present Act, Act XIV of 1920, mules, asses, buffaloes, bulls and bullocks, although they are not laden or ridden, are made liable to pay a toll fee of two annas a head. This change in law has thrown open a tempting source of income to several district boards and has brought about a great hardship to agriculturists and other owners of animals living particularly in the neighbourhood of toll-gates as most of the agricultural cattle are taken beyond a toll-gate for agricultural and grazing purposes. In delta districts, several herds of bulls, bullocks and buffaloes are taken to distant upland pastures for grazing purposes passing through several toll-gates and are thus put to the hardship of payment of large amounts of tolls to and fro. This Bill aims at the removal of temptation to district boards to levy this new tax on animals and at the restoration of the old practice with a slight change as to the unladen and unriden young horses under twelve hands which are now sought to be exempt from payment of tolls."

"This, Sir, in brief, is the object with which I move for leave to introduce this Bill."

The hon. the RAJA OF PANAGAL :—" Sir, I am afraid that the Bill, leave for the introduction of which the hon. Member for Bezvada seeks, seems to serve as a commentary, rather a sad commentary, upon the estimation in which self-governing institutions are held in this Presidency. In his Statement of Objects and Reasons the hon. mover refers to the temptations to which local bodies are exposed. If the local bodies cannot rise above these petty temptations, it is inconceivable how they can rise above the temptations of a more serious nature. The object of the mover in introducing these changes in the Act is to exempt unladen animals and horses under twelve hands altogether from the levy of toll fees. I think, Sir, that such an exemption is not desirable. The exemption, if allowed, is likely to lead to disputes as to whether particular animals are laden or unladen when they pass a toll-gate. In some cases animals laden may be unladen at the approach of a toll-gate and claims may be set up for exemption. It is upon considerations of this sort that the legislators of the Act of 1920 thought that a change in the law was desirable. Now, my hon. friend proposes to revert to the old position; of course it is quite open to him to suggest the amendment. But as hon. Members are aware there are at present under consideration two amendment Bills, one relating to the Local Boards Act of 1920 and the other to the District Municipalities Act of the same year. I dare say there will be

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opportunities to the hon. Member to make these suggestions to the Government when the general amendments are being considered. Now that the suggestion has been made the presidents of district boards and chairmen of municipalities will be requested to furnish the Government with their opinions in the matter. If the preponderance of opinion is in favour of the amendment, the question of introducing the amendments will be considered by the Government. I do not, however, think that to effect the particular change an amendment of the Act is necessary. It can be effected by changing the rates in the schedules. The Government can do it by exercising their rule-making power. It is quite open to the Government to change the rule by getting a resolution passed in this Council. If the hon. Member so desires he might move a resolution in the Council and if the resolution is accepted by the House, then the Government might effect the necessary changes in the schedule. Under these circumstances, I do not think that any case has been made out for leave being granted for the introduction of the Bill."

The motion for leave to introduce a Bill to amend the Madras Local Boards Act, 1920, was by leave withdrawn.

XV

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

Rao Bahadur K. GOPALAKRISHNAYYA:—"Sir, I beg leave to introduce a Bill to amend the Madras District Municipalities Act, 1920, for the reasons which I stated in seeking permission to introduce a Bill to amend the Local Boards Act. But there is a special case made out as regards municipalities. The cattle that come from outside the municipal limits are levied with these fees. It is a well-known fact, Sir, that people outside the municipal limits have no control over the municipal affairs and that municipal bodies are interested in levying a large fee over cattle that come from outside the municipal limits. That is a distinction that can be made in this case from the previous motion. I therefore move for leave to introduce this Bill."

Mr. B. MUNISWAMI NAYUDU seconded the motion.

The hon. the RAJA OF PANAGAL:—"Sir, what I have stated with regard to the other Bill holds good in this case also."

The motion was by leave withdrawn.

XVI

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

Mr. M. SUBYANARAYANA PANTULU:—"Sir, I do not wish to move for leave to introduce this Bill, if the hon. Member for Local Self-Government gives me an assurance that he will place this matter before the Government when the amendments to the whole Bill are considered. I understand that arrangements are being made to have the whole Bill amended. I only want an assurance that this subject will be examined at the time when the whole Bill is re-cast."

The hon. the RAJA OF PANAGAL:—"I am not prepared to give any assurance. Of course the matter will be examined at the time when the Government consider the other amendments which are before them just now."

The motion for leave to introduce a Bill to amend the Madras District Municipalities Act, 1920, was not made and was therefore deemed to have been withdrawn.

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XVII

DEMANDS FOR SUPPLEMENTARY GRANTS—GRANT I.

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Sir, I beg to move

That the Government be granted an additional sum of Rs. 1,36,250 under 'Land Revenue'.

"I wish to assure the House that it was with the greatest hesitation that I had eventually to make up my mind to put forward this demand before the Council. The House will remember that at the time of the budget discussion, they passed a resolution reducing the lump allotment of five lakhs from the 'Land Revenue' grant. The Government at that time tried to convince the House that the indefinite reduction of a lump allotment for which an order was practically issued by the House would somewhat paralyse the Executive in trying to allocate that amount amongst the various items which comprised the entire grant. The hon. the Finance Member also tried to explain how particularly in respect of a budget in which great care has been previously exercised for the purpose of reducing or omitting all avoidable items of expenditure, it would not be possible for the Government to make another deduction of five lakhs. However, myself, a Member in charge, had to make all desperate attempts for the purpose of effecting economies under the various heads comprised within the land revenue budget to secure the total of five lakhs if I could. I may honestly tell the House that that attempt of mine has not to this day proved entirely successful. From out of the five lakhs which I was asked to reduce I was not able to achieve anything more than a sum of Rs. 3,63,750. I may also confidently tell the House that in carrying out some of those reductions I was fully cognizant of the fact that perhaps the effect of so doing might result in something like a loss of efficiency. However, I had to carry out the behests of the Council to the best of my ability. As I said, I have not been able to effect larger economies than is represented by the sum of Rs. 3,63,750. The balance of Rs. 1,36,250 yet remains a lump which it is not at all possible to adjust in the accounts of the departments concerned. No public accounting could permit of an unadjusted sum of Rs. 1,36,250 to be carried forward from month's end to month's end under a possible reduction of expenditure. It is therefore incumbent upon us to try and adjust our budget so that we may know what it is we have to spend and what it is that we cannot spend.

"I may for the information of the House just mention why it was that all our desperate attempts for the purpose of securing an economy of five lakhs in the course of the current year were rendered futile. I shall not certainly trouble the House by going into the various items which appear in the Civil Budget Estimate, but one single statement I shall make. So far as the provision made in the current year's budget for land revenue goes it will interest the House to know that the budget allotment of Rs. 185.22 lakhs entered in the accounts of 1920-21 was reduced by Rs. 21.11 lakhs in the figures for 1922-23; in other words the allotment which we originally entered in the budget was no more than Rs. 164.11 lakhs as against the budgeted figure of Rs. 185.22 in 1920-21 and against the actual expenditure of Rs. 173.80 in that year. The Council at this stage expressed a desire that another big slice of five lakhs should be taken away from out of an allotment which had already undergone a very careful scrutiny, and which only provided for the absolute necessities to enable us to carry on, and which, if I

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may say so, had been cut almost to the bone. The difficulty was therefore considerably complicated on account of the fact that the original, as entered in the current year's budget, was limited to the actual necessities which were indispensable for the purpose of carrying on the administration.

"There are a number of schemes on hand which are under the examination and consideration of the Government. But economies that might possibly be introduced as a result of such investigation or examination cannot be taken advantage of in the course of the current year. I may only enumerate to you a few of the items which are now under the scrutiny of the Land Revenue department for bringing about retrenchments. We have a mixed committee to overhaul the whole of the procedure connected with survey and settlement; the Board of Revenue is examining the village organization with a view to the abolition of unnecessary posts; they are also making an inquiry into the re-distribution of districts, divisions and taluks with a view to the enlargement of jurisdictions; another inquiry is connected with the village accounts in the hope that the bulk of them may be largely reduced; there is also a mixed committee considering whether the differential water-rate system should be continued and whether any scheme for the levy of water-rate can be devised which is at once more simple and more equitable and will allow more progress in the expenditure of one of the services which is most important to the welfare of the country. These and a few other similar schemes are already engaging our attention, but, as I said, it is not possible either to foresee or to foretell what the financial effect of any of the recommendations that will be made either by the Board or by the respective committees will be. It will be premature to take into account any economies which they can suggest. I think the proper time for the exhibition of the result of these various inquiries will be when the budget is discussed for the next official year. I hope that as a result of these committees it may be possible for us to reduce expenditure appreciably. The reductions to the extent of about 3½ lakhs, which I have referred to, have been spread throughout a number of items which we thought might somehow surrender some of the allotment which had already been entered under those items, although we were not quite confident that these additional reductions in an already economized allotment would be conducive to efficiency of work. However, we have faced the fact and we are prepared for the results.

"Before tabling this motion I considered it necessary to lay it before the Finance Committee, so that it might be given an opportunity of censoring the demand if it so chose. I was summoned before the bar of the Finance Committee to answer interrogatories, and I must confess (although I performed similar duties previously) that the erudite lawyers who constituted that committee subjected me to the most searching cross-examination, while the medical gentleman who adorned it subjected every item of expenditure under Land Revenue to a very minute post-mortem examination. (*Laughter.*) As a result, what is it that they say? I am glad to inform the House that they felt convinced about the results of the honest attempts which were made. The Committee have sent back this demand to me with an authority to put it up before the Council, with an expression of its opinion.

"The Committee are satisfied that great efforts had been made to reduce the expenditure to the required amount and recommend that a motion be made for the additional grant, but hope that if the revised travelling allowance rules are put into force at an early date there will be a further reduction."

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"The revised travelling allowance rules have been published, and I think they come into force from the first of this month. Any economies not only in this direction but in any direction that could be made as we go on during the rest of the official year will necessarily be credited in favour of the additional grant which may now be made by the House. Well, therefore, supported as I am by the Finance Committee, and on the strength of the credentials which I now produce from it, I have made myself bold to approach the House and ask for the grant."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Sir, I should like to make one or two matters clear just before the discussion of this question proceeds. We have now nineteen motions on the agenda for supplementary grants, and I should like to put it to the hon. Members for the Government whether it is fair to the House to ask it to discuss these motions on the spur of the moment and without furnishing it with information regarding the necessity for these supplementary grants. Sir, I have suggested more than once that the information supplied to us and the members of the Finance Committee should be put in the form of supplementary estimates. I should invite the attention of hon. Members to No. 106 of Legislative Council instructions :

An estimate shall be presented to the Council for a supplementary or additional grant when—

(i) the amount voted in the budget of a grant is found to be insufficient for the purpose of the current year, or

(ii) Supplementary or additional estimate shall be dealt with in the same way by the Council as if they were demands for grants.

"I contend, as I contended before, that the hon. the Finance Member and the other members of the Government should give us a supplementary estimate giving all details with reference to additional allotment which they ask. I want this not merely as a point of order. I should like to explain to my hon. friend that there are nineteen motions. With reference to supplementary grants it is better that my hon. friend should realize that we must be in a position to satisfy ourselves of the need for the grant. The hon. the Member for Revenue has pointed out that the House had cut down the original allotment by five lakhs. He now comes forward again for a supplementary grant for Rs. 1.36 lakhs. He is not in a position to inform the House as to how this 1.36 lakhs should be appropriated. A number of schemes are now under consideration . . .

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :—"The effect of this additional grant is that I do not want more money for more expenditure on more schemes. I have not been able to effect that reduction from out of the allotment which was entered in the original budget and therefore if the work must go on on the basis of allotments entered in the current year's budget, barring the reduction which I have already made under particular items which total no more than three lakhs and odd, it is not possible to make further reductions. It will merely be the restoration to the budget of Rs. 1.36, 250 lakhs from out of the cut of five lakhs which the Council had originally sanctioned, because it is not possible to reduce the whole of this sum."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"This clearly means that the resolution of this Council cutting down the grant has not been

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given effect to by the Government. We all probably thought that it could be given effect to. This is a matter which has to be made clear. Therefore my first point is that when asking for supplementary grants the hon. the Finance Member and the other hon. Members of Government should furnish us with supplementary estimates giving all the necessary information as if it were an original demand for appropriation. I think the hon. Member should at once tell us whether he means to carry out Article 106 of the Legislative Council Instructions. If he says that he does not mean to comply with the provisions of the law I must oppose this motion."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"It has been said that this Council has reduced the grant by five lakhs, and the hon. the Revenue Member was able to reduce it only by three lakhs and odd. He is not able to further reduce it and that is why he has come forward with this demand. I believe that a very wrong procedure is being adopted in coming forward for additional grants. The details of the Budget perhaps are not worked out with great care and scrutiny. We ought to adhere to the standing rules. The hon. the Revenue Member ought to have gone to His Excellency for restoring so much of it as he could not give effect to as recommended by the House. In this connexion I would draw the attention of this House to Standing Order No. 67 and Section 72 of the Government of India Act:

If the Local Government or the Governor exercises the power conferred by section 11 (3) (a) and (b) of the Act in regard to demands refused or reduced by the Council, the Finance Member shall, as soon as may be thereafter, lay on the table of the Council a statement showing the action taken by the Local Government, together, in the case of action under section 11 (2) (a) with a copy of the certificate granted by the Governor, but no motion may be made in regard to that action.

"So, I do not think the Government will be justified in coming forward during the course of the currency of the budget for additional grants under the same heads which were once refused or reduced by the Council. In such cases a separate procedure is laid down by statute."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, I am not satisfied as to the reasons which have been given for not giving effect to the resolution of this Council reducing the expenditure under Land Revenue by five lakhs. We are confronted with the good credentials which have been produced by the hon. the Revenue Member from the Finance Committee. That is no doubt a matter which requires to be carefully considered in deciding as to the course to be adopted. I do not think I can endorse the view of my hon. friend Mr. Narasimha Raju. It will be a dangerous precedent indeed if it were possible for the hon. the Revenue Member, who is not satisfied about the feasibility of effecting a reduction to the extent suggested by the Council, to go to His Excellency and ask for the restoration of the grant. I think, of the two possible alternatives, he has chosen the better one. Because, it is open to the Council, if it is not satisfied about the necessity for the grant, to reject this motion and refuse this grant of one lakh and odd, it is incumbent on the hon. the Revenue Member to make out a case and it is in the power of the Council to accept or reject it. If, on the other hand, the hon. the Revenue Member had adopted the other method, which I consider highly objectionable, i.e., of going back to His Excellency, the Council would have had no voice in the matter. Therefore, let us consider this case on its merits and see if the hon. Member has given satisfactory reasons for the

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grant now proposed. He was pleased to tell us that he was able to effect retrenchment to the tune of Rs. 3,63,750. I thought he would have gone further and given us an idea as to under what heads and in what directions it has been possible for him to effect retrenchment to the extent of Rs. 3,63,750. We do not know exactly where the matter stands. If it were possible for him to take us into confidence and satisfy us in what directions and in respect of what departments he was able to effect the retrenchment of Rs. 3,63,750, it would have been possible for us to consider whether we could not, in working out those proposals, have found means of effecting further retrenchment. In the absence of more definite and complete information as to the action taken by the Government within this interval, it is not possible to assent to the motion made by the hon. the Revenue Member. Let us realize that so far as the rules are concerned, there is no distinction between original motions for grant and supplemental motions, and we must have as accurate and complete an information as possible of the budget details relating to these grants. In the absence of those details, I find it difficult to support this motion for a grant."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Sir, I rise to support the motion for the grant. I cannot really understand the position taken by my friend Mr. Ramachandra Rao or my friend Mr. C. V. S. Narasimha Raju in this matter. This is a case in which the estimate was placed before the Council and it was passed. But in the total a reduction of 5 lakhs was made. For that amount the Government was asked to make reductions in any particular department or departments which they might choose. As a matter of fact, the estimate was before the Council and no objection was taken to that estimate. So to say, Sir, that for this supplementary grant a separate estimate ought to be placed before the House is, I beg to submit, to ask for the impossible. The estimate itself was for about 173 lakhs and all that we asked for was a reduction of 5 lakhs in the total. So if a fresh estimate is to be prepared it is not for Rs. 1,36,250 which is now asked for but for the whole thing—173 lakhs. So, to ask for a supplementary estimate for this item would be doing so without understanding the nature of the motion before the House.

"Then, Sir, with regard to the suggestion of my friend Mr. Narasimha Raju. I agree with the hon. Mr. Krishna Rao in the view that the hon. Members of the Government should bring all matters before the Council and take the Council with them. I should think, if I may say so, that they will be well advised not to take any matter to the Governor and ask for his interference. That ought to be the proper procedure. And even though there is a provision in the rules for the reinstatement of a grant, we the members of the Council have been protesting against such reinstatements. So, in this particular case, I think the hon. Member has taken the right course and he has come to the Council and wants the Council to be satisfied with what he has done as proper.

"Then, with regard to the merits of the case itself. As a Member of the Finance Committee which went into the details of the retrenchments that have been effected and the proposals that are on hand, I may say that the Committee was quite satisfied that all possible retrenchments have been made or are being considered. I have got a copy of the list supplied to us, and if

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the hon. Member has no objection I will read the list of retrenchments that have been made:—

	Rs.
Administration of treasury establishments	4,000
Subdivisional establishments	4,800
Temporary establishments	1,700
Travelling allowance	2,600
Survey and Settlement	2,700
Photograph and printing expert	2,700
Presidency allowance	4,600
Survey parties	6,000
Revenue Settlement and controlling office	1,400
Settlement parties	9,800

and so on.

"Under each head, the retrenchments effected are shown.

"Then, it was also said that the various schemes that were mentioned by the hon. the Revenue Member would be pushed through as far as possible. In any case it will not be possible to give effect to those retrenchments at once. So, after considering the retrenchments that have been really effected and those that are under consideration, we, in the Finance Committee, were really satisfied that instead of the 5 lakhs which the Council wanted to retrench, the retrenchment that will be effected ultimately will be much more than 5 lakhs. But since all the retrenchments cannot be given effect to at once we came to the conclusion that this particular grant ought to be supported. And I hope the Council will unanimously pass the grant. I can only add this: if we do not strengthen the hands of the members of the Government, who are really doing their best to effect retrenchments, the only result will be what my friend Mr. Narasimha Raju suggested, viz., they will have to go to other places for the sanction of grants which are absolutely necessary. I want a position like that to be avoided."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I wish to give a personal explanation. My friend Mr. Ramalinga Chettiyar has missed the effect of my statement. My hon. friend as a member of the finance Committee had before him information which has not been furnished to us. I suppose my hon. friend will concede that. In that case, he should have used his best endeavours to extend to us the knowledge which he possesses by seeing that in proper time a statement of the very figures which he has read to the Council are furnished to us, so that we may be in a position to be persuaded in the same manner as my hon. friend has been by the Revenue Member. The very fact that my hon. friend was forced to read all the figures that led to the retrenchment which the hon. Revenue Member has effected shows the strength of my argument, and I trust, Sir, that the Members of the Finance Committee will see that this Council is put in possession of the fullest possible information if the Council is to give its assent to the grants which are placed before it."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, the principle now under consideration by the House is an important one and I think it deserves further attention at the hands of this Council. It is a matter of interpretation of the rules on the subject and I am rather sorry that the hon. the Law Member and the hon. the Advocate-General are leaving us, lay people, to grope in the dark and find out what exactly the rules mean or do not mean. The rule says:

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"An estimate shall be presented to the Council for a supplementary or additional grant when—

- (1) the amount voted in the budget of a grant is found to be insufficient for the purposes of the current year or
 - (ii) a need arises during the current year for expenditure for which the vote of the Council is necessary upon some new service not contemplated in the budget for that year.
- (2) Supplementary or additional estimates shall be dealt with in the same way by the Council as if they were demands for grants."

"Now it appears to me that the Council has not provided enough money for the expenses of the current year. The amount voted in the budget is found to be insufficient and the hon. the Revenue Member is put to the necessity of asking for an additional or supplementary grant. If that is so, I think rule 106 leaves no option to him except to submit an estimate along with his demand for a supplementary grant. But, what trouble is involved therein is not a matter for this House to concern itself with. I think therefore that in cases of this sort the only course left to him is practically to recopy the original estimate under this head with such corrections in the sums shown against different items as are necessitated by the subsequent reductions made by him, show the total of the estimate as revised and required and that originally voted, the total sum allotted by the Council and ask for the difference. I think that will be the proper course for the hon. the Revenue Member to follow in regard to this matter.

"And then, Mr. Ramalinga Chettiyar stated that all possible reductions had been effected in pursuance of economy under this head. Well, I am not quite so sure about it, nor do I think the hon. the Revenue Member himself is quite positive about it."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"What I stated was that all that could be done at the present moment had been done and that other matters are under consideration. I did not say that all that was possible to be done had been done."

Mr. A. RANGANATHA MUDALIYAR:—"Very well, Sir, it means then that if the whole of the items that go to make up this total grant are before the House, it is just possible that one or another Member of this Council might suggest reductions which might not occur to another. As an instance, I may refer to the pay of the village headmen which was only recently revised. They were getting hitherto about Rs. 10 per head, and that amount may well be reduced. I think I am right in saying that the hon. the Revenue Member has taken the necessary steps to reduce the amount to Rs. 5."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"May I just inform the hon. Member that the Government took cognizance of that fact already?"

Mr. A. RANGANATHA MUDALIYAR:—"I should like to be further informed whether the amount saved thereby is included in the list of retrenchments read out by Mr. Ramalinga Chettiyar."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"There is no question of adjustment of the amount saved or the amount spent on the village establishments. The allotment which had been asked for from the Legislative Council for the purpose of paying the village officials additional salary had to be distributed for the same purpose and when we came to the distribution, we actually found that it was hardly sufficient for the purpose of paying all the men from the 1st of July as

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originally anticipated. We therefore have been forced to sanction the payment of the salaries only with effect from the 15th August, and while trying to sanction even from the 15th August we took into account the savings referred to."

Mr. A. RANGANATHA MUDALIYAR:—"The explanation does not affect the argument I am advancing, Sir. If it is not the allowance of the village headmen, there may be something else which, if the estimate is presented and fully discussed in this Council, might provoke new practicable suggestions for retrenchments. Rule 106 provides that opportunity. The rule means clearly that there should be an estimate, and I think an estimate should follow a demand for a supplementary grant."

The hon. Mr. K. SRINIVASA AYYANGAR:—"I had no idea of speaking at all on this motion; but my hon. friend Mr. Ranganatha Mudaliyar seems to imagine that at the beginning of each session or probably each sitting, the hon. the Law Member and the hon. the Advocate-General should stand up and deliver a lecture on Law in general and Constitutional Law in particular or on the rules. I find no such obligations placed on me or on the Advocate-General. If any particular member wants to have assistance with regard to any particular rule, so far as the Law Member or anybody else in the Government is concerned, he will be glad to help the member desiring such assistance. So likewise the hon. the Advocate-General, provided he is not asked about any private matter for which he will be entitled to demand a fee (laughter).

"Now, I want to explain the position of the Government in regard to these supplementary grants. I may at once say, Sir, that every Member of the Government is anxious as far as it can possibly be done, to give effect to the vote of the Council on the budget, whether it is in the Transferred departments or in the Reserved departments. Oftentimes we know that when a budget grant is reduced, it would be impossible to carry on the administration with a reduced grant. At the same time, we think it is due to the Council that we should attempt the almost impossible. We try, and we find that we cannot do it, and therefore it is that we come to the House in order that they may express an opinion in the altered circumstances with which we are faced. It is probably known to the Members of this House that the power of restoring a grant in the Reserved subjects was expected to be used as a matter of course or normally by the Governor. We are trying to grow a system by which that power will not be normally exercised. Unless the Governor is forced to adopt that course, he will not do it. That is the reason, Sir, we tell the House frankly and fully our difficulties and the need for our asking for any supplementary grants.

"As regards the method by which we come in, we have adopted strictly the procedure of the rules and the Standing Orders. We place before the House the estimates or the supplementary estimates for what we want. We say, 'you have given us so much less than what we have asked.' Or 'you have given us only so much. We find it impossible under that particular head to go on with efficient administration without more.' Then we come to you and ask you, 'please give us so much more. The House on a previous occasion reduced the amount of a grant which we had asked for for a particular matter. We find now that it is impossible to carry on the administration with the reduced amount.' Rule 32 of the Legislative Council rules provide for such cases. We, therefore, come in and tell you that under this rule, the amount voted in the budget for a particular grant is found to

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be insufficient for the purpose for the current year—it is found insufficient either because you have not granted all that we asked or that we did not ask for more. In most of these cases we have to come to you for expenditure which has been either omitted by oversight or which has arisen anew or because you have cut down expenditure which we considered to be absolutely necessary. Sometimes you find that a total reduction is made under a particular head or out of a particular demand; and then we are hard put to find out in what items we can make that reduction and sometimes we go on cutting out in deference to the wishes of the House and we find that you have cut out too much, that it is impossible for us to carry on and therefore we have got to come to you and tell you that we cannot carry on and that you will have to grant us more. If you do not give, then of course it will be necessary for the Government or His Excellency to consider whether the circumstances are such that it would be necessary to restore the grant."

Mr. O. TANIKACHALA CHETTIYAR:—"In support of the demand made by the hon. the Revenue Member, I want to invite the attention of the House to the procedure adopted in the budget discussion. We know that the demand under Revenue was something like Rs 165 lakhs. If the House had pressed the motions in respect of the several heads under which notices of reduction were given and those items were specifically disallowed, then of course it would have been the bounden duty of the hon. the Revenue Member to give effect to them unless the certificate under section 72-D of the Government of India Act was given, namely, that the expenditure provided for by the demand is essential for the discharge of His Excellency the Governor's responsibility for carrying on the administration; and in that case such expenditure can be incurred notwithstanding its disallowance by the Council. But what we have done is that out of the 500 or 600 items of expenditure constituting the demand under that head, we assented to Rs. 160 lakhs instead of Rs. 165 lakhs originally asked for. We did not specify the items disallowed and under such circumstances, the hon. the Revenue Member cannot say that he is bound to accept it. It was left to him to decide which of these items were to be reduced so as to make up the total Rs. 160 lakhs. I think it is a difficult position for any body to be placed in. The hon. the Revenue Member has told us that he succeeded in giving effect to the motion for reduction, to the extent of 46 per cent. I think it is a matter for which we ought to be thankful to him and on which we should congratulate ourselves. But at the same time, he has assured us in the Standing (Finance) Committee of the Legislative Council that several items of reduction were still engaging his attention but that he would not definitely say that he decided to make that reduction. Under those circumstances, the Finance Committee was satisfied that every effort was being made to give effect to the Council's wishes, and the Committee therefore assented to it. Of course, many details were placed before the Finance Committee showing how the reduction of three lakhs and sixty thousand was arrived at and distributed and I believe that information will also be made available to the House and will be circulated to all the Members, though it has not yet been done. In these circumstances, to refer the hon. the Revenue Member to rule 106 which requires estimates to be presented when a demand is made, is like asking him to bring before the House the same figures which were presented to the House in the month of March. Only eliminating the items relating to the three lakhs and sixty thousands, all the other items may require to be passed over again. With reference to the

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remark made by the hon. Member Mr. Narasimharaju regarding the application of section 72-D, I think if action is taken in the manner suggested, the Legislative Council will say that notwithstanding its vote, His Excellency restored the grant, the subject being a reserved one. I think it is not fair to the House nor courteous; and that Government have chosen the smoother course is not a matter in respect of which we should make a complaint but it is one which we ought to be thankful for. For these reasons, I beg to support the demand that is put before the House."

The hon. the RAJA OF PANAGAL:—"I move that the question be now put."

The motion for closure was put and carried.

The demand was then put to the House and carried and the grant made.

12-45 p.m.

The hon. Mr. K. SRINIVASA AYYANGAR:—"Sir, I move

That the Government be granted an additional sum of Rs. 9,000 under 'Irrigation—16. Construction of Irrigation, Navigation, Embankment and Drainage works—B. Financed from Famine Insurance Grant—Reserve 1.'

"This is a purely formal motion caused by a change in instructions. Under the Devolution Rules and the schedule thereto the Local Government has to provide a certain fixed sum each year on account of Famine Insurance Grant, the amount being Rs. 6,61,000. This is split up into several items and all of them are classified as 'Non-votable'. Out of this amount of Rs. 6,61,000 a sum of Rs. 9,000 had been taken in for Irrigation and that was put under the head Non-votable because the whole of the Rs. 6,61,000 was Non-votable under that schedule. Now the instructions are that wherever we want to use any portion of that sum for any particular purpose which is anticipated and we put it either under irrigation or otherwise then we have to put it to the formal vote of the Council and if the House does not grant its vote in its favour then the whole sum would be put under non-votable famine insurance fund. This amount of Rs. 9,000 not having been put before I am now formally putting it for the vote of the House."

"I may perhaps draw the attention of the Council to the budget. Under 16. Construction, Irrigation, Navigation, Embankments and Drainage Works, you find details of the original budget; and under Famine Insurance Grant the amount of Rs. 9,000 is put down. The total of item 8—43-A comes to Rs. 6,52,000 which with the Rs. 9,000 makes up Rs. 6,61,000. I now formally move for the grant."

The demand was then put to the House and carried and the grant made.

GRANT IX.

The hon. Mr. K. SRINIVASA AYYANGAR:—"I move

That the Government be granted an additional sum of Rs. 10,280 under 22. General Administration' for meeting the expenditure on account of pay and allowances for the Temporary Assistant Secretary, Law Department and its establishment.

"Originally this appointment was sanctioned for a year as I wanted to see whether there will be an absolute need to go on with him. Then about March 1922, we thought we shall try and do without him and therefore did

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not make any provision in the budget as presented originally for the continuance of the Law Assistant Secretary. Within a few days we found that it would be impossible to do the work without the assistance of such a drafting Assistant Secretary. He had at and after that time the Madras Estates Land Act Bill, the Madras Universities Bill, the Hindu Muhammadan Religious Endowments Bill, the Madras District Municipalities Amendment Bill, the Local Boards Amendment Act and a few others under Bills alone, out of which only two, I believe, have emerged into the Council, viz., the Port Trust Act and the State Aid to Industries Bill. Besides these, he has to add a supplement to the Madras Code and he is now revising the Agency rules. The work now before him is sufficient to occupy a very hard working person at least to the end of this year. It is impossible to do without him till all these matters at least are finished. Therefore it is that the Government are obliged to come to you and ask for this additional grant to keep him till the end of December at least."

The motion was then put to the House and carried and the grant made.

The hon. Rao Bahadur A. P. PATRO:—"Sir, I move

That the Government be granted an additional sum of Rs. 3,000 under 22-C (a) General Administration—Secretariat and Headquarters Establishment—Civil Secretariat—Revenue Department.

"Sir, in view of the general demand for formulating a definite policy, as exemplified by the numerous resolutions that have been tabled by my hon. friends opposite to me, it is necessary that we should collect all the necessary information available not only in regard to our own systems but also to all systems that are in vogue in other countries and for that purpose we should have a special officer. When the question was moved by my hon. friend Mr. A. S. Krishna Rao last year, I undertook to appoint an Excoise Advisory Committee to advise on questions of this nature. When the matter was put before them, they thought that it would be necessary to collect all available statistics so that the whole question might be examined and the methods systematised; a pamphlet is being prepared for the information of members of this House and of the Standing Committee. For that purpose we have, after consultation, selected one of our officials in the Excoise Department, Mr. Strathie, who has been placed on special duty and he has since been collecting information and has nearly completed the necessary enquiries; a questionnaire will be prepared for circulation. They will be able to make a persons who are interested in temperance. In order to be able to make a definite statement of the excoise policy we propose to appoint Mr. Shanmukham Chettiyar, a non-official, who is very enthusiastic as you all know in matters of temperance, to be associated with the Government official and visit Bengal, the United Provinces and Bombay to study the systems that have been recently adopted in those provinces and to suggest how far we should follow or adopt in our own province any useful system that has not already been adopted. It is absolutely necessary in order to work out an excoise policy of the Government that this matter should be thoroughly examined. For the travelling allowances of the two members to other provinces and for a small establishment for Mr. Strathie during the time of his work, I beg to move for an additional grant of Rs. 3,000."

The motion was then put to the House and carried and the grant made.

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GRANT X.

The hon. Mr. K. SRINIVASA AYYANGAR :—" Sir, I move
That the Government be granted an additional sum of Rs. 7,264 for the
excess expenditure over the budget grant towards the opening of two temporary
sub-courts.

"In the original budget—I think it is necessary to remember this
even if this grant is now granted, there will yet be a saving in the total—
we asked for Rs. 1,56,000 for the temporary judges' salaries out of which
Rs. 35,000 was taken out by the House leaving a balance of a lakh and
twenty-one thousand rupees for the payment of the salaries of the sub-
judges. For the establishment we wanted Rs. 80,646 out of which
Rs. 10,000 was deducted leaving a balance of Rs. 70,646. That is the total
budget provision for the salaries of the sub-judges and their establishments
as granted by the House. If you provide for the salary of two more sub-
judges the net result of it would be that there will be an extra cost of about
Rs. 436 altogether, taking both the salary and the establishment together.
Again, Sir, under the head 'Munsifs' Salaries,' we wanted Rs. 86,400 and it
was diminished by Rs. 25,000 leaving Rs. 61,400 under the head Salaries.
As regards their establishments we wanted Rs. 75,972 and there was no
diminution there. Finally the House made a lump reduction of Rs. 19,200
probably to make up an imaginary figure of a lakh. We have given effect
to the vote of the House and we have deducted this Rs. 19,200 out of the
budget for civil justice. We have abolished a number of sub-courts or
temporary courts and we have also abolished a number of munsifs' courts
so as to bring the amount under salaries within the provision granted.
After that, Sir, we had letters from the High Court giving figures which
showed that it would be impossible to go on at this rate without some
increase in some places at least for the purpose of dealing with the huge
arrears in the superior courts which have accumulated. Probably the
House knows that a small informal committee is sitting for the purpose of
devising means to reduce the arrears and for the purpose of economy in
judicial time. The more we have gone into it the more hopeless the out-
look appears; but still we are trying our best to devise means to reduce the
arrears and, if possible, the number of courts. We shall try and finish our
work as soon as we can possibly do it. We are collecting statistics of arrears,
enquiring into the cause of delay and the outturn in these courts and we are
trying to see whether, without detriment to the efficiency of the administra-
tion, measures could be provided for the speeding up of disposals and reduce
these arrears.

"As I have already told you, the High Court have written to us to say
1 p.m. that it is necessary immediately to reopen two temporary sub-
courts. I want the House to remember that in deference to
its wishes we abolished five of the temporary courts. We also diminished
expenditure under the head of Establishment; in the result we have reduced
the number of sub-judges without reference to the establishment. Now, Sir,
it has been found that the necessity for opening a court at Berhampur was
felt even last year and the Government sanctioned it; but we did not give
effect to it, because there were no funds. We have been trying to make
provision for it this year. It is reported that in that court there are arrears
to such an extent as will of themselves keep a sub-judge fully engaged for
at least two years in clearing them without reference to any additional files

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In another place, that is in Nellore, from which my hon. friend opposite comes,
a similar situation has arisen. I am not astonished; that these are not the
worst cases; there are others which claim equal priority with these as regards
their arrears. We shall try to shift the courts from one place to another
so as to give relief wherever wanted. Though this is formally a fresh grant
for which I come to you, it is not that you have to take the money from
extra sources and pay for salaries, as there will be a definite reduction under
each item. The result of granting Rs. 7,264 for excess expenditure for the
salaries will yet leave a net saving of eleven thousand and odd rupees, taking
the salaries and the establishment charges together. It is in these circum-
stances, Sir, that I am obliged to come to the House for this additional sum
which I think will be more or less sufficient. I want the House to appreciate
this: that we have done our very best to give effect to your proposals and
have loyally carried out all the reductions in spite of the fact that we knew
that it would be impossible to clear the arrears even with the additional
courts. Till the committee which is sitting is able to report and come to
a conclusion and suggest definite remedies for the purpose of reducing the
arrears, I am afraid it will be hopeless to keep up to the present number of
courts and yet endeavour to do justice."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, the hon. the Law
Member has told us that the Government have given effect to the decision of
this House to effect retrenchment in the matter of the temporary sub-courts
and the temporary munsifs' courts. We are glad that attempts have been
made and that retrenchments have been effected to that extent. He has told us
that the two temporary sub-courts for which an additional provision is necessary
are for the additional courts which have been started at Nellore on the 17th
August and at Berhampur. I do not know much of the circumstances of the
Berhampur court and I would leave it to my friends from that part of the
Presidency to say anything about it. There are some facts which I wish to
place before the hon. the Law Member and some information which I would
like to elicit from him before I can make up my mind to vote for this grant.
There has been a temporary sub-court at Nellore for some time which has
been justifying its existence. The work has been fairly heavy and there has
been enough of work for the subordinate judge to do. I may assure the hon.
the Law Member that neither the public, nor the Bar, nor any one else con-
cerned are satisfied about the necessity for an additional sub-court in addition
to the temporary sub-court which had already come into existence.

"The information which I would like to have from the hon. the Law
Member is this: whether the application for an additional sub-court was not
made by one who was acting during the leave of the permanent incumbent
for a period of three months, whether this proposal for an additional sub-
court was again referred either to the permanent district judge who resumed
duty immediately after the period of three months of his leave, or even to
the temporary subordinate judge working in the station, whether they were
consulted, and whether the High Court and the Government are satisfied
that it will not be possible for either the existing temporary sub-court or the
district court to clear the arrears. I would also like to know whether the
High Court made an examination as to the figures furnished by the district
judge as to the suits disposed of and ascertained whether they were either
compromised or otherwise dealt with and whether the statistics furnished about
the contested suits were a real or proper test. I do not know whether after
an application was made by the judge a proper enquiry was made as to the

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accumulation of arrears and the circumstances under which the arrears accumulated, and whether this court has been superimposed without much demand from the public. I wish to know whether in the statistics furnished about the contested suits information was available as to how many of them were compromised, and in how many of them judgments were written; and whether after a careful elucidation of these facts the High Court came to the conclusion that an additional sub-court was necessary; for until then there could not have been any justification for this additional court. I wish to have this information, if the hon. the Law Member can give me, before I can support this grant so far as Nellore is concerned. I understand that it is exist for a short period, and the court was started on the 17th August. I do not think I need weary the House by pointing out that a temporary court lasting for six months cannot serve any useful purpose. I can understand a court being started with original jurisdiction conferred on it when it will afford relief to the existing courts. But when a temporary sub-court is started and some suits are transferred from the district court to that court, it will not be possible for even the litigants to go after new practitioners and it will be found that adjournments are often asked for. In the long run, it is not going to serve any useful purpose either to the litigant public or to anyone else concerned. I therefore wish to know if the Government are satisfied that full enquiries have been made regarding this question before we give our assent to this additional court."

Sriman SASIBHUSHAN RATH Mahasayo:—"Sir, while my hon. friend Mr. Krishna Rao has spoken about the Nellore Court, I am here to speak something about the Berhampur Court which has been recently sanctioned and established. I do not think that there is any necessity for this additional court. Whether we want it or not, that has been thrust on us, and sanction has to be given here for the allotment. The permanent and subordinate judge of the Berhampur Court has not been able to dispose of literally a dozen cases probably in the whole year. Why it has been so has not been investigated and the cause of this large accumulation of arrears made known. Probably the judge is not an able officer and probably he is an able officer, but not a 'disposing officer' as sometimes such officers are called. If he is transferred from that place, perhaps Berhampur will not require an additional court which may be located in another place. All this has to be taken into consideration. There is no good of having new courts established and transferring cases from the district court and the sub-court, as is actually being done to give relief to the sessions judge. Such a thing should not be allowed. It is on this ground that I oppose this motion for an additional grant."

The hon. Mr. K. SRINIVASA AYYANGAR:—"I want to clear a misconception. I am now only asking for the salaries of two sub-judges for the two sub-courts which are at present located at Berhampur and at Nellore; because on the information supplied to us and on the figures supplied by the High Court it is quite clear that they are urgently needed in those places. I do not know whether the hon. Member who spoke for Berhampur has any intimate knowledge of the state of work in that place. It is not possible now to go into the question as to why these arrears have accumulated. It is one of the questions which the Committee will investigate. Whether in a particular court there has been proper disposals, whether there have been efficient disposals, all these will come within the scope of the enquiry of this

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Committee. If Nellore does not want an additional court, I believe Coimbatore wants it, and the Bar have been asking and pressing for it, and if we find that Nellore does not want it or deserve it, we will at once transfer it to Coimbatore. The question now for the House is whether two more courts are not necessary to dispose of the arrears, and we may safely leave it to the High Court to put them on in two places where they are urgently needed. So it is not the question whether Nellore wants it or Berhampur wants it. It is the High Court's decision that they are wanted in those two places and they want it very urgently in half a dozen places. I therefore respectfully submit to this House that this grant should be passed and discretion given to us to locate them wherever they are wanted, for there are plenty of places requiring them."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I thought the hon. Member would have been able to furnish at least the information whether the application was referred to the permanent district judge or the temporary subordinate judge of the place."

The hon. Mr. K. SRINIVASA AYYANGAR:—"Both of them were consulted."

The motion was then put to the House and carried and the grant made.

Mr. P. C. Ethirajulu Nayudu demanded a poll which was taken with the following result:—

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| <p><i>Ayes.</i></p> <ol style="list-style-type: none"> 1. The hon. Sir Charles Todhunter. 2. " Sir Muhammad Habib-ul-lah Sahib Bahadur. 3. " Mr. K. Srinivasa Ayyangar. 4. " the Raja of Panagal. 5. " Rai Bahadur K. Venkatarreddi Nayudu. 6. " Rao Bahadur A. P. Patro Garu. 7. " Mr. A. R. Knapp. 8. Mr. F. J. Richards. 9. " C. W. E. Cotton. 10. " E. Periyasayagam. 11. " R. K. Shanmugham Chettiyar. 12. " R. Littlehales. 13. " A. Ramaswami Mudaliyar. 14. Diwan Bahadur R. Venkataratnam Nayudu. 15. Rao Bahadur A. Ramayya Punja. 16. Dr. P. Subbarayan. | <ol style="list-style-type: none"> 17. Mr. K. Suryanarayanamurti Nayudu. 18. Diwan Bahadur M. Ramachandra Rao Pantulu. 19. Diwan Bahadur M. Krishnan Nayar. 20. Mr. C. V. Venkataramana Ayyangar. 21. Rao Bahadur C. V. S. Narasimha Raju. 22. Mr. K. V. Ramachari. 23. Diwan Bahadur D. Seshagiri Rao Pantulu. 24. Mr. M. R. Seturatnam Ayyar. 25. " K. Srinivasa Ayyangar. 26. " M. Suryanarayana. 27. " T. C. Srinivasa Ayyangar. 28. " M. Prabhakaran Tampam. 29. " C. R. T. Congreve. 30. Rev. W. Meaton. 31. Rao Sahib M. C. Madurai Pillai. 32. Mr. L. C. Guruswami. 33. Rao Bahadur T. Namburumal Chettiyar. |
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| <p><i>Noes.</i></p> <ol style="list-style-type: none"> 1. Mr. K. Adinarayana Reddi. 2. " S. B. Y. Ankineedu Prasad Bahadur. 3. Dr. M. Appalanarasayya Nayudu. 4. Rao Bahadur P. C. Ethirajulu Nayudu. 5. Rao Bahadur K. Gopalakrishnayya. 6. Mr. K. A. Kandaswami Kandar. 7. " B. Muniswami Nayudu. 8. " W. Vijayaraghava Mudaliyar. 9. " V. Pakkiriswami Pillai. 10. " K. Sarabha Reddi. 11. " W. P. A. Soundarapandiya Nadar. 12. " K. Sitaram Reddi. 13. " A. Tangavelu Nayagar. 14. " T. C. Tangavelu Pillai. 15. " K. C. Venkatachala Reddiyar. | <ol style="list-style-type: none"> 16. Mr. C. Venkataranga Reddi. 17. Rao Bahadur A. S. Krishna Rao Pantulu. 18. Sriman Sasibhushan Rath Mahasayo. 19. Mr. T. Sivasankaram Pillai. 20. The Raja of Ramnad. 21. The Zamindar of Mandasa. 22. Mr. A. D. M. Bavotti Sahib. 23. Hamid Sultan Marakkayar Sahib Bahadur. 24. Saiyid Ibrahim Ravuttar. 25. Khan Sahib Muhammad Abdur Rahman Sahib. 26. Munshi Muhammad Abdur Rahman Sahib. 27. Saiyid Diwan Abdul-Razaak Sahib. 28. Muhammad Sadulla Badesha Sahib. 29. Mr. G. Vandanam. |
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The grant was made, 33 having voted for and 29 against.

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GRANT XI.

1-15 p. m.

The hon. Mr. K. SRINIVASA AYYANGAR :—"Sir, I move
That the Government be granted an additional sum of Rs. 1,100 for the payment of honorarium to Mr. F. C. Fernandez, retired District Judge, in connexion with the preparation of a Criminal Law Manual for the use of Special Magistrates in this Presidency under '24 (g) Administration of Justice—Criminal Courts'.

"Mr. Fernandez was asked to prepare a manual, I think, some time in 1920, and a sum of Rs. 500 was sanctioned as honorarium. The book was to consist of about 100 pages. Subsequently the Government thought now that the book is being prepared they might as well make it more useful and therefore more comprehensive, and they gave directions to Mr. Fernandez to prepare a manual in simple language consisting of the main principles of Criminal Law including procedure and evidence, so as to be of use to special magistrates who are not trained lawyers. The result was the book increased to 200 and odd pages and naturally it involved a very large quantity of additional labour as he (Mr. Fernandez) had to change almost the whole of his previous work. In the circumstance he asked for an additional remuneration and the Government have resolved to give him that. The total including, I believe, stationery, comes to Rs. 1,100. We forgot to make provision for this sum in the last budget as we expected that this small sum could easily be found by reappropriation in the budget under the head 'Justice'. Owing to the close scrutiny which has been exercised by this House and owing to the very careful way in which the Budget was prepared—I am not taking the compliment to myself, but I am giving it to the hon. the Finance Member—it was found impossible to find any sum by reappropriation under any head. Unless therefore we have this additional sum of Rs. 1,100 we cannot pay Mr. Fernandez, and obviously the House cannot say that we should not pay him. As for the value of the book, as one hon. Member suggests, it will be found necessary and useful as soon as it is published and distributed. That is all that I can say as regards that remark. Further, we expect it would pay for itself if we can sell it, but primarily it is intended for free distribution to those who are doing the country's work without payment. I therefore ask that this small sum may be granted to the Government."

Rai Bahadur T. M. NARASIMHACHARLU :—"Sir, I want to know if this is to be published in English. Most of the special magistrates do not know English."

The hon. Mr. K. SRINIVASA AYYANGAR :—"I believe it is to be published in English. It will be translated into vernacular if there is a demand for it."

Mr. T. SIVASANKARAM PILLAI :—"I understand from what the hon. the Law Member said that this publication is intended for the special honorary magistrates in the mufassal who are doing the country's work without any payment. These honorary magistrates or most of them are not English-knowing people and if the publication is to be of use at all to them, then this must be published in the vernacular. But from what the hon. the Law Member said there does not seem to be any likelihood of issuing a vernacular version of the Manual. In that case I very much doubt if this publication would be of such use as to justify this expenditure."

The motion was put to the House and carried and the grant was made.

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GRANT XIII.

The hon. Mr. K. SRINIVASA AYYANGAR :—"Sir, I move
That the Government be granted an additional sum of Rs. 51,209 under

'26. Police'.

"This sum of Rs. 51,209 consists of three items and I propose to explain to the House the need for each one of these items.

"The first item is a sum of Rs. 22,000 for clothing the police staff in the Madras City. It is due really to a blunder in not putting it in the budget at the time it was framed. There was a sanction given for an additional number of police, and we provided for their pay in the budget and that has been accepted by the House and passed. But these men are left without clothing. For the original provision for clothing was for the number of men and officers before this addition was made in 1921. So, if you want these men to have their clothing as they have to be provided by the Government, you must grant this extra sum of Rs. 22,000.

"The second item is motor-bus charges for the conveyance of the police and military during the Madras mill disturbances in 1921. The charges come to Rs. 10,560. This expenditure was incurred in 1921 and the House sanctioned an extra grant of rupees eight lakhs and odd on or about the 28th March 1922 as a supplementary grant for the year 1921-22 and this sum of Rs. 10,560 was included in the grant which the House passed. But we could not issue the bill and actually pay in three days with the result that this sum of Rs. 10,560 had lapsed and it is why we have come with a demand like this.

"The third item requires a longer explanation and I propose to make it. This is with regard to the punitive, or rather additional police force at Kamudi, Ramnad district. The demand comes to Rs. 18,649. On this matter I cannot help thinking there has been a certain amount of confusion and I am not sure that there is not some amount of misapprehension also. I want to place frankly before the Council what the attitude of the Government is with regard to the imposition of punitive police either here or elsewhere.

"A short history of the punitive police at Kamudi may not be uninteresting to the House and probably may enable them to come to a sound conclusion on this matter. Many of you may remember, at least those who come from Ramnad, that we had troubles in or about the year 1897 or 1898 with the result that a punitive police, or an additional police—the word 'punitive' is not found in the Act; it says 'additional police'—had to be stationed both at Kamudi and at Aruppukotta. That police remained for a considerable number of years. In Aruppukotta it was withdrawn, if I remember right, in 1905, and there was no further occasion to impose additional police in that area. So far as Kamudi was concerned, we thought that the place had quieted down and no additional police was necessary, and the Kamudi police was withdrawn in the year 1909. Things appeared to be quiet till we were made aware that the causes which originally necessitated the addition of the police there still subsisted and we had again had troubles in the year 1917 or 1918 with the result that in November 1918 we had to reimpose the additional police at Kamudi, and it is still there.

"Now there are two points in connexion with the Kamudi police to which I wish to draw the attention of the House. There was a resolution in this House that the imposition of what is called the punitive tax, or the

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assessment for payment to the additional police quartered there, should not be borne by the inhabitants of that place. I believe hon. Members here are aware that once a proclamation is issued under the Police Act . . .

The RAJA OF RAMNAD:—“May I be permitted to interrupt the hon. the Law Member? It was not confined to the inhabitants of the place, but to two communities who were supposed to have taken part in the trouble.”

The hon. Mr. K. SRINIVASA AYYANGAR:—“Yes. The troublesome communities were asked to pay in order that they might not break each other's head. The Act imposes on the Executive an obligation to see that peace is preserved, and if it could not be preserved by the normal police which is paid for by the general tax-payer the persons who are troublesome and are fighting with each other will have to bear the extra cost. We imposed it in 1918 and it is being renewed year by year. I want to impress this upon the House that every time we issue a proclamation—very careful enquiries before we re-issue the proclamation for the purpose of seeing whether the causes, which are expected to be temporary, have been removed and whether there is any need further to continue the additional police. It is in that way that we have been going on. The last time when this proclamation was renewed was, I believe, on the 1st of October 1921, and it must expire on the 1st of October 1922.”

“I must mention to the House that there was a resolution of the House, which was carried, viz., that the tax should not be leviable from the persons who were bound to pay according to the proclamation. My lawyer friends in this House, if they will turn to the Act, will find that it is not within the competence of the Executive Government to relieve the persons who are bound to pay from that obligation. We have got the right to make certain exemptions, but we cannot exempt altogether the communities or the inhabitants of a particular area who have to pay under the Act. It was clear to the Government at the time that there was no idea on the part of the people, and there was no idea so far as one could see on the part of the Members, that the police force itself should be taken away, but only that those particular communities should not be obliged to pay. On that we again made very careful enquiries for the purpose of finding out whether the situation was such that we could reduce or abolish the additional police altogether. The information which we had, and the reports we got, showed that it would be very rash and very dangerous indeed to relieve that place from the extra police.”

“Then the next thing that happened was the House took away the budget provision for the Kamudi police which we had put in. It is here I think that there has been a certain amount of misapprehension regarding this matter. Inasmuch as we have to pay the police, we have to make a formal provision for their pay under the expenditure charges. But in reality the whole of the pay to the additional police comes in from the inhabitants, or the communities of that local area in which we establish it, and, as I have told you just now, it is not possible for the Government to relieve the inhabitants.”

“The question now before the House is whether, if it is considered necessary by the Government to keep on the additional police beyond the 1st of October 1922, the House is prepared to pay for it from out of the general revenues. If that is the wish of the House, the Government, so far as I can

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see, will have no objection whatsoever not to renew the proclamation and at the same time pay the additional police out of the general revenues. All the information now points to the direction that it would be impossible to keep the peace without additional police. Whether the additional police is to be paid for by the inhabitants or from the general revenues is a question for the House to decide. Now, as I have said, the proclamation lasts till the 1st of October 1922, but the House has deleted the whole of the provision for the punitive police; and you have to make a provision now. If that provision is made, and then, if it is the wish of the House that we should not renew the proclamation, we are prepared to act upon it; and then it will be the general tax-payer who will have to pay. The issue is now brought before the House and I may say that I am entirely in the hands of the Council with regard to this matter. If, for instance, you decide that this money is to come out of the pocket of the general tax-payer and do not restore the grant to meet the expenditure till the 1st of October 1922, you will have receipts in the shape of demands of assessments from the locality on which the assessment had to be imposed. What is to be done with this sum which is to be found on the receipt side? Under the Act, as you will find, this money could be paid only for the extra police and you are not entitled to take it into the general revenues. That is the position in which Government now stand and that is why we come to you formally to restore this grant. And if it is your wish that this police should be paid out of the general revenues, then we will do so and relieve the inhabitants after the 1st of October and not renew the proclamation even if we are told that it is necessary. But I want to bring prominently before the House that we have made very careful enquiries, and it is the unanimous opinion of all the officers who have got anything to do with the locality that it is absolutely necessary to keep on an additional police if you want to preserve peace there. That is the position, Sir, and I want to assure the House that, so far as this punitive police is concerned, wherever we have imposed it, the Government are anxious that they should not be continued a day longer than is necessary. That is, if the Government are satisfied that the temporary causes which made it necessary to impose a punitive police are not existing now, they should be exceedingly glad indeed to take off any police which stands there.

“These are the three items which make up the total grant of Rs. 51,209. I have given a full explanation as regards the third item, viz., the Kamudi Police, and I have placed the whole position before the House. It is now for the House to decide.”

The Council then adjourned for lunch at 1-40 p.m. and re-assembled at 2-40 p.m.

The DEPUTY PRESIDENT announced that His Excellency the Governor had disallowed the motion for adjournment of Diwan Bahadur M. Krishnan Nayar and that the hon. Mr. K. Srinivasa Ayyangar would be the Chairman of the Committee on the Bill to amend the Madras Port Trust Act.

The House resumed discussion of grant No. XIII for an additional sum of Rs. 51,209 under “26. Police.”

The RAJA OF RAMNAD:—“Mr. President, of the items composing that amount of 51 and odd thousands, the hon. the Law Member referred to the expenditure incurred in maintaining additional police at Kamudi. I was

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not able to find from his speech whether he wanted the retention of the additional police and the expenditure to be borne by the inhabitants of the locality, or whether he merely wanted the additional police to be paid from provincial funds. If the hon. the Law Member had used the words 'strengthening of the police' there, the trouble would probably have been saved. The Legislative Council has carried a resolution to abolish the punitive police at Kamudi, and when an allotment was found in the budget they cut that provision clearly showing thereby that it was the desire on the part of this House that the punitive tax for the additional police at Kamudi should no longer be levied. The hon. the Law Member told us that the tax was levied from the inhabitants."

The hon. Mr. K. SRINIVASA AYYANGAR:—"I corrected myself at once as soon as the Raja drew my attention to it. It is from particular communities or sections."

The RAJA OF RAMNAD:—"I know the hon. the Law Member said that it was confined to two communities who are supposed to have taken part in the trouble. But the levy was not confined to the inhabitants belonging to the two communities in the particular locality alone, but it extended to several villages from which rioters were supposed to have come and taken part. Even proprietors of these villages when they happened to be either Maravars or Nadars were made to pay for the maintenance of this police. If the normal condition of the locality is so bad as to always require additional police, I think the proper expression to be used would be not an additional police but strengthening the local police. It would not be proper to call it an additional police and levy the cost from the inhabitants. You may remember that there was a discussion on Mr. W. P. A. Soundarapandya Nadar's resolution about the abolition of the tax and it was then mentioned by Sir Lionel Davidson that the cost of the additional police maintained at Sivakasi was being paid from provincial revenues. I then asked here that if the expenditure incurred from provincial revenues for the additional police at Sivakasi was justifiable, whether it would not be equally just to incur expenditure in the case of the additional establishment at Kamudi. He was only able to say that he was not responsible for that state of things, and that it was done some time previous to his taking charge of the Home Department. Therefore what I want now to place before this Council is that if according to the hon. the Law Member the situation in and around Kamudi is such as to require this additional police, the cost should be borne by the provincial revenues and that this additional tax should no longer be levied from the inhabitants. It is a grave abuse of the provisions of the Police Act which only permits the Government to levy an additional tax for additional police entertained to cope with emergencies. If the normal conditions required strengthening of the police that cost should be borne from provincial revenues. The punitive tax, as the very name indicates, can only be for a specific purpose and for a specific period. It cannot be for all time to come. For these reasons I appeal to the Council to grant the demand, provided the hon. the Law Member will give an assurance that he will at once cancel the levy of the punitive tax from the inhabitants of the locality."

Mr. T. C. SRINIVASA AYYANGAR:—"Mr. President, so that there may be no misconception, I wish to say a few words on the motion before the House. Kamudi is situated in a tract of country, in which and also in

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its neighbourhood there are no facilities for easy communication. The inhabitants are not very peace-loving and any ordinary, not to mention extraordinary, cause provokes a bickering. Many of the Collectors of either Ramnad or of the previously combined districts of Madura and Ramnad had always Kamudi and the neighbourhood on their nerves. So it would be a very bad policy to abolish the police there. Whether you call it additional police or punitive police, the police in its present strength is absolutely necessary, as there are predisposing causes which set two communities one against the other. The conditions of the locality require it. It is immaterial whether the amount that is necessary for maintaining the police is paid from the general revenues of the country or by taxing any one or more communities. But one thing deserves to be recollected. That only two communities, among others, inhabiting that part of the country, are taxed is considered by both of them to be a great slur on their character. It is this which led, on the former occasion, in discussing resolution No. 235 on the 21st January 1922, this House to pass the resolution recommending to the Government the repeal of the punitive tax levied for the purpose of maintaining the Kamudi police. I therefore submit, Sir, that the motion before the Council is one that deserves to be passed."

The RAJA OF RAMNAD:—"May I ask for an assurance that the punitive tax will be cancelled?"

The hon. Mr. K. SRINIVASA AYYANGAR:—"This is only a demand and I am not going to answer any irrelevant question."

The motion was then put to the House and carried and the grant made.

The hon. Mr. A. R. KNAPP:—"Sir, I move
That the Government be granted an additional sum of
Rs. 1,23,478 under "26. Police."

"I may explain that this particular item comes under detailed account 26 (A) Police, Special Police for Malabar, the special armed force which has been raised for the protection of the inhabitants of the rebellious area. In the budget a lump grant of Rs. 4,15,000 was passed by the Council on that account. At the time when this lump sum was entered in the budget, or rather at the time when the estimate was prepared, martial law was still in force and the area was in the charge of the Military. The new police force was only in course of formation and its final organization could not very well be forecasted at that time. As a matter of fact, the figures put in departmentally were considerably higher than the Rs. 4,15,000 ultimately asked for. The Finance Department were a little optimistic and advised us that a smaller amount of money ought to suffice, and in consequence we contented ourselves with Rs. 4,15,000. Well, experience has justified the departmental view. We find that our original forecast, so far as it went, was substantially correct. Rupees 60,000 of the total amount which I am asking for really represents the original estimate which, as we now see, we ought to have put in in March. The remainder is made up of a certain number of unforeseen items which have come to our notice since then. As an example I may quote the fact that our provision for uniform in the original estimate was insufficient. In particular we have had to spend some Rs. 14,000 on waterproofs, a very necessary equipment in the special weather conditions of the Malabar monsoon. If we entertain the police we must clothe them and I do not think the Council will have any objection to

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making the necessary provision on this account. Another item that we have had to raise is the provision for medical relief which is increased by rupees 16,000. This is not a matter in which we can economize. We must make proper provision for the health of the men, particularly in the bad weather. Then there is a sum of Rs. 6,000 on account of extra prosecuting staff. It was found most desirable to push on the prosecutions as quickly as possible. So long as we have untried charges hanging over the heads of a large number of unfortunate Mappillas we cannot expect a return to normal conditions in the district. In these circumstances we came to the conclusion that we should increase our prosecuting staff to enable us to get on faster with the work. Similarly, we have an item of about seven thousand rupees to provide for the extra escorts necessitated by the increased disposal of cases. Finally there is an item of Rs. 12,000 for additional guards for the Bellary jail. That is also unavoidable. The number of prisoners exceeded our previous expectations and the additional sum of Rs. 12,000 is the minimum necessary for the pay of its extra guards. Those items together with the Rs. 60,000 explain one lakh and nine thousand rupees of the increase. There is further a sum of Rs. 13,000 for police establishment at Cannanore. We have been able to relieve the very undesirable congestion which at one time prevailed in the local sub-jails by borrowing from the military two large buildings at Cannanore. These have been temporarily converted into large and convenient sub-jails. The guarding of these jails and the escorts required for taking prisoners backwards and forwards have compelled us to increase the force at Cannanore, and the sum now asked for will meet the cost for the remaining portion of the year. I hope, Sir, I have given a sufficient explanation to the Council of the large demand which I am compelled to make. I am sure the Council will have no objection to granting the money."

Diwan Bahadur M. KRISHNAN NAYAR:—"I rise to support this demand, Sir. As the hon. Mr. Knapp has stated, the Malabar rebellion has practically subsided or is subsiding and the military has been withdrawn. About six hundred policemen have been specially recruited and distributed over six centres in the district. Even under normal conditions in the district, medical treatment has to be provided for. This year, the monsoon in Malabar has been exceptionally heavy. The quantity of rainfall is probably one and a half times the usual quantity. The need for clothing and medical treatment is thus much more now than under normal conditions. Then again, there is a large number of Mappillas who have not yet been arrested, and the other classes of people are naturally afraid of them. It is desirable in the interests of Government and the people that such of them as are to be really arrested and prosecuted should be dealt with as early as possible. For these reasons I support this proposition."

The motion was put to the House and carried and the grant made.

GRANT XIV.

The hon. Rao Bahadur A. P. PATRO:—"Sir, I move

That the Government be granted an additional sum of Rs. 1,300 under "30-B. Scientific Departments—Provincial Museums—Transferred"

"for expenditure in connexion with the preparation of gramophone records of certain languages and dialects spoken in the Madras Presidency. It will be remembered that last time in connexion with the linguistic survey

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I asked the Council to give a grant for purposes which were not included at the time of the original survey. Subsequently the Inspector of Linguistic Survey wanted 29 more dialects to be examined in this Presidency. At first it was considered that 12 samples of these dialects would be sufficient. But as the work proceeded further instructions were received and 21 samples were necessary in each case, and hence the motion for additional demand."

The demand was put to the House and carried and the grant made.

3 p.m. The hon. Rao Bahadur A. P. PATRO:—"Sir, I move

That the Government be granted an additional sum of Rs. 1,710 under "30-C. Scientific Departments—Donations for Scientific Societies—Transferred"—Rs. 600 for the annual grant to the Nilgiri Library due for the year 1921-22 towards the purchase of books, magazines and reviews, and Rs. 1,110 towards subvention to the Library Committee on account of balance of rent due for the Library.

"Hon. Members will remember that we made a very good bargain in taking over the library at Ootacamund. There was delay in preparing the transfer deeds and during all the time the society had to pay interest on the debentures. We have also to pay the annual contribution of Rs. 600. Including this the total amount that we have to pay to the library amounts to Rs. 1,710. We have got a legal obligation to discharge. So I beg the Council to make this grant."

The motion was put to the House and carried and the grant made.

The hon. Rao Bahadur A. P. PATRO:—"Sir, I move

That the Government be granted an additional sum of Rs. 1,000 under "30-C. Scientific Departments—Donations to Scientific Societies—Transferred" for grant to the Bhandarkar Oriental Research Institute, Poona, for the preparation of a scientific and critical edition of the Mahabharata.

"I moved for this grant last time and the Council was good enough to grant it. But it lapsed as there was delay in the demand coming from Bombay. I therefore request the House to make this grant."

The motion was put to the House and carried and the grant made.

GRANT XV.

The hon. Mr. A. R. KNAPP:—"Sir, I move

That the Government be granted an additional sum of Rs. 25,000 under "31-B (a) (iii) Education—Secondary—Reserved—Direct grants to non-Government Secondary Schools"—Building grants towards the cost of construction of buildings for the St. George's Home, Keti.

"The explanation of this, like that which was given in regard to some other grants, is that the money provided in the last year's budget unfortunately lapsed. The demand represents an obligation which the Government had undertaken with St. George's Homes under the ordinary Grant-in-aid rules. We were in fact contributing half of the cost. Delay took place in disbursing the money, because the Government before making the payment had to be satisfied that the buildings had been completed. Before this was done we had reached the end of March. Then an order for sanction was duly issued. But the order to pay was unfortunately granted to the school

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authorities only on the afternoon of 31st March and when they went to cash it early in April, it was dishonoured. My application is for a regrant of the money which owing to these unfortunate circumstances has lapsed into the general balances."

The motion was put to the House and carried and the grant made.

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU: "Sir, I move

That the Government be granted an additional sum of Rs. 1,080 under Agriculture—Transferred.

"This sum is required for the payment of salaries to certain clerks now working under the Statistical Assistant of the Director of Agriculture. These clerks were hitherto working under the Board of Revenue. Under certain arrangements made to transfer the work of statistics from the Board of Revenue to the Director of Agriculture, the clerks also had to be transferred. In the budget estimate their pay was provided for under the expenditure of the Board of Revenue. Now that the clerks are transferred to the Agricultural department, the Director of Agriculture will have to pay them and this money is required for the purpose. By so much the expenditure of the Board of Revenue will be reduced. It is merely a transfer from one department to another. I therefore submit that this grant may be easily granted."

The motion was put to the House and carried and the grant made.

GRANT XX.

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU: "Sir, I move

That the Government be granted an additional sum of Rs. 5,200 under Civil Veterinary Services—31-B. Agriculture—Veterinary charges—Purchase of stores in England.

"This is merely correcting an error which has crept into the budget. The Agricultural department and the Veterinary department have provided for Rs. 44,000 for purchase of stores in England. In distributing this amount the office made a mistake by putting Rs. 3,000 under Veterinary instead of Rs. 8,200. A sum of Rs. 5,200 was added on to Agriculture and reduced under Veterinary, by mistake. The total is the same, only the figures are misplaced. What I want is that the Rs. 3,000 provided for Veterinary department be made Rs. 8,200, that is, increasing the provision under this head by Rs. 5,200 and reducing the provision under Agriculture by the same amount of Rs. 5,200. This is practically a paper adjustment."

The motion was put to the House and carried and the grant made.

GRANT XXIV.

The hon. Mr. A. R. KNAPP:—"Sir, I move

That the Government be granted an additional sum of Rs. 5,850 under Labour and allied departments towards the pay of three Special Tahsildars for six months and a half in the current year.

"The money which I ask the Council to grant represents the pay of three officers of the grade of Tahsildars at the rate of Rs. 800 a month each, in the districts of Tanjore, Godavari and Chingleput, employed on work in connexion with the depressed classes under the Labour department. It will be within the memory of the members of this Council that in March

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last, during the budget debate, very heavy onslaught was made on the rather unhappy department of which I have the honour to hold charge. No less than 43 motions of reduction were tabled, though a good many of them were not actually discussed for want of time. The net result was that when the department emerged from the fray, while its head, the Labour Commissioner, and its extremities, the subordinate staff, were left unscathed, the trunk was badly mutilated; its backbone—the three assistant commissioners who looked after and were responsible for the actual work in the three districts, where we had been doing concentrated work—was cut away. This was the position when I took charge of the department. The work naturally was paralysed. The assistant commissioners had to be dispensed with practically at a moment's notice as there was no pay for them. But at the same time a considerable amount of money was still being handled by the subordinate staff. I make no reflection on the subordinate staff who are doing their duties faithfully and honestly, but we must recognize that they were neither organized nor intended to shoulder such heavy responsibility as that which was thrown on them. It was clear to me that I could not, consistently with my duty to my colleagues in the Government, to the taxpayer and, I may also say, to myself, allow matters to remain in that state. It would not have been fair to Mr. Paddison to make him undertake a responsibility in the matter of supervision, which it was physically impossible for him to discharge. There seemed to be only two alternatives open. One was to get rid of the staff and close down the operations of the department in those districts. But it would have been a matter of extreme regret if the Government, which for some years past has been doing its best to improve the economic condition of the depressed classes, had been compelled to take this step and to abandon its work as a result of the unfortunate decision at the budget debate in March last. But such a step will have to be taken if this Council holds to its determination not to grant funds for the immediate supervising staff which is so necessary for the local work.

"After a good deal of discussion and consultation with the Labour Commissioner, I came to the conclusion that it would be more proper if I took instead the only other alternative, that is, to come back to this Council and ask them to restore to the department the power to appoint a local supervising staff by providing funds for the purpose. For the reasons I have stated, I could not wait for the meeting of this Council. I had therefore to take my courage in my hands and, anticipating the Council's acceptance, to appoint three men to carry on the work. They have been appointed in the three districts and they are required till at least the end of this financial year. I now ask the Council to grant their pay till the end of March next.

"Under the arrangements I have made, the tahsildars are appointed by the Collector subject to the approval of the Labour Commissioner. The subordinate staff is appointed by the Collector and the Collector exercises general supervision over the whole work, but the Labour Commissioner is vested with full powers of supervision and direction whether in matters of policy or in matters of detail. This arrangement is purely experimental; it is forced upon us by the emergency. But I should very much like to give it a fair chance, and to let it run for a sufficient period to allow us to see whether this kind of organization is suitable or sufficient for our purposes. I desire to be allowed to try this experiment till 31st March next year. If

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the Council will not sanction the amount I now ask for, then the only alternative for me will be to get rid of the tahsildars as well as the other officers now working, and to close down the special operations of the department in the three districts."

The motion was put to the House and carried and the grant made.

The hon. Mr. A. R. KNAPP:—"Sir, I move
That the Government be granted an additional sum of Rs. 855-7-6 towards the salaries of Assistant Labour Commissioners and the Personal Assistant to the Commissioner of Labour for part of April 1922 under Labour and Allied departments.

"This is a very simple matter. The decision of the Council that the personal assistant and the assistant commissioners should be abolished was duly carried out, but a little time necessarily elapsed before the orders were actually communicated to these officers and before suitable places were found for them. The demand which I now move represents the pay for these officers for those days."

The motion was put to the House and carried and the grant made.

GRANT XXVIII-A.

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB
3-15 p.m. Bahadur:—"Sir, I move
That the Government be granted a sum of three lakhs under "Famine Relief".

"Sir, it is absolutely unnecessary for me to explain the circumstances under which this motion has now come up before the House. The hon. the Law Member while moving his own demand under a similar head has explained the procedure now obtaining as against the procedure which was in force at the time when this allotment was entered under 'non-votable' item. It is now votable and therefore it has come up before the House for being passed."

The motion was put to the House and carried, and the grant made.

GRANT XXIX.

The hon. Sir CHARLES TODD HUNTER:—"Sir, I move
That the Government be granted an additional sum of Rs. 12,500 under the head "45: Superannuation Allowances and Pensions" for the grant of compassionate gratuities to the families of deceased Government servants left in indigent circumstances.

"I may explain at once that the amount already granted by this Council under this head is Rs. 2,500 so that what we now ask is that the total allotment be raised to Rs. 15,000 for the year.

"This is an allotment for meeting, in a very small degree, the distresses of the widows and children of officers of Government who have died in harness without being able to make provision for them and just before they have earned a pension or retiring gratuity for themselves.

"The Council may perhaps have observed that there has been of late years a very considerable increase in the number of officers who have been anxious to commute their pensions, the cause being in most cases, I believe,

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an anxiety to make sure that they can leave something behind rather than to secure the maximum benefit for the pensioner's own life.

"The cases for which this grant is intended to provide are the cases in which an officer himself just misses his pension, and his family are suddenly reduced from the enjoyment of the pay that he has been earning, not to the pension, which represents roughly half the pay, but to nothing at all. I could quote cases in which officers have died between the preparation of their pension papers and the sanction of the pension. I could quote a case of an officer entitled to a gratuity who had to retire on account of a derangement of the brain and was unable on that account to sign his gratuity papers and died before power of attorney could be arranged. I could quote the case of an officer who died in the interval between commutation being granted and the order being issued. I could quote cases, at least three in the last year, of officers who have been struck down while actually at their work in office and who died within a few hours of causes in which overwork had no small part. I could quote cases of officers whose life has been shortened by service in feverish places, of men in the Government Press who have died as a result of accidents in the machinery, and whose families would be entitled to compensation under the new Workmen's Compensation Bill, if that had the force of law. I could quote the case of a peon who died through a flood in the Tambaraparani when he was carrying tappals, and that of a light-house-keeper who went to seek relief for his wife who was in the pangs of child-birth and was drowned in the monsoon on the way back to the island on which he had left her.

"All these sad deaths leave cases of grave distress behind. There are widows to be supported. There are boys whose education has to be finished. There are girls to be married. India is a land of charity and these poor people are cared for in a way by relatives and friends, but I do ask the Council to agree that the Government as an enlightened employer of labour has also a duty towards them and should do something, if it be but little, to relieve the immediate distress caused by the death of the wage-earner.

"It is little enough that we propose to do. In fact, the criticism has been levelled at the proposal which I now make that, if we can do no more than distribute Rs. 15,000, we had better do nothing at all. I have considered this criticism and I feel the weight that attaches to it. But I do think nevertheless that, even if it is only a hundred rupees, it is right that we should give something and give it quickly at least to tide over cases of immediate distress.

"As regards the manner of the administration of the fund, it is placed, under the orders of His Excellency the Governor, in charge of a Committee of three Members of the Cabinet, namely, the hon. the Law Member, the hon. the Minister for Education and myself, and we do what we can to distribute the allotment that is given to us to the best advantage. We ended last year with many cases which we could not meet out of the allotment of Rs. 2,500. We asked in the budget for the same allotment in the current year and we have already nearly exhausted it and we have come to the conclusion that, if we are going to alleviate immediate distress, we need a considerably larger sum. We ask now for Rs. 15,000 or £1,000, and I leave it to the Council to say whether it is not desirable that the tax-payer should pay this sum to relieve the immediate distress of the relations of servants of his, who,

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if they lived, would be costing him many times that sum in pensions or gratuities."

Mr. A. RANGANATHA MUDALIYAR:—"The hon. the Finance Member has told us that there is a committee to administer these funds placed at the disposal of the Government. I should like to know if any rules had been framed for the guidance of the committee as to whom the amounts are to be given, the maximum sum that might be paid to the survivors of the deceased, etc."

The hon. Sir CHARLES TODHUNTER:—"Sir, I should like to inform the hon. Member that rules have been framed and laid on the table in answer to a question of the hon. Member Mr. Bavotti Sahib."

The motion was put to the House and carried and the grant made.

GRANT XXXII.

The hon. Mr. A. R. KNAPP:—"Sir, I move
That the Government be granted a sum of Rs. 18,000 under "47. Miscellaneous" for expenses incurred in connexion with the visit of His Royal Highness the Prince of Wales.

"This sum is made up of three items and it requires some explanation. At the meeting of this Council on 27th March last, a supplementary demand of Rs. 14,250 was sanctioned by the Council. But unfortunately, as has happened in the other cases, the order of sanction to the officers concerned did not reach them within the financial year and the provision therefore lapsed. This part of the demand merely requests that the money which has lapsed should now be regranted.

"The second item of Rs. 4,227 represents the cost of certain petty works carried out by the Public Works Department at Government House in connexion with the visit of His Royal Highness the Prince of Wales. The bill for the repairs was not ready until after the 1st April. If the bill had been prepared more expeditiously, they would have been paid last year.

"The third item is a sum of Rs. 235, the travelling allowance of a deputy superintendent of police, a holder of the King's Medal. At the request of the Government of India, he was summoned to Madras for the Police Parade when His Royal Highness expressed the desire to see all the holders of the medal, which I may remind the House was granted by His Imperial Majesty. The officer in question was promised his travelling allowance, but provision was not made at the proper time. It is necessary for the Council to sanction this allotment to enable the Government to carry out its promise."

The motion was put to the House and carried and the grant made.

GRANT XXXIII.

The hon. Mr. A. R. KNAPP:—"Sir, I move
That the Government be granted the following additional sums:—

- (1) Rs. 9,294 under "22-A. General Administration, i.e., District Administration—General and subdivisional establishments—Petty construction and repairs—Reserved—Agency."
- (2) Rs. 3,163 under "31-C (a) Education—Primary—Reserved—Agency," and

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(3) Rs. 10,006 under "41-A. Civil Works in charge of Civil officers—Reserved—Agency works."

"In this case also, Sir, the demand represents money which ought to have been spent last year—for which provision existed last year—but which was unfortunately not drawn. In this case, however, it is not that the order for payment was presented too late, but that, owing to the physical difficulties of communication in the Agency, a remittance which was sent by the Deputy Collector of Ganjam was delayed in arrival at the Deputy Tahsildar's treasury so that there was no money to pay the bills until after the year had closed.

"This is the explanation in the case of items (1) and (2).

"The third item consists of a sum of Rs. 10,006 under 'Civil Works.' This is merely a matter of formality. It represents an allotment from what used to be called the 14 lakhs grant which has hitherto been given to the Vizagapatam and Godavari district boards but which has now to be included in the Agency District Board's grant. It is merely a question of eliminating this sum from the total for transferred works and bringing it to the reserved head."

The motion was put to the House and carried and the grant made.

XVIII

RESOLUTION RE ALTERATION OF RULE 1 OF SCHEDULE II OF THE MADRAS LOCAL BOARDS ACT, 1920.

The hon. the RAJA OF PANAGAL:—"Sir, I beg to move

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 1 of Schedule II 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 1 of Schedule II of the said Act:—

In rule 1 of Schedule II of the Madras Local Boards Act, 1920, for the words 'every month' the words 'two months' shall be substituted.

"Sir, I move this resolution because it has been found from practical experience that meetings at longer intervals will be more advantageous than monthly meetings. It has been represented to the Government that meetings held every month cause much dislocation to the work of individual members and that meetings held every month are likely to cost the boards a good deal more money than meetings at longer intervals. Moreover, it is pointed out that, if meetings were held every month, presidents would be apt to think that the time should be fixed first and then the subjects for discussion at the meetings. This leaves very little time indeed for members to study the several questions which have to be discussed and they have to come quite unprepared. Besides, to hold the meetings every month has a tendency to minimise the work done by committees.

"As against the position of those who advocate meetings at longer intervals, those who are for holding meetings every month contend that if meetings are held at longer intervals the opportunity for the presidents to come in contact with the representatives of the different parts of the board's

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jurisdiction will be much fewer and also that the work transacted in committees will be as costly as, if not more costly than, the work in full meeting. In these circumstances, the Government in June last consulted the presidents of the district boards and requested them to obtain the views of presidents of the taluk boards and forward to the Government their own views as to the pros and cons. A number of presidents have submitted their views and they are in favour of the two months' limit. Now, after consulting the presidents, the Government have made up their mind to effect the change. If the rule is changed as proposed, it does not mean that monthly meetings cannot be held whenever they are necessary by the boards concerned. It is after all an enabling change and I suppose there will not be any reason whatsoever why the members should not accept the resolution."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"May I ask the hon. Minister whether the opinions of the boards concerned have been called for?"

The hon. the RAJA OF PANAGAL:—"The presidents have been consulted."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"The members of the boards may have a different view and may say something on the question."

The hon. the RAJA OF PANAGAL:—"The presidents who were asked to consult the presidents of taluk boards would certainly have consulted the members of the district boards. The views of the presidents of district boards were representative of the boards also."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"May I know whether there is any resolution of the district boards in support of the change?"

The hon. the RAJA OF PANAGAL:—"I do not think there need be any formal resolution of the boards. It is enough if the presidents of district boards say that they have consulted the presidents of taluk boards and we may reasonably infer that they consulted the members of the district boards as well."

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU:—"I second the resolution, Sir."

The RAJA OF RAMNAD:—"There is only one circumstance which I request the hon. the Minister for Local Self-Government to take into consideration. Section 56 of the Local Boards Act lays down that a member who absented himself for three consecutive months ceases to be a member of the board. I am almost sure, once this rule is altered, every district board will pass a by-law to have meetings once in every two months. I am certain of this. The result will be a member who absents himself for three consecutive meetings will be a member who absents himself for six months and he would then cease to be a member. That is the only aspect to which I respectfully invite the attention of the hon. the Minister for Local Self-Government. So far as I am concerned, I am of opinion that the existing rule has not worked any hardship on members. The local boards conference of the five districts of Tinnevely, Ramnad, Madura, Trichinopoly and Tanjore held under the distinguished presidency of my hon. friend Mr. Krishnan Nayar recorded a resolution against the proposed alteration. That was a fully representative conference."

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Personally I am not very much opposed to the proposed alteration. I request the hon. Minister to take this into consideration before he presses the resolution for acceptance."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, the rule as it now stands makes it obligatory on every local board to meet once in a month. The boards might make regulations as to when they should meet. Each board will have to decide whether it should meet once in every month or once in every two months. When there is such a latitude allowed to individual local boards there is nothing objectionable in accepting the resolution before the House because it only removes the obligation on the part of individual district boards to hold meetings once every month, and permits them to arrange their meetings to suit their requirements. This is a wholesome rule which must be accepted."

"I agree with the Raja of Ramnad that there is this inconvenience in adopting this rule, viz., the difficulty regarding members who cannot attend three consecutive meetings. The question must be examined by the Government. Instead of penalising non-attendance for three consecutive months they may penalise non-attendance for three consecutive meetings, or non-attendance for six consecutive months."

"I should like to bring another fact to the notice of the hon. Minister. The oath of allegiance section of the Act makes it obligatory to take the oath within three months of his election or appointment. Therefore if a member fails to attend the first meeting after his election or appointment he may not have the chance of taking the oath. Both these may be taken into consideration when the Local Boards Act is amended."

Rao Bahadur K. GOPALAKRISHNAYYA:—"The difficulty regarding the oath of allegiance presented by my hon. friend Mr. C. V. S. Narasimha Raju suggested itself to me also. If a member does not take the prescribed oath of allegiance within three months after his appointment he ceases to be a member. If he fails to attend the first meeting he has often no opportunity to take the oath as it is very likely that before he attends a second meeting the prescribed time-limit may pass away when he automatically ceases to be a member by virtue of the Act. I request the hon. Minister to consider this difficulty also along with the difficulty mentioned by the Raja of Ramnad."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"The discussion has now proceeded on the footing that the moment this rule is passed, meetings of the boards would be held once in two months and that, consequently, other difficulties would arise. I believe the passing of this rule does not take away the latitude which now exists for the presidents summoning meetings once in 15 days or 10 days if they find it necessary in the interests of the business of the boards. The only effect is that instead of it being obligatory for a local board to meet once in every month whether there is business or not, that obligation is extended only to longer intervals of two months. Though it is worded differently the resolution practically goes back to the provisions contained in the old Act of 1884 at least so far as the meetings of the district boards are concerned. Under the old Act it was obligatory only for the taluk boards to meet once in every month; but it was not obligatory for the district board to do so. Probably if the wider discretion given under the old

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Act had been given, it would have been more satisfactory. As it is, there will be no difficulty in working out these provisions. If it is found that taking advantage of the new provisions some local boards make it impossible for any one to take the oath of allegiance within the prescribed period of three months, I think the hon. Minister will consider the necessity of changing 'three months' for taking the oath allegiance to 'six months'. Even without considering this question, it seems to be quite desirable to extend that period from three months to six months at once, because we find cases of several members who for reasons beyond their control have not been able to attend meetings within the period of three months from the date of becoming members. The rule provides that they can take the oath of allegiance only at a meeting of the board. Even if they are not able to attend meetings of the board for one or two months, it will be necessary for them to get themselves re-appointed or re-elected. I hope the hon. the Minister for Local Self-Government will consider the desirability of changing it into six months to meet such difficulties. Mr. Ramachandra Rao asked whether the district boards were consulted in the matter. Whether other district boards expressed their opinion or not, I cannot say; but the Nellore District Board was consulted. It suggested that the provisions of the old Act of 1884 not making it obligatory on the district board to meet every month might be restored in the case of all boards. I believe that that resolution was passed almost unanimously. Though I am not enamoured of this change from every month to two months, the effect is practically the same. Therefore I do not oppose it."

The hon. the RAJA OF PANAGAL:—"Some of my hon. friends have suggested the necessity for making some changes in consequence of the proposed alteration in the rule. I have no objection to consider the feasibility of extending the three months' period both in the case of taking the oath of allegiance and also of absence from the meeting."

The resolution was put to the vote and carried.

XIX

RESOLUTION *re* EMPIRE EXHIBITION.

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU:—"Mr. President, I beg to move the resolution standing in my name, which runs as follows:—

That this Council recommends to Government that necessary steps should be taken and funds provided to enable this Presidency to participate on an adequate scale in the British Empire Exhibition to be held in London in 1924 and, as a preliminary, that a provincial exhibition in Madras be held at such period during 1923 as may be found suitable and convenient, the necessary funds being provided for the purpose.

"The Government of India asked us, Sir, to let them know whether this Government would take part officially in this exhibition. This Government replied that they agreed to participate officially subject to the consent of this House. That was the procedure which was adopted by the Government of India themselves. Hon. Members are aware of the resolution which the hon. Mr. Innes moved in the Legislative Assembly in February or March last in almost the same terms as the present resolution. Following that practice this resolution is now placed before the House.

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"It does not require, I take it, Sir, much persuasion from me to convince this House of the necessity of our province taking part in this great exhibition in London. Opportunities such as these arise rather rarely. Within the last forty or fifty years there have been held three exhibitions in England and France. The Colonial and Indian Exhibition, which took place in 1886, was availed of by our country and India took a proper place in that exhibition. I am afraid that the same cannot be said of the other two exhibitions, the Paris Exhibition of 1900 and the Franco-British Exhibition at the White City, London, in 1908. True it is that some exhibits were sent then, but owing to the shortness of time at the disposal of the Government of India the exhibits that were sent to these latter exhibitions were very poor and it could not be said that we adequately took part in those two exhibitions. The present exhibition is of a far greater and wider consequence. I am not aware of any other exhibition which can be said to be equal to the one that is going to be held in London in 1924. The arrangements made for the being made in England are different from the arrangements made for the previous exhibitions. In 1886, there were buildings ready, and those were occupied on rent. The rent charged was very small. In the year 1900, in Paris, India constructed her own buildings, and in the year 1908 she constructed her own buildings and also paid space rent. But in all these cases it was India as a whole that was represented and, what is more, the manner of sending exhibits was different from that which is going to be now. Some Art officer was sent to this country to purchase exhibits, or some funds were given to the local Art officers to purchase exhibits, and these were sent. In other words those two or three exhibitions were not, so far as all are concerned, representative in the sense that they were not of the choice of the people of this country.

"Now, Sir, an opportunity is given to the Provinces to take part of their own accord, so that it will be left for us to choose our own exhibits and exhibit them in that exhibition. The objects of this great exhibition in London are thus described in a leaflet issued by the exhibition authorities in England:—Firstly, to find fresh sources of national wealth in the development and utilization of the raw materials of the Empire; secondly, to foster inter-imperial trade and find world markets for the Dominion (includes India) and home products; thirdly, to make the different parts and peoples of the British Empire better known to each other, and to focus public attention in this country on the illimitable possibilities of India and the great Dominions overseas as well as the crown colonies and dependencies.

"It will be at once noticed that this is going to be a very unique exhibition. A look at at the various sections for which arrangements are being made will convince anybody of the unique nature of this great exhibition. We have, (1) a section for the food of the Empire—food products, fisheries, beverages, agricultural, horticultural and viticultural produce; (2) raw materials of the Empire—minerals, timber and other forest produce, silk, agriculture and marine; (3) communications of the Empire—ships and marine engineering, road-making and road transport, railways and tramways, aeronautics, postal, telegraphic and telephonic services; (4) machinery, implements of the Empire—electrical and mechanical, agricultural, and food, mining, and metallurgical, textile, leather, chemical, paper and printing, miscellaneous; (5) manufactures of the Empire—metal industries, textiles, leather industries, tanning, chemical industries, dye-stuffs and perfumery

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paper, stationery, printing, photography and miscellaneous industries; (6) homes of the Empire—town-planning, decoration and modern furniture, lighting, heating and ventilation, sanitation and hygiene, the garden; (7) education—science and art of the Empire, education—medical science, fine art, industrial art, books and book-binding; (8) recreation of the Empire—athletics and games, travelling and sporting equipment; (9) traditions of the Empire, Army and Navy, overseas settlement, social institutions.

“With such a wide scope, an exhibition of this kind affords opportunities which, as I said, have not occurred before and which, I fear, may not occur in future. It was said, Sir, that the Paris Exhibition was visited by 48 million people and, without being too sanguine, one can naturally expect that this exhibition would be visited by many more people than 48 millions. About this exhibition, Mr. Chadwick, our Trade Commissioner in London, writes:

This exhibition is obviously conceived on a scale different from those of Paris or the White City. It affords India a great opportunity to express and demonstrate herself—an opportunity which, if seized, should have a good commercial result as well as political effect in promoting a greater knowledge of Indian industries.

“If only for that purpose our countrymen should take part in this exhibition. Recent events have shown what great ignorance prevails in that great country about the conditions of this part of the Empire. (*Hear, hear.*) Even persons occupying the highest places and expected to know more about the affairs of this land seem to be under the impression that the people of this country are something which they are really not. I can only mention one thing, namely, that the heart of this country is sound, as sound as it ever was, and as sound as it ever would be. Impressions seem to have gained in England that something is wrong with the people of this land, at least a portion of it. I do not deny that there will always be elements which move in a peculiar groove, but that the heart of the country is sound no one can reasonably deny. And if only to show to England that we are all right, that we are loyal to the core, and that the people of this country are prepared to stand by the Empire and as part of the Empire, I say it is necessary that we should take part in this exhibition. Another fact to be noted is that this exhibition will be a great advertisement to the products of this land. It may be that in our province we may not be able to send many industrial products, but in ordinary raw products I think we can excel many other countries of the Empire; and if by doing so we are able to find new markets for our materials, certainly our purpose in taking part in this exhibition would have been served. I do not know if it can be said that our raw material or raw produce is securing its full value at present. If now all these raw materials, our best cottons, our best skins and hides, our oil-seeds and many other products are placed in the great exhibition, which people from all parts of the world will visit, I am perfectly certain that our raw material would gain in its value and its merits would be known to the world. Sir, it is an economic law that demand increased prices; but demand depends upon new markets, and new markets depend upon advertisement and publicity; and this demand will also be an incentive for increased production in this land; and more and more of production will naturally contribute to increased national wealth. On that ground alone it will be conceded that participation in this exhibition will be of great use to us.

“I may say a few words now, Sir, as regards the space that is required and granted to India. The exhibition authorities have granted free of rent a space

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of one hundred thousand square feet to the Government of India. The Government of India propose to build the buildings at their own cost and are prepared to rent them out to the Provinces. The Government of India have what they call an Indian section for themselves, and the other sections will be thrown open to the Provinces and Native States. They have offered us a space of 6,150 square feet, but we thought that this was not sufficient and asked for 12,500 square feet. Here it may be of interest to know that the Punjab Government have asked for 18,000 square feet. I already told you that the whole space was given to the Government of India without rent, and that the Indian Government bear the full cost of the buildings, but they collect rents from Provinces for provincial sections. It costs them 15s. per square foot and rent is charged to provinces at that rate. Provinces in their turn charge about 21s. per square foot from private exhibitors, because all the section that is given to a province may not be required for general exhibits. A portion will also have to be given to firms, and manufacturers and producers as are willing to take part in this exhibition and send their exhibits to England. We have also to pay incidental charges for light, electricity and fuel. As regards the cost, I am not asking for any provision in this resolution because no money would be required till the next budget time. Any expenditure that may be incurred can be met by reappropriation. In the next budget, actual figures will be given, and then there will be an opportunity for the House to discuss on the question of the amount to be granted. If 12,500 square feet be I may, however, give a rough idea of what we want. If 12,500 square feet be granted to us, it would cost us, on the basis just now mentioned, something like Rs. 1,40,000. If it is only 6,150 square feet it would come to only Rs. 70,000. To this we will have to add equipment charges, which may come to Rs. 50,000 in the one case and one lakh in the other. Nearly half of this can in all probability be recovered in the way of rent from private exhibitors so that you will have to take into account only half of it, ordinarily speaking.

“Then there is the question of a preliminary exhibition intended to bring together all the exhibits to Madras before they are sent out to England, so that the judges here may judge what exhibits are worthy of being sent to England. That will also facilitate conveyance to London, because they could be sent off from one place conveniently without damage to the exhibits. Now, this provincial exhibition may cost us Rs. 30,000. But judging from previous experience, these exhibitions always pay more than they cost. We have had exhibitions in 1915 and 1917; and there was a balance of Rs. 50 or 60 thousands left in connexion with the last exhibition. So that even if you should spend this Rs. 30,000 for the local exhibition, there is every probability of your saving after excluding this Rs. 30,000, Rs. 30 or 40 thousands more. That amount can go against our charges in England.

“As regards the style of architecture and decoration of the buildings, the Government of India asked our opinion, but this Government entirely left it to the former and to our High Commissioner in London.

“And now, as I said in the beginning, it does not require many words from me to convince this House of the necessity of our province taking part in this great exhibition. Our country is more or less committed by the resolution that was accepted by the Legislative Assembly in March last. When the Government of India asked this Government, the latter, having met in Cabinet, agreed to take part, subject of course to the consent of this House. In pursuance of the decision of Cabinet, His Excellency the

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Governor was pleased to call for a meeting of the citizens of this province, and most of you, some of you at least, attended that public meeting in Madras. The first resolution in that meeting was moved by no other than our esteemed leader, Sir P. Tyagaraya Chettiyar, and my hon. friends Mr. Panikachala Chettiyar and Mr. C. R. Reddi also took part in it. Speaking at that meeting, while thanking His Excellency the Governor for having called for that meeting, Mr. Ranga Achariyar, our representative in the Legislative Assembly, spoke as follows:

We have had a most successful meeting and we will be proud of the great part which Madras is bound to play in London at the Empire Exhibition.

"It will thus be seen that almost all the important citizens of this province, the public from all districts and from the city of Madras were all agreed that we should take part in this great exhibition, and I am sure that this House will readily grant its approval to this resolution."

The hon. Rao Bahadur A. P. PATRO:—"I second this resolution, Sir."

Rai Bahadur T. M. NARASIMHACHARLU:—"Mr. Deputy President, I have listened with very great pleasure to the eloquent words that fell from the hon. the Minister for Development on the happy position that India will occupy after this exhibition is over. I myself feel inclined to doubt whether it is not a somewhat exaggerated notion which the hon. the Minister is having in his mind about these exhibitions. I should have been glad to be told what the result of the former exhibitions was. He has mentioned to us that there was an exhibition in London, that there was an exhibition in Paris, that there was an exhibition in the White City and so forth, but what was the achievement which India gained by such exhibitions? I think, Sir, in the world's struggle our country, India, is very weak now in the matter of industries. All the great industries of India have suffered on account of this world struggle and world competition. The westerners have imitated our industries and substituted our industries by machine-made things, so that we are unable to get on with our own industries in India. If that is the result of exhibiting our raw products for Europe to live on them, to work on them and to benefit at the expense of our raw products, I think, Sir, that it is high time that we do not encourage that idea at all. The idea that we should encourage is that England as well as other parts of Europe must be prepared to introduce into India industrially things which will give additional industry to the people, but not that we should be asked for ever to till, till and produce the best products for the best manufacturers in England and other countries of Europe. Well, Sir, if that is the object of this exhibition, I for one will not at all assent to it."

"The hon. the Minister told us that there was, as it were, a sort of mandate."

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU:—"Not at all, Sir. I never said that; I did not speak of any mandate at all."

Rai Bahadur T. M. NARASIMHACHARLU:—"Or, he said that rather a lead was given to us in this matter by the Legislative Assembly, and that we should also take up that lead and follow it. If we have got the little discretion left to us, I think it is better that we should exercise such discretion than follow blindly the dictates of any bigger assembly than we are. And if we can only exercise that discretion properly, I would think, Sir, that

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this is not the fit or proper time for us to go to England and exhibit shamefully our miserable raw materials. When we regain our industry, when we are able to produce by our industry things out of our raw products equal to the western finished products, then we shall go about continent after continent and expose and exhibit our articles there and buy and compete with them. Then we shall become very rich people and not till then. The people of our country, India, are not permitted by very many of the dominions to enjoy equality with them, but the hospitality of our country is open to all. All nations come to India, all nations exploit our raw products. Is there any check placed upon them? Why should we go to their countries and expose and exhibit our raw products there, when they themselves come here and are exploiting those articles? They dig the bowels of the earth very deep, they find out where gold is, where copper is, where coal is and they themselves are exhibiting our raw products, why should India take the trouble of displaying these miserable things in the heart of London? I submit that when we consider these aspects of the question, India ought to keep quiet, shamefully keep quiet, because we have not done the best that we can for India in the matter of industrial development. After developing our industries, after becoming manly and after becoming industrially great, let us try to hold up our head amidst the nations of the earth and then say 'Here are our finished products.' I for one cannot at all assent to what the hon. the Minister said regarding the state of our raw products. Our raw products are all the gift of nature. They are not the gift of man, but are as God created them. What is the importance of any exhibition of these raw products? Is it merely to show to other people and say 'Here are our raw products? Take them and give us what you please for the tilling that we have done to our land. Take them, put them in your manufactories, employ labour and then send the finished products again to India, so that we will purchase them again? The raw products come back to us as the best cloth, the best biscuits or the best oil and so forth. And then we will be doubly depleted. I think that the hon. the Minister should devote his time to increase the industrial greatness of the country instead of sending our products to other countries as if they are not already seen by those countries. That is not the way to benefit India.

"Then, do the people want it? That is the point. The question is not whether a certain meeting was held, or whether they have passed resolutions that this should be encouraged. But the question is, have you consulted the people? And what do the people say? Do they say that they want it? And do they say that their money should be spent for this purpose? I think the best thing is that we should consult the people, that we should consult our constituents and then we should come to this assembly and say whether the subject is approved by the people or not."

"Then finally, there is the financial question: are we prepared to spend money in this financial crisis to the extent of lakhs and lakhs of rupees for collecting these exhibits, for sending our raw products to England, for other incidental expenses and also for holding a bye-exhibition in Madras before sending the exhibits to England? All these things require a good deal of time and labour. The question is are we prepared to face that financial burden? I may say, Sir, that it is not that I oppose anything but I request hon. Members to ponder over this aspect of affairs before committing themselves in regard to this matter. It may be that the Legislative Assembly

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assented to it and it may be that at a meeting presided over by no less a personage than His Excellency the Governor it was resolved in its favour, but let us not be guided by it. Let us be guided by our own reason and discretion. If our reason and discretion prompt us that it should be done, then let us do so and follow it, not because it was said like this by so and so at such and such a place, but because our conscience tells us so. Let us consider whether it is a thing which is beneficial to the country. If it is not, let us abandon it, but if it is beneficial to the country let us undertake it whatever may be the financial aspect of it."

Mr. S. ARPUDASWAMI UDAYAR :—"Mr. Deputy President, Sir, the hon. Member Mr. Narasimhachari put to this House the question what have been the substantial results of the exhibitions. I think, Sir, that, as the hon. the Development Minister suggested, these exhibitions are so many opportunities for the Indian manufacturer, trader and artist for making Indian products and Indian works of art better known to other races and peoples both within and without the empire. This will result in better knowledge of the capabilities of the Indian manufacturers and artists, their skill and efficiency for turning out articles of excellent workmanship and of perfect finish. With this wider knowledge will come, I think, a wider recognition of the genius or talents not only of certain individuals or classes of Indians but of the genius of the whole nation and its fitness for partnership in the great task of developing the commercial and industrial possibilities of the empire. And this wider recognition will, I believe, result in an increased demand for Indian goods and works of art. This will, I think, allay the fears of my hon. friend, for in the field of commerce or industry or art, there is nothing like increased demand to stimulate larger output, to stimulate the supply of articles of greater finish and excellence of workmanship. What is immature will tend to become mature and a thorough specimen of human skill. What is mature will certainly receive the last touches and become perfect of its kind. The medals and other prizes awarded will be so many testimonials or certificates of the quality and finish of the specimens exhibited and will certainly tend a great deal to stimulate the efforts of the manufacturer or trader to put into the market the very best articles that India is justly proud of, articles combining durability with delicacy and handiness. This is my first reason.

"Secondly, Sir, the hon. the Minister threw out a hint which appeals, and I think, must appeal to the patriotism of all the members of this House. He spoke of the civilization of a great and old country being made known to other people. I think this exhibition can be made a very good means of imparting information of the successive stages in the development of Indian civilization and Indian art, and if this proposed exhibition succeeds in the collection of specimens representative of all Indian industries and arts, both existing and extinct, it cannot fail to be a concrete embodiment of the genius of this country finding expression under the various political and social conditions through which it has been evolved. As a means of imparting a knowledge of Indian civilization and art the exhibition will do very great good.

"And thirdly, Sir, there was also another suggestion thrown out by the hon. the Minister which more or less referred to the political aspect of affairs. I would say, Sir, that this exhibition will be the means of bringing together the different peoples and the races within

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the empire, will open the way for a better understanding between the different peoples, will draw together the different parts of the empire and make each part appreciate and understand the work and capabilities of the other. And surely people will come to realise that colour and race are mere accidents, that the real worth of a man is determined not by these accidents but by the possession of intellectual qualities and by the great powers that we are capable of bringing to bear on the great work of developing the resources of the empire. And I may also say that prejudices will vanish and there will be a keener appreciation of the intrinsic work of the Indian people, the inheritors of an ancient civilization and a glorious past—that will, I hope and trust, be the outstanding result of this exhibition. Lastly, I think, my hon. friend need not have any fear as to the financial aspect because the Minister has already told us that financially there will be no loss whatever by this exhibition. On the contrary the result is bound to be otherwise if all the members connected with it made it a real success, made it a means of promoting better understanding. That way real good will result from it. With these remarks, Sir, I support the motion before the House."

Mr. SAIYID MUHAMMAD PADSHA SAHIR :—"I rise to express my whole-hearted agreement with the sentiments that have been expressed by those hon. Members of this House who have spoken in favour of this resolution. I sincerely wish and fondly hope that all the expectations that have been formed on this exhibition might come true.

"Sir, so long ago as 1886, India was in a position to take part in an exhibition in Europe. I believe that our country must now be in a better position to participate in a befitting manner in the great exhibition that is to come off in 1924. Sir, in spite of the fact that our country is now passing through a very acute financial crisis, I feel quite confident that our country will be able to go and give quite an account of itself at the exhibition in London. It is true that most of our industries are still in an infant stage and that a great part of our resources have not been developed. But in spite of all that, Sir, I believe India does not occupy quite an inferior position in the scale of countries well known for their commerce and industries. And as I expressed at the outset, Sir, I only wish that all the hopes that have been entertained may come true. From what the hon. the Minister read out of the objects of the exhibition we see that the catalogue of the articles and things that are to be exhibited on that grand occasion is quite copious and unless we take steps to make the benefits accruing from the function, permanent and lasting we would not be doing justice to ourselves and to our country in having incurred such a large expenditure as it may be necessary to finance this proposal.

"Now, Sir, if only some Indian articles have got to be sent to the exhibition and if only one or two persons are sent from here, either Indians or Europeans, to organize the thing at the exhibition, I am afraid that it will after all be a nine days' wonder. We should take care and so manage the affair that we should not only go and exhibit our wares in the exhibition for the benefit of the forty-eight or fifty millions that might get assembled there, but also should take care that some select representatives, merchants and manufacturers, are sent out from India to go and see the various articles that might be exhibited on that occasion and to study the various processes by which those articles are made. I think, Sir, that we would not be able to

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derive any very good benefits from that exhibition otherwise. I should like to know from the Minister whether any arrangements have been made to see that not only exhibits are sent out from this country, but that some students, selected people from the industrial community, are also sent to England, along with the wares from here.

"Again, there is another aspect of this question which I do not like to pass by without mention. It has been said, Sir, that the benefits of this exhibition would not be wholly of a material kind. But there is some other object also to be aimed at. It has been said, Sir, that by proving the work of India by exhibiting to the world the enormous wealth of our resources, we would be able to try and contribute to the enhancement of the esteem in which our country is held by the people on the continent. I do not know, Sir, how far this fond hope will become true. No doubt we are grateful to the organizers of this exhibition in England to have given us an opportunity to have an equal share with the others of the continent in the exhibition proposed to be held. But, Sir, I hope that instead of merely giving us opportunities of taking part in shows like this, instead of merely giving us opportunities to be able to afford some pleasure to the people who attend the function in the continent, in matters more material, in matters more vital also we may be given equal opportunities for uplifting our position. I hope that these equal opportunities with others over the continent will go a long way in trying to disabuse the minds of the people and will make them cease to think that India is only a subordinate branch of the British Government. However, Sir, whatever little effect this exhibition might produce, whatever small benefits might be derived from this exhibition, I am constrained to take an optimistic view of the thing and would advise my hon. friends of this House to try and do as the hon. the Minister has requested them to do, and I plead for the political uplift which you seem to have a chance of promoting and also for the economic benefits that we expect to derive from this exhibition. We may pass this resolution and try and avail ourselves of the opportunities that have been offered to us."

Mr. T. SIVASANKARAM PILLAI:—"I rise to give my support to the resolution. Whatever may be our disabilities, whatever our disadvantages in the British Empire, no spirit of retaliation ought to be allowed to prevail in this matter. Even supposing that we had absolute and complete self-government to-day, I would still think of participating in this exhibition purely as a business proposition. We have plenty of raw materials in our country and the potentialities of our trade are very great and to develop them we want any amount of advertising. Exhibitions are a great means of such advertisement. If we only take into consideration, the percentage of money that is being spent by any firm worth the name on the profits realized, then you will find that the money that we may have to spend in this direction will be very small. In order to develop our trade, in order to increase our profits, in order to give prominence to our raw materials, it is absolutely necessary that we should very heartily join in this attempt and adopt it as a means to developing our resources and advertising our wares in foreign countries."

Rao Bahadur K. GOPALAKRISHNAYYA:—"Sir, I rise to support the motion before the House. I have not intended to take part in this debate but for the curious arguments that came from my hon. friend Mr. Narasimhacharlu to the effect that we should not

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send raw materials to foreign countries. I am surprised at this. My mentality at any rate does not advise me to support my hon. friend's arguments which he placed before the House. I do not think, Sir, that the agriculturists of this country would allow an argument of that kind. The producers of raw materials are the agriculturists. No doubt, nature provides some raw materials in the forest, but even they have to be gathered by a certain amount of labour, and it is the agricultural labourer that contributes his labour for the gathering of such raw produce. To say that sending raw materials to foreign countries as a necessary consequence of advertising them by way of placing them in exhibitions, would be, I think, Sir, rather dangerous to the agriculturists of India. There is a sort of curious sentiment prevailing in the minds of some gentlemen of our country that if we allow raw materials to go out of the country, we will be deprived by the foreigners of the profits of industries which require those raw materials. Under the same idea sometime back, there was a move that the merchants of this country, especially in Gujarat, should not send out wheat so as to starve the people in England. There was a hue and cry, even in the Gujarat district and also elsewhere, that the agriculturists will suffer. The agricultural producer should have the highest advantage for what he puts forth in his land. Now, if we do not create such facilities, how are we to dispose of the extra produce in our country which may be over and above what is necessary for our industrial purposes? My hon. friend might as well suggest that we should not produce raw material."

Rai Bahadur T. M. NARASIMHACHARLU:—"What I said was that we must produce raw material for our own sake and not for the sake of others."

Rao Bahadur K. GOPALAKRISHNAYYA:—"Then, I refer my hon. friend to the seventeenth century history of France, when Colbert, the greatest Finance Minister and economist, encouraged the production of raw materials for being sent out of France, and it is only then, Sir, that during a period of probably two decades France became a very wealthy country. I dare say that it was on account of the exhibitions at which the products of France were placed in foreign countries."

"There is also another idea, especially in connexion with cattle shows. There was the sentiment that if cattle shows are allowed, there would be a depletion of live-stock, because foreigners would indent upon our best cattle—especially the Australians and the Americans who were purchasing them at a very high cost—while our agriculturists were breeding the cattle for a long time for exhibitions. So the idea was prevailing that no live-stock should be sent out of our country in which case our agriculturists would not be very willing to produce such stock as may be indented upon by foreign countries. On similar grounds, it is very strange for me to hear from my hon. friend that raw material should not be allowed to go out of this country as a result of their being exhibited in foreign countries."

"I would also answer my friend, when he objects that it is a mandate from the Legislative Assembly or from some particular leaders assembled at Madras and elsewhere. Well, Sir, we have got the precedent of the Legislative Assembly approving the idea and also the leaders of Madras approving it, and it will be a great advertisement to the whole world that India has got such and such raw materials and such and such manufactured articles, so that even the foreigners may take note of the articles which are exhibited

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in the exhibition. India will be indirectly benefited, by such things, and I therefore support the resolution before the House."

Sriman BISWANATH DAS Mahasaya:—"Mr. Deputy President, Sir, it has been repeatedly suggested by some of my hon. friends that the exhibition in question has got some political significance. I refuse to believe in any such argument. However, I agree with those who count upon the economic aspect of this exhibition. This exhibition has a value in itself so far as it might open new markets for our industries, and in so doing it might in a way foster our industries both old and new."

"The second and the most important item is that it is necessary for us to wipe off from the memory the unhappy idea that some Europeans have fostered regarding the industrial capacity of Indians. It has been held by a good number of economists, especially by the orthodox school of economists, that Indians have no capacity for industry and that India is solely meant for producing raw materials. It is against such theories and it is against such thoughts and ideas that we have to fight, hence we will have to show them experimentally that the theory of this orthodox school is unfounded. We will have to exhibit to them our industrial skill and tell them that we are fit for all sorts of industries that are possible under the sun. These reasons make me to give my wholehearted support to the resolution moved by the hon. the Minister for Development. However, it remains for me just to ask him if it is not desirable to take a few people, at the expense of Government, some Indian specialists, who cannot afford to go to the place of exhibition at their own expense, to this great exhibition. This will give them an opportunity to see the different industries of various countries with their own eyes and consider in their light the possibility of the future of the Indian industries. It is with this suggestion, Sir, that I support the resolution."

Mr. S. SOMASUNDARAM PILLAI:—"Mr. President, nobody can explain the benefits and effects of this exhibition to India by sending our goods to England better than the hon. the Minister for Development did. I was believing that the benefits of such an exhibition were so well known to everyone, as not to require such a long speech by the hon. Minister, but I see that it is not the case. For there is at least one hon. Member who does not know the value of it. Of course he is not to be blamed. He must know that no country could become rich except through commerce. India cannot prosper without coming in contact with countries outside of it. All the arguments advanced by Mr. Narasimhacharlu are just like the crying of frogs in a well, and it is not possible for me to explain to him all the advantages, just as it is difficult to explain the value of a picture to one born blind. He must know that every festival in India is a sort of exhibition. Once in twelve years, you have got a great festival Mahamakham at Kumbakonam where all the manufactures are brought by several people from all parts, and every year in some place or other there is some important festival where you find products of different places. Our spiritually disposed people care only for the Swami and little for those products. So, unless we come in contact with other places and see the manufactures of other nations, how is it possible for us to develop our own industries?"

"We have heard in ancient days the Greeks, Venetians and others took their ware to foreign countries. It is the Greeks that introduced wine in India. Many people think that it was the Englishmen that did so. People

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who live in the inland, just like our friend Mr. Narasimhacharlu who comes from the inmost place of the Madras Presidency, cannot understand the value of sending goods to foreign countries but only those that live in the sea-coast know better about commerce. Unless we produce raw materials and send them to others and see what they do out of it, how can we manufacture those things? How did Japan become so prominent? They saw the different manufactures of others and they produced the same manufactures in their country. You should go and see foreign countries. This exhibition gives a very good opportunity for my hon. friend to go to England and see all sorts of things there and he will himself then find how we can manufacture similar goods ourselves. So it is very plain that there will be very great advantage. I think that what he has said is interesting in exciting more interest than if he had actually passed over it. With these words, I wholeheartedly support the resolution."

Mr. C. W. E. COTTON:—"I rise to support the resolution for many reasons, but I need only refer to one. So far as the Provincial Exhibition is concerned, I am in the position of a fox who has lost his tail. Let me explain briefly the present position of affairs. A few days after the public meeting at which a general committee was appointed, that committee met and appointed an executive committee to superintend all the arrangements in connexion with the provincial exhibition proposed to be held in August or September next year, and of this committee I was appointed chairman. The executive committee met on the 17th August and approved of a provincial classification of the articles to be exhibited, and a circular letter has since been issued to the Collectors of all districts asking them to form small committees to organize the collection of exhibits therein and in the first instance to make a general survey and let the committee know if possible by the end of the current month what they think they are likely to collect. With that information before us the committee is proposing to meet next month, perhaps before the next meeting of the Legislative Council, to go into the question of building accommodation, etc., necessary for the exhibition. Up to the present moment we have managed without any funds. The time has now come when money will be wanted very soon and the committee will be very glad to have a mandate from this Council unless in the meanwhile we can obtain funds by public subscription."

"On one other point I should like to say something. Unlike some previous speakers, I sympathize with my friend Mr. Narasimhacharlu's attitude towards the exhibition of raw materials, though I think that he attached perhaps rather too much importance to a casual remark of the hon. the Minister in this matter. I consider personally that we should endeavour as far as possible to show finished products and not raw materials unless we can manage the whole stage from the raw material up to the finished product. Though Madras is not a great industrial province, there are a great variety of finished articles which are worth showing. I will not attempt an exhaustive list, but may mention our hand-woven sarees, the fine cotton cloths of Pullampet (from Mr. Narasimhacharlu's own district), jute bags from Chittivalsa, coir rope, matting, etc., and planting products. My own view is that in an exhibition of this sort the more finished products that can be shown the better."

"With these few remarks I support the resolution."

[Mr. K. Venkataraddi Nayudu] [12th September 1922]

prepared to come here and purchase our goods. With the increase in the number of our customers the value of our produces must also increase. For it is a natural law of economics that with more demand the prices would naturally rise. And if by that process each producer in this country is benefited by a few rupees, it will be in millions that men would have to calculate the profits per year. Is that a factor to be ignored?

"My friend Mr. Narasimhacharlu wanted that we should look more to our industries. I suppose he will concede that I do not yield to him in my desire and ambition to see that the industrial evolution of this country is achieved as early as possible. But how is it to be achieved if we are to remain, as my friend Mr. Somasundaram told us, like frogs in a well, or as the famous Sanskrit proverb puts it *kūpastha mandūkam*, whose horizon does not extend beyond the four walls of the well? If you do not see the world, if you do not know what is going on in the rest of the world, if you do not know how far science has conquered Nature, if you do not know what materials could be utilized for what purposes, if you do not know how the rest of the world is prospering in its great industrial development, how are we expected, sitting in our own homes afraid to send our manufactures to foreign countries, afraid even to go out and extending our social seclusion to materialistic isolation, to develop our industries? I say, under such circumstances, there is no salvation for this country. All these can only be achieved by mutual contact, by learning from others and seeing what others are doing, and for that purpose we must come into closer relations with the outside world. For that purpose alone I say this exhibition ought to be taken a part in.

"My hon. friend Mr. Krishna Rao said that in spending the tax-payer's money we ought to be very careful and my friend Mr. Narasimhacharlu has stated that we must go to our constituents and ask them for a mandate. I agree to both the propositions, but I say both have been fulfilled in this case. The public meeting held in the Moore Pavilion was attended by some 500 citizens not merely from the Madras City but almost from every district in the province. Can it for a moment be stated that these gentlemen did not represent the tax-payers? And, after all, have I not been pleading this on behalf of the tax-payer himself. I say, if we take part in this exhibition, the tax-payer will gain. For, the tax-payer is the producer and the producer will gain when his articles are exhibited and sent out to the world, for thereby he can create demand for his articles. I hope the Council will support the resolution unanimously."

The motion was put and carried.

The Council adjourned at 5 p.m. to meet at 11 a.m. on Wednesday, the 13th September 1922.

L. D. SWAMIRANNU,
Secretary to the Legislative Council.

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APPENDIX VI.

List of appointments on Rs. 500 and above per mensem created from 13th December 1921 to 1st March 1922.

Designation of appointments.	Pay per mensem. RS.
<i>I.—Temporary</i>	
(1) Director of Office Systems ...	1,500 (inclusive of the pension drawn by Mr. C. R. M. Schmidt).
(2) Three Assistant Superintendents of Police, Malabar.	600 each.
(3) Registrar-General of Panchayats ...	Pay of a Collector.
<i>II.—Temporary appointments made permanent.</i>	
(4) Secretary, Legislative Council ...	1,500
(5) Deputy Director of Industries ...	750—50—1,500
(6) One post of Deputy Collector—addition to the cadre in order to provide for a Personal Assistant to the Agency Commissioner.	300—850

27th March 1922. T. E. MOIR,
Secretary to Government, Finance Dept.

List of appointments on Rs. 500 and above per mensem created between 1st March 1922 and 15th July 1922.

Designation of appointments.	Pay per mensem. RS.
<i>I.—Temporary.</i>	
One Assistant Secretary to the Finance Department.	550
One Superintendent of Police for reclamation of Kallars in the Madura-Ramnad district.	900—50—1,200
One Special Superintendent of Police, Malapuram.	Pay in the superior timescale admissible to Superintendents of Police.
One Special Magistrate, Malabar. (One retired Deputy Collector was appointed to the post. His pension has been held in abeyance.)	500
<i>II.—Temporary appointments made permanent.</i>	
One Assistant Secretary in the Finance Department.	500—50—800
One Radiologist for the Madras Presidency.	1,000—50—1,500

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List of appointments on Rs. 500 and above per mensem created between 1st March 1922 and 15th July 1922—cont.

Designation of appointments.

Pay per mensem.

III.—Permanent.

RS.

450—50—850

One Lady Doctor, Women and Children Hospital, Vizagapatam. (This hospital was taken over by Government from 1st May 1922.)

18th August 1922.

T. E. MOIR,
Secretary to Government, Finance Dept.

APPENDIX VII.

Half-yearly return of appointments under G.O. No. 613, Public, dated 16th September 1921, for the half-year ending 31st December 1921.

I.—Collectorates, including Divisional offices.

Office.	Number of appointments.						Remarks.
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhammadians.	Europeans or Anglo-Indians.	Others.	
Anjengo	..	..	..	..	..	..	
Anantapur	..	..	..	..	..	..	
North Arcot	..	..	..	..	..	..	* The appointments were made prior to the receipt of the Government Order.
South Arcot	..	..	..	..	..	..	
Bellary	..	..	..	..	..	..	
Chingleput	..	..	..	..	..	..	
Chittoor	..	..	..	..	..	..	
Coimbatore	..	..	..	..	..	..	
Cuddapah	..	..	..	..	..	..	
Ganjam	..	..	..	..	..	..	
Godavari	..	..	..	..	..	..	
Guntur	..	..	..	..	..	..	
South Kanara	..	..	..	..	..	..	
Kistna	..	..	..	..	..	..	
Kurnool	..	..	..	..	..	..	
Madras	..	..	..	..	..	..	
Malabar	..	..	..	..	..	..	
Madura	..	..	..	..	..	..	

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I.—Collectorates, including Divisional offices—cont.

Office.	Number of appointments.						Remarks.
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhammadians.	Europeans or Anglo-Indians.	Others.	
Nellore	..	..	..	..	..	..	* Six posts were filled up prior to receipt of the Government Order.
The Nilgiris	..	..	..	..	..	..	
Ramnad	..	..	..	..	..	..	
Salem	..	..	..	..	..	..	* Three were confirmed prior to the receipt of the Government Order.
Tanjore	..	..	..	..	..	..	
Tinnevely	..	..	..	..	..	..	
Trichinopoly	..	..	..	..	..	..	
Vizagapatam	..	..	..	..	..	..	

II.—District Courts.

Anantapur	..	..	..	..	..	..	
North Arcot	..	..	..	..	..	..	
South Arcot	..	..	..	..	..	..	
Bellary	..	..	..	..	..	..	
Coimbatore	..	..	..	..	..	..	
Chingleput	..	..	..	..	..	..	
Cuddapah	..	..	..	..	..	..	
Chittoor	..	..	..	..	..	..	
Godavari	..	..	..	..	..	..	
Ganjam	..	..	..	..	..	..	
Guntur	..	..	..	..	..	..	
South Kanara	..	..	..	..	..	..	
Kistna	..	..	..	..	..	..	
Kurnool	..	..	..	..	..	..	
Madura	..	..	..	..	..	..	
South Malabar	..	..	..	..	..	..	
North Malabar	..	..	..	..	..	..	
Nellore	..	..	..	..	..	..	
Ramnad	..	..	..	..	..	..	
Salem	..	..	..	..	..	..	
East Tanjore	..	..	..	..	..	..	
West Tanjore	..	..	..	..	..	..	
Trichinopoly	..	..	..	..	..	..	
Tinnevely	..	..	..	..	..	..	
Vizagapatam	..	..	..	..	..	..	

* The appointments were made prior to the receipt of the Government Order.

* One post was filled up prior to the receipt of the Government Order.

Out of the fifty-five vacancies in the District Court, fifty-three vacancies were filled up in 1920 on probation and the work of the probationers being satisfactory, they were confirmed in 1921.

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III—Heads of Departments.

Office.	Number of appointments.						Remarks.
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhammads.	Europeans or Anglo-Indians.	Others.	
<i>Secretariat</i>							
Chief Secretariat	Nil.						
Law Department	Nil.						
Revenue	1	1	1	..	..	..	
Development	1	3	1	..	..	..	
Finance	Nil.						
Local Self-Government	1*	..	..	..	..	..	*On probation in the upper division.
Public Works Department ..	Nil.						
<i>Board of Revenue.</i>							
Land Revenue and Settlement, including also Survey and Settlement Parties.	3*	4	..	1	1	..	*One was confirmed prior to the receipt of the Government Order.
Separate Revenue and subordinate offices.	14	32	5	8	6	..	
Office of Inam Commissioner.	Nil.						
Income-tax	1	1	..	..	..	..	
<i>Court of Small Causes.</i>							
Inspector-General of Police (and sub-offices).	9	13	3	8	..	..	
Commissioner of Police ..	1	12	..	9	9	4	
Inspector-General of Prisons ..			Nil.				
Director of Public Instruction ..	79	67	56	38	11	6	
Commissioner for Government Examinations.			Nil.				
Inspector-General of Registration.	18*	46	7	4	..	..	*Seven were confirmed prior to the receipt of the Government Order.
Private Secretary to His Excellency the Governor's office.			Nil.				
Persian and Hindustani Translator to Government.			Nil.				
Registrar-General of Births, Deaths and Marriages.			Nil.				
Registrar of Joint Stock Companies.			Nil.				
Director of Industries			Nil.				
Director of Fisheries	..	3	..	1	..	..	
Chief Conservator of Forests ..	29	124	21	84	..	5	
Resident in Travancore and Cochin.		Nil.	..	..	..	..	
Director of Agriculture	7	7	1	..	..	..	
Deputy Director of Agriculture.	..	..	3	..	..	..	
Registrar of Co-operative Societies.	15*	14	5	..	..	1	* Nine were appointed prior to the receipt of the Government Order.
Surgeon-General	6	36	14	8	4	20	
Director of Public Health	2	..	..	..	..	..	
Presidency Port Officer	..	1	..	..	..	..	
Publicity Officer	1	1	..	..	..	..	
Examiner of Local Fund Accounts.	1	1	..	..	..	..	

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III—Heads of Departments—cont.

Office.	Number of appointments.						Remarks.
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhammadaus.	Europeans or Anglo-Indians.	Others.	
Archaeological Superintendent for Epigraphy.		Nil.					(On probation)
Administrator-General ..		Nil.			1		
Political Agent for Pudukottai.		Nil.					
Chief Presidency Magistrate ..		Nil.					
Madras Record Office ..		Nil.					
Principal, Madras Veterinary College.	3	2	1	1			
Paymaster, Carnatic Stipends ..				Nil.			
Chemical Examiner to Government.				Nil.			
Superintendent, Government Press.	2	63	8		2		
Superintendent, Civil Veterinary Department.	15	8	3				The Veterinary assistants who have graduated from the Madras Veterinary College are under obligation to serve Government for 5 years.
Superintendent, Government Museum.				Nil.			
Sheriff of Madras ..				Nil.			
Senior Translator to Government, Council Office ..				Nil.			
Superintending Engineers and Chief Engineer for Irrigation.	9*	2					*Two were confirmed prior to the receipt of the Government Order.
High Court	9	4	1	1			

APPENDIX VIII.

G.O. No. 1103, Local Self-Government (L. & M.), dated 26th June 1922.

The appended notification abolishing the Repalle municipality will be published in the *Port St. George Gazette* in English and in the *Guntur District Gazette* in English and Telugu.

2. The Guntur District Board is requested to issue the necessary notification under section 4 (2) of the Madras Local Boards Act, 1920, constituting Repalle into a union.

[12th September 1922.]

3. With reference to its resolution No. 103, dated 29th September 1921, the Repalle Taluk Board is requested to undertake the management of the medical, educational and other institutions which were maintained by the Repalle municipality.

(By order of the Government, Ministry of Local Self-Government)

F. J. RICHARDS,
Secretary to Government

To the Chairman of the Repalle Municipal Council.
" President of the Guntur District Board.
" Collector of Guntur.
" Inspector of Local Boards and Municipal Councils.
" Director of Public Instruction.
" Surgeon-General.
" Director of Public Health.
" Accountant-General.
" Examiner of Local Fund Accounts.
" Publicity Officer.
" Law (Legislative) Department.
" Senior Translator to Government.

Copy to the Secretary, Legislative Council (with C.L.).
Gazette.
Editors' Table.

APPENDIX.

Notification.

Whereas the Repalle municipality constituted on 1st September 1920 remains rural in character and shows no indication of early development into a town, the Local Government, in exercise of the powers conferred on them by sub-section (1) of section 5 of the Madras District Municipalities Act, 1920, and in supersession of notification No. 602 published on page 369 of Part I-A of the *Fort St. George Gazette*, dated 10th August 1920, abolish the municipality with effect from 1st July 1922.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday, the 13th day of September 1922, M.R.Ry. Diwan Bahadur P. KESAVA PILLAI Avargal, Deputy 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.]

Survey of unions.

140 Q.—S. R. Y. ANKINEDU PRASAD Bahadur : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware that six or seven sets of officers and their men are carrying on survey work or inspection one after another in unions whose survey is being conducted; and

(b) the nature of work done by the parties individually and the expense incurred for surveying each union?

A.—(a) & (b) Streets in unions are measured by a deputy surveyor whose work is inspected by a head surveyor or a sub-assistant in the first instance and then by a gazetted officer. A special officer of the grade of a deputy tahsildar is appointed to watch the interests of Government and those of the local boards during the progress of the surveys in unions. Government have no information regarding the expense incurred for surveying each union.

Irrigation facilities in the dry tracts of Divi taluk, Kistna district.

141 Q.—S. R. Y. ANKINEDU PRASAD Bahadur : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that a deputation of ryots of Divi taluk waited upon the hon. Sir Muhammad Habib-ul-lah Sahib during his visit to Bezvada last year and pressed for providing irrigation facilities in the dry tracts of the taluk by extending the Bank canal from Vallur to further down along the eastern bank of the Kistna river when the hon. Member was pleased to observe that the matter would be seriously taken up for consideration after the storage capacity of the Kistna water was ascertained by replacing the existing shutters over the anicut by new shutters of about five feet depth for which an indent was sent to a certain American Company; and

(b) if so, how far the matter has advanced?

A.—(a) A deputation did wait upon the hon. Member but so far as known the reply was to the effect that nothing could be done in this direction until there was enough water to spare.

(b) The proposal is still under consideration. The attention of the hon. Member is drawn to the answer to question No. 31

[13th September 1922]

Teachers in the Chirakkal and Kurumbranad taluk board schools.

142 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that since the trifurcation of the late Tellicherry taluk board not a single Mappilla qualified teacher has been entertained in any of the Board Mappilla schools in the taluk boards of Chirakkal and Kurumbranad;

(b) how many teachers were transferred from schools under the management of Chirakkal and Kurumbranad taluk boards since the trifurcation of the late Tellicherry taluk board;

(c) whether the Government are aware that the capitation allowances due to the poor teachers of elementary schools under the management of Kurumbranad taluk board for the year 1920-21 have been reduced without any uniformity or proportion and without the recommendations of the inspecting officers as required by the Madras Educational Rules;

(d) whether the Government have been memorialized by the teachers under the taluk board; and

(e) what action was taken thereon?

A.—(a) (b) & (c) The Government have no information on the subject.

(d) & (e) No such memorials have been received by the Government.

Government Girls School, Tiruvangad, Tellicherry.

143 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) the average number of pupils that were studying for the last three years in the Government Girls School, Tiruvangad, Tellicherry;

(b) the names with qualifications of the teachers in the abovementioned school; and

(c) the highest class or form taught in the school?

	Year.					Number of pupils.
A.—(a)	1919-20	..	..	..	..	171
	1920-21	..	..	..	..	207
	1921-22	..	..	..	..	216

	Designation of post.	Names of teachers.		Qualifications.
(b) (1)	Headmistress	..	Miss M. Saldhana	.. Secondary School-Leaving Certificate, Trained Teachers' Certificate of the secondary grade.
(2)	First Assistant	..	Miss J. Edapalan	.. Do.
(3)	Second do.	..	Vacant	..
(4)	Third do.	..	K. Madhavi	.. Trained Teachers' Certificate of the elementary higher grade.
(5)	Fourth do.	..	M. Madhavi	.. Do.
(6)	Fifth do.	..	N. P. Mathupaliyar-amma.	.. Do.
(7)	Sixth do.	..	I. C. Gabriel	.. Do.
(8)	Seventh do.	..	N. P. Parupaliyar-amma.	.. Do.

(c) Standard VIII.

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Muhammadan teacher in the Government Training School, Calicut.

144 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that a Muhammadan teacher, now in the Government Training School, Calicut, has been permitted to undergo secondary grade training;

(b) if so, whether he has been allowed the usual stipend and deputation allowance to which candidates under training are generally entitled;

(c) if not, why a deviation from the common practice has been made in his case;

(d) whether the Government have received a memorial from the Muhammadan public of Calicut regarding the teacher; and

(e) if so, what action has been taken thereon?

A.—(a) to (c) The Government have no information.

(d) & (e) No such memorial has been received.

Supervisors of schools.

145 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education be pleased to state whether it is a fact that supervisors of schools are to be done away with?

A.—The hon. Member's attention is invited to G.O. No. 1002, Law (Education), dated the 29th August 1922, placed on the Editors' Table.

Memorials from the examiners of the copyists' establishment of the District Court, North Malabar.

146 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Law Member be pleased to state—

(a) whether the Government have received memorials from the examiners of the copyists' establishment of the District Court of North Malabar; and

(b) if so, what action has been taken thereon?

A.—(a) Yes.

(b) The matter is under consideration.

Transfer of Collectors and District Superintendents of Police.

147 Q.—Rao Sahib S. ELLAPPA CHETTIYAR: Will the hon. the Member for Finance and the hon. the Law Member be pleased to state—

(a) how many (1) Collectors and (2) District Superintendents of Police have been posted to Salem district since June 1919; and

(b) which individual official is responsible for transfers of Collectors and Superintendents of Police?

A.—(a) (1) Four Collectors.

(2) Six District Superintendents of Police.

(b) The Government are responsible for the transfers of these officers.

[13th September 1922]

Forest grievances in Salem district.

148 Q.—Rao Sahib S. ELLAPPA CHETTIYAR: Will the hon. the Home Member be pleased to state—

(a) whether effect has been given to the recommendations of the committee appointed by the Council in Resolution No. 12, dated 2nd August 1921, to report on the reserve forests in the Coimbatore district agreeably to their order in paragraph 2 of G.O. No. 375, Development, dated 17th March 1922;

(b) if so, whether the papers will be placed on the table;

(c) whether it is a fact that conditions similar to those dealt with by the above committee also exist in the Salem district; and

(d) if so, whether the orders passed with regard to the grievances in Coimbatore will be applicable to all similar grievances in the neighbouring district of Salem as well?

A.—(a) Effect has been given to many of the Committee's recommendations and steps are being taken with a view to give effect to the others, regarding which the Conservator's final report is awaited.

(b) The Government will consider the question of placing the papers on the table on receipt of the Conservator's final report.

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

Supply of water from the Gōdāvari anicut.

149 Q.—Rao Bahadur K. GOPALAKRISHNAYYA: Will the hon. the Law Member be pleased to state—

(a) whether the Government have information that the water held up by the Gōdāvari anicut was let off to waste in May last instead of being used, according to custom, for early transplantation in the Gōdāvari western delta before the freshes in the river commence; and

(b) if the Government have no information on the subject, whether they propose to investigate the matter in view to estimating the damage caused to the ryots on account of the want of usual supply?

A.—There was no wastage in May, but for a few days at the beginning of June water had to be surplused in order to scour away the cross bunds at the under sluices. This is only the usual procedure.

Telegraph office for Omalur, Salem.

150 Q.—Mr. K. A. KANDASWAMI KANDAR: Will the hon. the Member for Finance be pleased to state whether the Government are aware that the village of Omalur, Omalur taluk, Salem district, does not possess a telegraph office, even though there is a taluk office there, and that the public, merchants and Government officials are put to trouble owing to want of facilities for sending and receiving urgent messages?

A.—The Government are aware that there is no telegraph office in the village in question, but they have received no complaint of the lack of this facility.

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Railway station at Karappur gate to the north of Salem junction.

151 Q.—Mr. K. A. KANDASWAMI KANDAR: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that a mahazar was sent to them for opening a railway station to the north of the Salem junction in the place where there is now the Karappur gate; and

(b) whether a station is to be opened there?

A.—(a) No.

(b) The Government have no information.

Muhammadan clerks in the Registration department.

152 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) the number of Muhammadan clerks in the Registration department in the districts of Ganjam and Vizagapatam; and

(b) whether the number of Muhammadans employed as clerks is in due proportion to their population?

A.—The Government have no information.

Applications for posts in the Secretariat.

153 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Finance be pleased to state the number of applications received from Muhammadans and non-Muhammadans for posts in the Secretariat in 1921-22 and the number of applications rejected, with reasons, if any, for such rejections?

A.—The Government do not consider that any public purpose would be served by compiling the information asked for.

Judicial training to Indian Civil Service officers.

154 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Finance be pleased to state—

(a) the number and names of the Indian Civil Service officers who were given judicial training during 1921-22; and

(b) whether those officers are now employed as district judges?

A.—As a matter of economy, the training of Indian Civil Service officers who were due for judicial training in 1921-22 was postponed and they were retained in charge of ordinary divisions.

Pay of taluk shroffs and deputy shroffs.

155 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Member for Revenue be pleased to state whether the Government have passed final orders regarding increase of pay of taluk shroffs and deputy shroffs?

A.—The answer is in the affirmative.

Salaries of lock and wharf superintendents.

156 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education and Public Works be pleased to state

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whether the Government have passed any orders on the representations made from the lock and wharf superintendents of the Public Works Department for increase of their salaries?

A.—The answer is in the affirmative.

Development of the Agency tracts.

157 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : With reference to the answer given to my question No. 1247 on 14th February 1922 regarding a definite programme for the development of the Agency tracts, will the hon. the Home Member be pleased to lay on the table the further information called for therein if it has been received from the Agency Commissioner?

A.—The hon. Member is referred to G.O. No. 359, Revenue, dated 23rd February 1922, which has been laid on the Council table.

Imperial Police Service.

158 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Law Member be pleased to state—

(a) the number of applications received in this Presidency for the Imperial Police Service in 1922 classified under Muhammadans and non-Muhammadans; and

(b) the number and names of persons selected as classified above?

A.—(a) & (b) The time for the receipt of applications for the Police (Imperial) examination in 1922 expires on the 30th October 1922; it is not therefore possible at present to give the information asked for.

Stamp duty and court-fees.

159 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Law Member and the hon. the Minister for Education be pleased to state—

(a) whether the enhanced rates of stamp duty and court-fees have in any way reduced the number of suits in civil courts; and

(b) whether the above said enhanced rates have in any way affected the registration of documents?

A.—The Government have no information and it is too early to judge.

Extra police force employed in the Presidency.

160 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Law Member be pleased to lay on the table a statement showing the districts where extra police force is employed and the amount of expenditure incurred on this account?

A.—A statement showing the districts in which additional police are at present employed and the probable expenditure on them is laid on the table:—

District in which punitive police force is employed.				Amount of probable expenditure during 1922-23.	
				RS.	A. P.
Anantapur ..	..	..	..	4,404	0 0
Cuddapah ..	..	..	..	5,808	0 0
Ramnad ..	..	..	..	20,344	0 0

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Record-of-rights in registration offices.

161 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Minister for Education be pleased to state—

(a) whether the Government intend to introduce a system of record-of-rights in registration offices; and

(b) whether there is any proposal to club certain registration districts; if so, which districts and when this is to take effect?

A.—(a) The Government have under their consideration a report of the Inspector-General of Registration on the subject.

(b) There is no definite proposal before the Government in regard to the clubbing of registration districts.

New ports in the Presidency.

162 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Member for Finance be pleased to state whether the Government intend opening any new ports for seaborne trade in the Madras Presidency?

A.—The Government are always prepared to consider the opening of new ports when it is shown that the circumstances justify such a course, but have no proposals for such opening before them at present.

Muhammadan representation in the City Police.

163 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that there is not a single Muhammadan inspector in the City Police;

(b) what action has been taken as a result of the assurance given to Dr. Natesa Mudaliyar on his resolution to increase the number of Indian division inspectors in the City Police;

(c) whether it is a fact that in respect of quarters, confirmation and promotion the European sub-inspectors are treated on a scale superior to that of their Indian colleagues in spite of equal qualifications in the matter of riding test, favourable reports and good service entries, etc.;

(d) whether it is a fact that Indian sub-inspectors are not allowed to use the Government Police horses;

(e) whether it is a fact that there is no time-scale of pay for sub-inspectors in the city, whereas in the mufassal it exists; and

(f) whether it is a fact that consequent on the introduction of general time-scale sub. *pro tem.* promotions of the city sub-inspectors have also been stopped and that discontent prevails in the City Police on this account?

A.—(a) Yes.

(b) The resolution and the debate thereon have been communicated to the Commissioner of Police.

(c) The question is not clear, but if the implication is that Indian sub-inspectors are treated unfairly, the answer is in the negative.

(d) The question is not understood.

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- (e) & (f) It is true that the City sub-inspectors are not at present on a time-scale. The Commissioner reported recently that there was some discontent on account of the stoppage of sub. *pro tem.* promotions and the Government now propose to introduce a suitable time-scale which will remove this ground for complaint.

Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB:—"I wish to know from the hon. the Law Member if there are not any qualified Muhammadans for appointment as police inspectors."

The hon. Mr. K. SRINIVASA AYYANGAR:—"I want notice of the question."

Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB:—"With reference to the answer to question 163 (b), has the Government been watching the result of the action taken by the Commissioner of Police?"

The hon. Mr. K. SRINIVASA AYYANGAR:—"They will, as soon as occasion arises."

Stamp vendors in Chittoor.

- 164 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Member for Revenue be pleased to state—
 (a) whether it is a fact that one of the stamp vendors recently appointed in the Chittoor municipality is a municipal councillor;
 (b) whether two more are merchants carrying on a large business;
 (c) the principle on which such appointments are made?

A.—(a) & (b) The Government have no information.
 (c) The appointments are made by local officers.

Appointments in the Secretariat departments.

- 165 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Member for Finance be pleased—
 (a) to state whether there is any rule in the Secretariat departments to give an appointment order to a person who is taken on in an acting vacancy, and also whether it is usual to give notice of the termination of an acting vacancy to the person concerned;

(b) to state whether in practice acting men are sent away without any notice whatever;

(c) to place on the table a statement showing when each acting man in each Secretariat was entertained and when he was sent away during the period from 1st January 1921 to 30th June 1922; and

(d) to state the length of notice given to each person who was so sent away, apprising him of the termination of his acting appointment?

A.—The Government do not consider that any public purpose would be served by compiling the statistics asked for. The clerks are in close touch with their superiors and it would involve waste of time to reduce to writing communications which are best made by word of mouth.

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Darkhast applications from Muhammadans in Chingleput and North Arcot districts.

166 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Member for Revenue be pleased to state—

(a) the number of darkhast applications received from deserving poor Muhammadans in the Chingleput and North Arcot districts (talukwar) from 1st April 1921 to 31st March 1922;

(b) how many applications were favourably disposed of; and

(c) the total number of acres assigned to Muhammadans in each district?

A.—The Government have no information.

Retrenchment in the Madras offices.

167 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Member for Finance be pleased to state the number of appointments in the superior and inferior grades that have been abolished owing to the recently started retrenchment policy in different offices in the City of Madras, showing—

- (a) the pay of each appointment,
 (b) by whom held (Brahmans, non-Brahmans, including Muhammadans, etc.),
 (c) nature of the appointment, and
 (d) the saving to be effected annually?

A.—The information asked for is not available and the Government are not aware of any public purpose that would be served by imposing upon the reduced establishments that are left the duty of compiling it.

Amalgamation of Chittoor and North Arcot districts.

168 Q.—Mr. B. MUNISWAMI NAYUDU: Will the hon. the Member for Revenue be pleased to state—

(a) whether there are any proposals to amalgamate Chittoor and North Arcot districts;

(b) if the answer is in the affirmative, whether an opportunity will be given to the public and to this Council to express their views on the matter before final orders are passed by the Government;

(c) whether it is a fact that the people of Kuppam zamindari in the North Arcot district and Kachinad taluk (part of Kalahasti zamindari) in the Chingleput district are mostly Telugu-speaking; and

(d) whether it is not a fact that as the language of the courts of justice, civil and criminal, and of all public offices to which these people have to resort is Tamil, great hardship is felt by those Telugu-speaking people?

A.—(a) & (b) The answer is in the negative.
 (c) & (d) The Government have no information.

Enhancement of grazing fees.

169 Q.—Mr. B. MUNISWAMI NAYUDU: Will the hon. the Home Member be pleased to state the circumstances in which general enhancement of grazing

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fees was sanctioned between 1914 and 1921 and lay on the table Government Orders sanctioning such increase in every one of the districts in this Presidency?

A.—The question of the general enhancement of the rates of grazing fees was raised in 1913 by Mr. Beadon Bryant, Acting Inspector-General of Forests, in a report on the Madras forests in which he pointed out that the rates then prevailing in the Madras Presidency were very much lower than those common in other Provinces and, even if raised by 50 per cent, would still be generally lower than elsewhere, and considerably less than those charged by owners of private forests in Madras. With reference to these suggestions, the Government expressed the opinion that, in the case of reserved forests which it was intended to bring under the control of forest panchayats, no change in the then existing grazing fees was necessary. In respect of those classes of forests which must be retained under the management of the Forest Department, the Board of Revenue was requested to report on the question of enhancing the rates. This decision of Government had reference to the question, then under consideration, of classifying the forests of the Presidency as suggested by the Horne Committee so as to distinguish between the forests which were of value principally for climatic reasons or as containing valuable timber; those which, though largely useful for grazing, still contained forest growth valuable for purposes of timber or fire-wood; and, lastly, those forests which were useful for grazing only. The classification of the forests on these lines occupied some years and, as it was completed, separate orders were passed in respect of each district or part of the district on the subject of the enhancement of grazing fees. The number of these separate orders is so very great that Government do not consider that any useful purpose will be served by placing the whole of them on the Council Table. The general policy of Government in respect of these grazing fees has been stated at length in G.O. No. 298, dated the 10th February 1916, which has already been published. The general objects of the policy were two-fold:—

- (1) to check the overgrazing of the forests which had been pronounced by the universal consensus of opinion of qualified judges to be so serious as to warrant the conclusion that, if any improvement were to be attained or the further deterioration of reserves to be avoided, some limit must be imposed upon the number of cattle permitted to graze in them;
- (2) to enlist, if possible, the co-operation of villagers in the conservation of those classes of forests (Classes I, II and IV), which must continue to remain under departmental control, by conferring on them privileged rates of grazing on the understanding that, in return for such privileges, they should take an active part in protecting the forest area from fire or damage. The intention and desire of the Government was and is that the entire management of all forests useful solely for grazing (known as Class V reserves) should be taken over by panchayats of the villagers

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interested, and that the Forest Department should cease to interfere in them. The policy of raising the rates was extended to Class V reserves in order that it might be possible subsequently to grant special privileged rates to the villagers who were ready to form panchayats. The result has been that panchayats were successfully formed in several districts in which, without such enhancement, attempts to form panchayats had failed.

The Estates Land Act.

170 Q.—Mr. B. MUNISWAMI NAYUDU: Will the hon. the Law Member be pleased to state whether the Government intend to amend the Estates Land Act; and, if so, when and how?

A.—Yes. They expect to introduce it in the current session. The Bill will be published when ready.

Retrenchment in the departments.

171 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Member for Finance be pleased to state the retrenchment that has been ordered to be effected in the various departments of the Government as compared with last year?

A.—The hon. Member is referred to the note on retrenchment that is placed on the table.

Loan from the Government of India to the Local Government.

172 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Member for Finance be pleased to state the total amount of loan that will be obtained from the Government of India for the current year?

A.—The hon. Member is referred to the statement in paragraph 222 of the Finance Secretary's Explanatory Memorandum accompanying the Budget for 1922-23, dated the 4th March 1922. The total amount of loan to be obtained from the Central Government in 1922-23 given therein is (108.76 + 28.26 or) 137.02 lakhs. This figure was subsequently raised by 7.57 lakhs to 144.59 lakhs, as a net result of the voting of grants by the Legislative Council in March 1922.

Rent rate for Government quarters.

173 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Finance Member and the hon. the Minister for Education be pleased to state whether the draft rules referred to in his speech, dated 30th March 1921, regarding rent to be paid by Government officials occupying Government buildings have been adopted?

A.—The main rules have been embodied in the Fundamental Rules made by the Secretary of State under section 96 (B) of the Government of India Act. The subsidiary rules to these main rules are still under the consideration of the Local Government.

[13th September 1922]

Toddy and arrack shops in Chittoor.

174 Q.—Mr. M. NARAYANASWAMI REDDI: Will the hon. the Minister for Education (Excise) be pleased to state—

- (a) the number of public and private weekly markets in the Chittoor district;
- (b) the names of places where toddy and arrack shops are located very near to the said markets;
- (c) whether it is a fact that there is an increased consumption of toddy and arrack on shandy days; what the percentage of increase is; and
- (d) whether the Government have any proposals to close such shops on such days?

A.—(a), (b) & (c) The Government have no information.
(d) No.

House-breaking in Pallavaram.

175 Q.—Rao Bahadur M. C. RAJA: Will the hon. the Law Member be pleased to state whether there has been an unusual number of cases of house-breaking in Pallavaram in the Chingleput district during the past six months, and, if so, what measures have been taken to put a stop to them?

A.—The Government have no information.

Temporary Civil Assistant Surgeons.

176 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) how many temporary civil assistant surgeons were in charge of civil hospitals in the Presidency during the time of war;
- (b) how many of them have been given notices of discharge;
- (c) how many of the temporary civil assistant surgeons with one year's house surgeon's course and three years' temporary service as temporary civil assistant surgeons have been sent out of service;
- (d) when the last competitive examination for civil assistant surgeons was held and how many sat for it;
- (e) whether it is a fact that temporary civil assistant surgeons belonging to 1915, 1916, 1917 and 1918 batches have been sent out retaining men of 1919, 1920 and 1921; and
- (f) on what grounds and on what principles notices of discharge were given; whether they were all given according to the will and pleasure of the Surgeon-General without considering the question of seniority, etc.?

A.—The information desired has been called for.

The Postal and Railway Mail Service Department.

177 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Finance be pleased to state whether new entrants to service for clerkships in the Postal and the Railway Mail Service Department are required to be on the minimum pay for two years during which period they are deemed to be on probation and under training?

A.—Posts and Telegraphs is a central subject. The Local Government have no information.

[13th September 1922]

Report on the Mappilla train tragedy.

178 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Home Member be pleased—

- (i) to place on the table the report of the committee appointed to enquire into the Mappilla train tragedy; and
- (ii) to state what action has been taken by the Government to bring to book the offenders connected with the incident?

A.—Attention is invited to the resolution of the Government of India on the subject published on 30th August 1922.

Retrenchment in the Public Works Department.

179 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Education and Public Works be pleased to state the number of Engineers and Upper Subordinates who were thrown out of employment in consequence of the retrenchment recently effected in the Public Works Department?

A.—	Engineers		Nil.
	Upper Subordinates (temporary)		104

Permanent settlement of ryotwari lands.

180 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Revenue be pleased—

- (a) to state what steps have been taken to give effect to the resolution of this Council in favour of a permanent settlement of ryotwari lands;
- (b) to place on the table the report of the committee appointed by the Government last year to examine this question; and
- (c) to lay on the table the correspondence that has passed between this Government and the Government of India in the matter?

A.—(a) The Government of India have been addressed.
(b) No committee was appointed by Government to consider the question of permanent settlement.
(c) The Government are not prepared to place the papers on the table.

Prisoners in the Coimbatore jail.

181 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Home Member be pleased to state—

- (a) whether it is a fact that in the first half of February Mr. Devanayagam of Erode was punished with standing hand-cuffs for four days consecutively in Coimbatore jail;
 - (b) if so, for what reasons;
 - (c) whether it is a fact that Punjabi prisoners lodged in the Coimbatore jail are in the matter of food treated differently to what they would have received had they been retained in the Punjab and whether they have been complaining of the food given to them being unsuitable; and
 - (d) whether it is a fact that the visitors to the jail receive it.
- they be given a wheat diet; if so, whether that recommendation is upon;

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(e) whether owing to this food question there has been any indiscipline on the part of the Punjabi prisoners; if so, what the nature of that indiscipline was; whether any of them were awarded whipping as a punishment; and, if so, the number of prisoners that were thus punished and the stripes given to each; and

(f) whether cholera broke out in the Coimbatore jail during the month of June; and if so, what the number of attacks was and how many died in consequence?

A.—(a) No.

(b) He was punished with two days staple handcuffs for refusing to eat.

(c) & (d). The Punjabi prisoners receive, so far as local conditions allow, the scale of diet in force in the Punjab. This includes wheat which was given in the ordinary course from the date of the prisoners' admission to the jail and not on any special recommendation of the visitors.

(e) Four Punjabi prisoners were admitted on 30th August 1921; they made no special requests and had no complaints. Three more arrived on 10th October 1921 and, immediately on arrival, issued an ultimatum that unless they were given certain extra luxuries they would go on hunger strike, which they did. One was awarded 30 stripes.

(f) Cholera broke out in the Central Jail, Coimbatore, in June 1922. The number attacked was 54 of whom 28 died.

Transfer of non-co-operation prisoners from Russellkonda to Cuddalore.

182 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that a batch of six non-co-operation prisoners who were ordered to be transferred from the sub-jail at Russellkonda to Cuddalore were made to walk from Russellkonda to Berhampur, a distance of about 52 miles;

(b) whether there is a motor service between Russellkonda and Berhampur, and, if so, why this was not used to carry them; and

(c) what the condition was of the prisoners when they arrived at Cuddalore and whether one of them, Mr. Hotha, was pronounced to be suffering from fever and a dilated heart?

A.—(a) Yes.

(b) Yes. The jail rules do not permit conveyance for able-bodied healthy prisoners.

(c) All the prisoners were in good health on the day of arrival—viz., 3rd June 1922. The following day convict No. 6967, Hotha, had a sudden attack of pneumonia for which he was admitted into hospital. After careful treatment he recovered and has now regained his normal condition.

The punitive police, Sitanagaram.

minimum pay, on probation and Mr. C. RAMALINGA REDDI: Will the hon. the Law Member state—

A.—Posts for any punitive police are stationed in Sitanagaram or other have Nāvari district;

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(b) if so, what the unexpired period is for which they will be continued; and

(c) whether it is the intention of Government to withdraw them at the same time as the Guntūr district punitive police?

A.—The hon. Member is referred to the proclamation which was published in the *Fort St. George Gazette* of the 7th February 1922.

Report on the Mappilla train tragedy.

184 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased to state when the report regarding the Mappilla prisoners train tragedy will be placed on the table?

A.—Attention is invited to the resolutions of the Government of India on the subject published on August 30th.

Vaccination by means of glycerine lymph.

185 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state with reference to question No. 1266 and the answer thereto at the Council meeting, dated 15th February 1922, why the success obtained in vaccination with glycerine lymph in the year 1920–21 in local fund areas was as low as 31·3 per cent while that in municipalities was 88·2 per cent?

A.—A report on the subject is laid on the table.*

Alleged illicit sale of liquor.

186 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education (Excise) be pleased to state whether the Government are taking any, and, if so, what steps to put a stop to the illicit sale of liquors complained of by the conference of the Grand Lodge of the Hindu Temperance Association held in Madras on 12th August 1922?

A.—The hon. Member is invited to communicate the information in his possession relating to any particular place or places to Government and every effort will be made to deal with the offenders.

The Government Middle School for Girls, Berhampur.

187 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Minister for Education be pleased to state—

(a) how long the Government Middle School for Girls at Berhampur (Ganjām) was an elementary school of the higher grade before it was raised to its present status;

(b) what its strength was in each of the standards 6 to 8 during the triennium preceding its conversion into a middle school; and

(c) what its present strength is in forms I to III?

A.—The Government have no information but will call for it.

* Vide Appendix I on page 142 infra.

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Elementary schools for girls managed by Government.

188 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Minister for Education be pleased to state—

- (a) whether it is a fact that all the elementary schools for girls now managed by Government will be handed over to local bodies;
- (b) if so, under what conditions the change will be effected; and
- (c) the reason of the change of policy?

A.—The question of transferring some elementary schools for girls to the management of local bodies is under consideration.

Government training schools at Chatrapur and Parvatipur.

189 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Minister for Education be pleased to state—

- (a) the strength of the two Government training schools at Chatrapur and at Parvatipur (Oriya) on the date of the abolition of the former;
- (b) whether it is a fact that pupils from the district of Ganjam are drafted into and enrolled in the Parvatipur Government training school (Oriya); and
- (c) how many pupils from each of the following tracts are now being trained in the Oriya Government training school, Parvatipur:—
(1) Ganjam district.
(2) Vizagapatam district.
(3) Agency division?

A.—The Government have no information but will call for it.

Schools where vocational training has been introduced.

190 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Minister for Education be pleased to state the name of the school or schools in which vocational training has been introduced and the subjects taught and dealt with in such school or schools?

A.—The statement below * gives particulars about the cases in which proposals for vocational training have so far been sanctioned.

Report relating to the Malabar train tragedy.

191 Q.—Mr. P. SIVA RAO: Will the hon. the Home Member be pleased to state whether Government have passed any order on the report relating to the Malabar train tragedy; if so, will Government be pleased to place it on the table?

A.—Attention is invited to the resolution of the Government of India on the subject published on August 30th.

Resettlement proposals in Anantapur and Bellary.

192 Q.—Mr. P. SIVA RAO: Will the hon. the Member for Revenue be pleased to state—

- (a) whether the Government have considered and passed final orders on the resettlement proposals submitted for six taluks in the Anantapur and Bellary districts;

* Vide Appendix II on page 143 infra.

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- (b) if so, when they propose to introduce the rates;
- (c) whether they propose to defer the introduction of the proposed rates till the principles of land revenue resettlement have been embodied in legislation in accordance with the resolution of the Council passed in the same matter;

(d) in what stage is the Land Revenue Settlement Bill; when is it likely to be introduced into the Council;

(e) what effect has been given to the resolution passed in the Council for the introduction of a permanent settlement in the case of ryotwari tracts in our Presidency;

(f) whether the Government propose to place the said resettlement proposals for the approval of the Council in accordance with the unanimous general recommendation of the Land Revenue Settlement Bill Committee; and

(g) whether the conditions of season in the said taluks have improved and whether this is an opportune time for the introduction of the increased resettlement rates?

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

(b) With effect from fasli 1382 (1922-23).

(c) The answer is in the negative. Reference is invited to the speech of the hon. the Revenue Member in the Legislative Council on 14th December 1921 on resolution No. 170.

(d) & (e) Both matters are under reference to the Government of India.

(f) The scheme report was before the Council and the public for nearly two years. It was open to any Member of the Council to move a resolution in regard to it.

(g) The Government are not aware of any facts which need further delay the introduction.

Complaint under section 498, Indian Penal Code.

193 Q.—Mr. T. SIVASANKARAM PILLAI: Will the hon. the Law Member be pleased to state—

(a) whether a party complained before the Subdivisional Magistrate, Penukonda, about January 1922, that one sub-inspector of Penukonda named Doraiswamy Nayudu had abducted the complainant's wife thereby committing an offence under section 498 of the Indian Penal Code;

(b) whether the said magistrate issued a search warrant for the production of the person alleged to have been abducted and whether the sub-magistrate in doing so issued the said warrant to the accused Police sub-inspector; and

(c) whether the sub-inspector made a false endorsement on the warrant that the woman who was under his own roof had been found in a different house altogether?

A.—The Government have no information.

Mr. A. RANGANATHA MUDALIYAR:—"The allegations made are serious. The accused sub-inspector was given the search warrant. Did the Government call for any information?"

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The hon. Mr. K. SRINIVASA AYYANGAR :—" May I suggest to the hon. Member to bring it first to the notice of the Collector as he seems to know more about it and if he does not get any relief through the Collector, then he can come to Government?"

Political prisoners in the Cuddalore jail.

194 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Home Member be pleased to state—

(1) the number of 'political prisoners' transferred to the District Jail, Cuddalore, from February to July 1922, and the expenses incurred in connexion therewith; and

(2) the number of prisoners removed from the said district jail during that period to make room for the political prisoners and the expenses incurred thereby?

A.—As the hon. Member is aware, the jail rules do not distinguish between political and other prisoners. The number of prisoners transferred to Cuddalore in the period referred to is 227 and the number transferred thence is 207.

The Government have not complete information as to the cost of the transfers.

Carriage or personal allowance to municipal chairmen.

195 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Minister for Local Self-Government be pleased to state—

(1) how many non-official chairmen of municipal councils are not drawing any carriage or personal allowance;

(2) the names of chairmen who draw a carriage or personal allowance of Rs. 50 or more per mensem; and

(3) whether there is any order of Government fixing the amount of the said allowance, and, if so, to place it on the table?

A.—(1) & (2) The Government have no information. The power to sanction the expenditure has been delegated to Collectors of districts.

(3) The answer is in the negative.

Training of subordinate judges in criminal work.

196 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Law Member be pleased to state—

(1) the number of subordinate judges who were exercising the powers of an Assistant Sessions Judge on the 1st August 1922; and

(2) whether there is a proposal to invest all the permanent and sub. *pro tem* subordinate judges with the powers of an Assistant Sessions Judge to give them training in criminal work?

A.—(1) Six.

(2) The answer is in the negative.

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Notes of evidence taken by Bench magistrates in South Arcot district.

197 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Law Member be pleased to state whether it is a fact that copies of the memorandum or notes of evidence taken by Bench magistrates in the district of South Arcot are refused to the persons affected by any judgment or order passed by the said benches?

A.—The Government have no information.

The RAJA OF RAMNAD :—" Will the Government call for information?"

The hon. Mr. K. SRINIVASA AYYANGAR :—" This again is a question for the District Magistrate and not for the Government. Any complaint made with regard to that must first go to the district authorities."

The RAJA OF RAMNAD :—" Probably the Magistrate is guided by some rules issued by the Government?"

The hon. Mr. K. SRINIVASA AYYANGAR :—" I am not aware of any."

Municipal tax on school and hospital buildings.

198 Q.—Mr. G. VANDANAM : Will the hon. the Minister for Local Self-Government be pleased to state in how many municipalities a tax is levied on school and hospital buildings?

A.—The Government have no information.

Report of the Mappilla train tragedy.

199 Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Home Member be pleased to state—

(a) whether the Government have any intention of publishing in the near future the report made by the committee appointed to inquire into the Mappilla train tragedy, and, if so, when;

(b) whether the Government have any objection to place on the table of the Council that report and their recommendations, if any, to the Government of India and to the Secretary of State on that report;

(c) whether final orders have been received from the Government of India and the Secretary of State, and, if so, whether they will be placed on the Council table; and

(d) whether the Government have any intention of taking any action against any persons mentioned in that report, and, if so, when?

A.—Attention is invited to the resolution of the Government of India on the subject published on August 30th, 1922.

Punitive tax in Guntur.

200 Q.—Mr. P. VENKATASUBBA RAO : Will the hon. the Law Member be pleased to state—

(a) whether the proposals of the District Magistrate, Guntur, regarding the levy of punitive tax on the inhabitants of the district have been received, and, if so, to lay them on the table;

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(b) what is the total amount of the levy, and what classes of persons are liable to be assessed and exempted; and whether the Government have laid down any maximum or minimum to be levied on any individual; and

(c) whether it is a fact that since March 1922 the conditions in the district have been quite normal?

4.—(a) & (b) The hon. Member is referred to section 15 of the Police Act, 1861, where he will find the procedure laid down with regard to the assessment and levy of the cost of additional police and with regard to exemptions.

(c) The Government believe that since the additional police was quartered on the Guntūr district conditions have greatly improved.

APPENDIX I.

[Vide answer to question No. 185 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 13th September 1922, page 137 supra.]

The percentage obtained in the local fund areas, i.e., 31.3, relates to the results of vaccination done in local fund areas in the hot months of July and August 1920 alone, whereas, that obtained in the municipalities, viz., 88.2, relates to the results of vaccination done in the district municipalities not only in July and August 1920, but also in February and March 1921 and in the Madras Corporation for eight months in the year—April to middle of September 1920 and middle of January to March 1921. The figures therefore are not comparable; for, the latter series contain the results of vaccination in certain of the cold months when vaccination is much more successful. The true figures are as follows:—

	Local Fund for July and August 1920	Per cent.
District Municipalities for the same period		31.3
Madras City for the same period		59.8
		75.9

The results of vaccination in Madras City have been given separately because the conditions for vaccination are much more favourable in that area than anywhere else in the Presidency. The figures, however, show a superiority as far as municipalities are concerned. This has always been the case and is probably due to the better conditions under which vaccination is carried out in these areas. The Local Fund vaccinator is at a disadvantage, because, he has to deal with a much larger population scattered over a larger area. This means that he is supplied with a larger quantity of lymph the use of which extends over several days. The municipal vaccinator, on the other hand, having a smaller number of cases in a compact area can collect them together and perform his operation within a short period. The lymph is therefore less exposed to the harmful effects of heat.

APPENDIX

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APPENDIX II.

[Vide answer to question No. 190 asked by Sriman Sasibhushan Rath Mahasaya at the meeting of the Legislative Council held on the 13th September 1922, page 138 supra.]

Statement.	Name of institution.	Subjects taught.
1. Government Training school for masters, Ellore.		Carpet-making, and tape-making. Weaving.
2. Hindu High School, Pattamadai, Tinnevely district.		
3. Board High School, Kavali		Carpentry, spinning and weaving.
4. Board Middle School, Gudur		
5. Do. Kandukur		} Spinning and weaving.
6. Do. Buchireddipalam		
7. Do. Atmakur		} Tape-weaving.
8. Do. Avanigadda		
9. Hindu College, Tinnevely—School		Carpentry.
10. Municipal High School, Canuanore		Do.
11. Training College, Rajahmundry, Model High School and Secondary Training Classes.		Mechanical drawing and wood-work.
12. Board High School, Kollegal		Sericulture.
13. Government High School, Tiruvalur and Secondary training section attached.		Wood-work.
14. Ganapathi Secondary School, Mangalore.		Do.
15. Municipal College, Salem—School Department.		Do.

II

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The following resolution standing in the name of Rao Bahadur M. C. Raja was not moved owing to the absence of the hon. Member:—

1. That this Council recommends to the Government to transfer the location of the Mannargudi District Munsif's Court from Chidambaram to Mannargudi.

Maternity leave to women-teachers.

Rao Bahadur C. NATESA MUDALIYAR:—“Sir, may I be permitted to move the second resolution tabled by Mr. M. C. Raja?”

The House (having given leave, Rao Bahadur C. NATESA MUDALIYAR proceeded:—“Sir, I move—

2. That this Council recommends to the Government that in the case of married women-teachers, in the service of the Government and aided institutions, who are in the family way, four months' leave on full pay be granted without prejudice to their other leave privileges.

[Mr. C. Natesa Mudaliyar] [13th September 1922]

"Sir, this resolution is self-evident. It means a month's leave before and a month's leave after the confinement, the probable date of confinement being between the end of the 8th month and the end of the 10th month. This resolution arose out of a leave application made by one of the women teachers in the Government Training School, Madras, after the end of the 8th month when she was very ill and indisposed. The leave asked for for three months was not granted to her, but only for one month was granted and in the meanwhile she was transferred to a distant place. The advantage of medical certificate was availed of, but unfortunately within a few days the women-teacher was in labour, a difficult one, and she succumbed to it.

"I hope the Council will pass this resolution."

Mr. T. C. TANGAVELU PILLAI:—"Sir, I second this resolution and in doing so I wish to add a few words to what the hon. the mover has said. This resolution is intended to give relief to those women-teachers in schools who are in the family way. They are not like the labouring classes whose constitutions are stronger and who become fit to resume work soon after confinement. That is not the case with these women-teachers. They are naturally very delicate and are physically unfit to work during such periods. I hope the House will pass this resolution."

Mr. T. SIVASANKARAM PILLAI:—"Sir, I have given notice of an amendment which runs as follows:—

"For the words 'four months' leave' substitute the words 'leave on medical certificate for a period not exceeding four months'."

"According to the resolution four months' leave has to be given for the mere asking, and if it is allowed to stand as it is proposed, it may give rise to many complications. A women-teacher who wants leave may say that her condition is such that she is entitled to have four months' leave. But that is a matter which requires verification and a medical certificate may have to be insisted on, and it may turn out that four months' leave is not necessary. The condition of the patient may be such as to necessitate only a shorter period. In these circumstances, I think this amendment ought to be allowed and I hope the House will support it."

The amendment was seconded by Rao Bahadur Dr. C. B. Rama Rao and accepted by Rao Bahadur C. Natesa Mudaliyar.

Mr. A. RANGANATHA MUDALIYAR:—"May I know, Sir, whether two days' notice was given in respect of the amendment? I received it only yesterday."

The DEPUTY PRESIDENT:—"Yes, due notice has been given."

Rev. W. MESTON:—"Sir, while I quite sympathize with the object which the mover has in view there are two points which make it difficult for me to support the motion. One is the matter of time, a matter which has been discussed by those who are qualified to do so. The other is that the resolution asks the Government to deal not only with Government institutions, but also with aided institutions. It is not within the province of Government to deal with the internal administration of aided institutions. I am connected with a society which controls several schools, and within

13th September 1922] [Rev. W. Meston]

these the spirit of this resolution is being carried out in a manner which would fully satisfy the mover. If this resolution is to be carried, it can be done only with the omission of the words 'aided institutions'."

The hon. Rao Bahadur A. P. PATRO:—"Sir, with regard to this resolution I must say that it is not in proper form. As Principal Meston has pointed out, Government are not justified in interfering with the internal administration of aided schools and colleges and as such Government have not got the power with regard to the appointment and leave of teachers in those institutions. That part of the resolution which refers to aided institutions is not at all within the cognizance of Government officials.

"Secondly, with regard to the first part of the resolution, viz., that Government should give four months' leave, in the case of Government schools and colleges the hon. mover has pointed out that this resolution arose out of a single instance where leave had been applied for and was not granted. It is rather unfortunate that, owing to the irregularity in a single instance in the administration of the rules which have been framed, this resolution should have been tabled before this House. If cases relating to single and individual persons are to be thus brought before this House and questions of principle raised thereon, I must say it is neither sound nor proper and I do not know where the line will be drawn with regard to motions or resolutions before this House. If the particular instance where the irregularity is said to have been committed have been brought to the notice of the Director of Public Instruction or the Government, we would have taken steps to see that the rules now in force were actually enforced. Instead of that, that a resolution should have been tabled on account of a single individual grievance seems to me to be out of all proportion.

"In the case of women-teachers it is necessary that they should have a wider margin of leave. If the mover of the resolution had only known what the existing rule is in regard to the grant of leave in such cases, I am sure, he would not have moved this resolution. A little inquiry would have satisfied him. The existing rule is that ordinarily, the departmental head has got the power to sanction two months' leave and he has also power to grant a leave of three months, but that is the maximum period. Of course in exceptional cases on production of a medical certificate, he can extend the period. That being the rule, I do not see any reason why a motion of this kind should be brought in and I hope it will satisfy the mover to know that the period of leave would be extended in exceptional cases on production of medical certificate."

Diwan Bahadur R. VENKATARATNAM NAYUDU:—"I wish to know what the allowances are that are given during the period of leave."

The hon. Rao Bahadur A. P. PATRO:—"Leave with full pay is given ordinarily for two months and in exceptional cases for a maximum leave of three months."

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, the hon. the Minister described that this resolution tabled by my friend Mr. Raja was based upon a specific instance. But it is from many such single instances that we draw our inferences. After the assurance given by the hon. Minister, I beg leave to withdraw the resolution. I hope he will consider each case separately where a medical certificate accompanies."

Mr. R. LITTLEHAILES:—"Before the hon. Member withdraws the resolution, I should like to speak upon it."

MATERNITY LEAVE TO WOMEN-TEACHERS

[13th September 1922]

Diwan Bahadur M. KRISHNAN NAYAR:—"I rise to a point of order. The hon. Member, Mr. Littlehailes, objects to leave being granted to withdrawing the motion till he has spoken upon it. My point of order is whether a member is entitled to object conditionally to the withdrawing of a resolution."

Mr. R. LITTLEHAILES:—"I object unconditionally. I wish to place further information before the House."

The DEPUTY PRESIDENT:—"The hon. mover should have the leave of the House before he withdraws his resolution. Mr. Littlehailes may be allowed to speak and I permit him to do so under Standing Order 61 (2)."

Mr. R. LITTLEHAILES:—"I should like to mention at the outset, Sir, that this is the first time that the particular case to which Mr. Natesa Mudaliyar referred has been brought immediately to my notice. It is the custom for applications for maternity leave to be ordinarily granted. But the rule under which we are working states that the leave cannot be granted for more than two months at a time without medical certificate. I should like, Sir, to state as far as my information goes, an application was received for maternity leave from a certain person who was in service and the leave asked for was three months. It was not within the power of the Director of Public Instruction to grant that leave for it was within his power to grant only two months' leave and to extend it subsequently on the production of a medical certificate. I should like the House to be fully aware of that position. Leave is ordinarily granted for one month, a medical certificate is produced and it is automatically extended to two or three months as the case requires. The procedure adopted in this case was the usual procedure adopted throughout the whole of Government service, without the matter being officially referred to me. Maternity leave applications are treated by the person specially appointed for the purpose, by the Deputy Directress of Public Instruction. A woman herself is at the head of this branch of work and she is fully aware of the conditions for granting leave."

"With regard to the transfer of these persons, transfers are very frequently made in order that the ordinary promotion that is due should be given to each teacher even when she is on leave and not necessarily with the intention of causing a woman to be transferred to take up duty. It is done only with the object of not allowing her to lose the chances of promotion. In the particular case under consideration, as soon as it was brought to my notice that the woman would not be able to take charge of the new appointment, the order of transfer was immediately cancelled. The rules at present make ample provision for cases of emergency and I do not see the necessity for a resolution of this kind. I wished to place these facts before the Council before it decides to accept the motion or give leave for its withdrawal."

The motion was by leave withdrawn.

Reservation of seats in the professional schools and colleges.

Mr. T. C. TANGAVELU PILLAI:—"Sir, I beg leave to move the resolution standing in the name of my hon. friend Mr. M. O. Raja—

3. That this Council recommends to the Government that in future not less than 15 per cent of the places in professional schools, institutions and colleges should be made available every year, to candidates from the depressed classes and not less than 15 per cent to Muhammadans in this Presidency, provided they possess the minimum qualifications for admission according to the rules."

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Mr. A. RANGANATHA MUDALIYAR:—"I object to the resolution being moved by Mr. Tangavelu Pillai."

The motion that leave be granted to Mr. T. C. Tangavelu Pillai to move the resolution standing in the name of Rao Bahadur M. C. Raja was put and lost.

The resolution was accordingly not moved and was therefore deemed to have been withdrawn.

The following resolutions were not moved and were therefore deemed to have been withdrawn:—

Mr. P. SIVA RAO:—

4. That this Council recommends to the Government that the report of the Committee relating to the "Mappilla Train Tragedy" be published at once and an opportunity be given to the Legislative Council for a discussion of the same in the Council.

Mr. B. MUNISWAMI NAYUDU:—

5. That this Council recommends to the Government that the Estates Land Act be amended so as to give jurisdiction to Civil Court to entertain and try suits for recovery of rent under section 77 of the Act and suits for enforcement of patta or delivery of muchalka under Chapter IV of the Act.

Government contracts to Legislative Council Members.

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I beg to move the following resolution:—

6. That this Council recommends to the Government that a rule be framed to the effect that no Government contract should be given to any member of this Council.

"The object of the resolution is very clear and that is to see that the members of this Council are not placed under any undue obligations to the Government or any department of it. To begin with, there are sections in the Local Boards Act, in the City Municipalities Act and in the District Municipalities Act by which the holding of a contract disqualifies a man from being a candidate for election and if he is already a member, he ceases to be a member if he takes a contract. I think that rule is based on a very good principle that members who are for a public cause should always be above suspicion even as Caesar's wife. There have been a number of occasions on which we are told that by showing various favours the Government are likely to hamper the discretion of the members one way or the other. I do not mean to say the members will become dishonest simply because they may take contracts or they may be under obligation in other ways to members of Government. But all that I mean is that there may be cases where members may not have formed their own opinions and are likely to be induced by pecuniary or other interest to keep quiet or vote in favour of the Government. Where on the other hand the members have a definite opinion on a certain point they will vote accordingly even though there may be reasons to the contrary. This proposition does not want the Government to do anything so far as past contractors are concerned. This resolution, if accepted, would not in any way disqualify a gentleman either from being a member or from continuing as such. All that it seeks to lay down is that the Government should frame a rule that no contracts should be given to members of Legislative Council hereafter. I do not at all go into the past history of the

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question. I think it would be better if the Member of the Government in charge of the subject be pleased to say how many members of this Council, if any, have got contracts, for that would help us to know exactly whether the evil, if it is an evil, is a widespread one or confined to a few individual cases. My own opinion is that apart from the members representing the city the danger becomes all the greater if mufassal members are given contracts. We that come from the mufassal are supposed to represent to the Government and to the Council the various grievances of the people so far as the various departments of Government are concerned. Generally speaking, we have to ventilate their grievances regarding the Forest, Public Works, Revenue and other departments of Government. Therefore we should be able to criticise without fear or favour the officers, high and low, in these districts. If a member of this Council is given a big contract it would not be possible for him to speak loudly and freely or vote against the Government. Of course no member from the district of Coimbatore holds any contract, but supposing a contractor of the Public Works Department becomes a member of this Council and is given big contracts, say, for the Agricultural College buildings or for a big bridge or road, is it possible to expect him, however conscientious he may be, to speak freely about the grievances of the people against the Department of Public Works or the Agricultural College? We know in the mufassal parts how the heads of departments can tease the contractors, though not intentionally at least technically, saying that a brick is not placed properly or the chunam is not properly mixed. To avoid all such possible trouble, the member will choose to keep quiet. Since the principle has been accepted in the case of local boards and municipalities, it would be unwise not to extend it to the Legislative Council. For, the contracts in the case of municipalities are given by the whole body and it is not possible for a particular person who has taken a contract to make the whole Council one way or the other disposed towards him. Even if in such a case where the big bodies are themselves giving the contracts, the Act insists on the rule that a member cannot be a contractor, it is all the more necessary that the representatives of districts who come to this Council, who have to criticise the whole Government and every department of it as it were should not be placed in a position which will be rather suspicious.

"After all, it is the particular individuals of the various departments that give out the contracts and it is particular officers against whom we will have to make statements here. Therefore the principle that has been adopted in the Municipalities Act applies with all the greater strength so far as these councils are concerned. As a question of principle it is better to avoid such a possibility from arising hereafter, viz., one member getting directly or indirectly contracts from the Government. In order to avoid such an inducement being placed in the way of the members it is better that rules are framed before the danger, if any, becomes very great. It is for that reason, Sir, that I wanted to propose this resolution. As usual, before proposing this, I wanted to get information about the various Government contracts taken up by the members of this Council. The President overruled that question on the technical ground that I was not able to say which member of the Government should answer. I do not know whether any particular member should answer or whether all members should answer. In any case as a matter of theory I think it is very desirable that we should have some such rule. I only wanted to invite the attention

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of the Government to this fact and that when rules are framed this rule also may come into operation. It is with this view that I have tabled this resolution and I hope the Government will consider this favourably."

Rao Sahib U. RAMA RAO :—"Mr. President, Sir, at the commencement of the last session I sent a number of interpellations connected with the members of this Council taking contracts. All those interpellations were disallowed and at last I did table a resolution to this effect. But unfortunately there was not time enough to reach that resolution at the end of the session when the Council was prorogued. So I had no occasion to move that. During this session I wanted to move that, but when I saw that Mr. Venkataramana Ayyangar had tabled a similar resolution I did not do so. At the beginning of this year there was a constant rumour in this city that a prominent member of this Council did send his tender and that whether rightly or wrongly he was given the contract and not the others. Whether his tender was the highest tender or the lowest tender I had no means of knowing. When I asked the Government for information, the Government felt shy and would not give any information. I sent some interpellations and they disallowed them. This is a very important matter and no member of this Council should either directly or indirectly take up contracts for Government works. With these few words I second this resolution."

Mr. S. SOMASUNDARAM PILLAI :—"I oppose this proposition strongly. I cannot understand the meaning of this proposition. If in the case of the local boards the members of the local boards are not given any contracts it does not apply to this case. It is wrong to say that the members from all parts of the presidency will be influenced by one or two members. There is only one contractor here, Mr. Namburumal Chetti, and we cannot assume that he will take up contracts such as these. What will happen if it is ruled that a member of this Council should not be a practising lawyer? Most of us will be out of this Council. There will be a lot of confusion. There is absolutely no meaning in saying that a member should not be given a contract. For these reasons I strongly oppose the resolution."

The hon. Mr. K. SRINIVASA AYYANGAR :—"Sir, I have no difficulty in accepting the principle or the theory on which the English Disqualifications Act was passed. It is an Act of 1782 and the circumstances which led to the passing of that Act perhaps continues even to-day. But they are totally different from what they are here and we will have to consider whether such restrictions are necessary here. Mr. Venkataramana Ayyangar asked me to say how far trouble has arisen in this Council. So far as I know, there has been no trouble."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Members have got contracts already."

The hon. Mr. K. SRINIVASA AYYANGAR :—"I cannot tell you whether any member holds a contract; but I can tell you whether indirect influence or undue influence was brought to bear in the case of a particular contract. I have come to the conclusion most definitely that there has been no such thing. More than that I have no information. Coming to the practical question, the position is this. Under the rules framed by the Government of India and subjected to the consideration of Parliament we have certain rules regarding the qualifications of members and it is not possible for this

[Mr. K. Srinivasa Ayyangar] [18th September 1922]

local Government or anybody else, till there is a change of rules, to introduce any further qualification or disqualification in respect of a member of this Council. Under the English Act the taking of a contract or the holding of an office under certain circumstances involves a disqualification for being elected. Supposing, for instance, a gentleman holds a contract from the Government there would be nothing to prevent him from coming and getting into the Council here, and so far as I can see the local Government could not make a rule to prevent his coming in. For, it will be another disqualification to say that a member or a person who holds a contract shall not be elected or appointed a member of Council. If he holds a contract you can do nothing, so far as he is concerned, by way of preventing him from entering. Under the English Act a man is disqualified if he holds a contract for being elected to the Parliament. If he gets into the Parliament or if after having been elected he obtains a contract from the Government, then he not merely loses his seat but he incurs a particular penalty for each day that he sits. Probably the lawyer members of this House may remember a recent case in which a firm of silver-brokers entered into a contract with the Secretary of State for India and it was held that by virtue of their having entered into a contract one of the Members of the firm had incurred a penalty. In this connexion I wish to draw your attention to this. What precisely is meant by a Government contract? In England it is not a contract which any Member of Parliament gets from any inferior Government servant that comes in within the category of Government contracts for the purpose of that prohibition. For instance, there was a case in which the Colonel of a regiment gave a contract for the supply of clothing. It has been held that that does not come under the prohibition. It has not been settled whether a person who subscribes to a Government loan comes in under that prohibition. If that constituted a disqualification most of us should have been outside the Council. I may say that it is not an imaginary problem that I am putting before the House, for one of the charges against Sir Stuart Samuel was that he subscribed to the sterling loan issued by the Secretary of State. I have already pointed out that it is not possible to prevent persons from coming in because they are holding Government appointments. Government contract, as I understand it—I have not gone into its history carefully, though I tried a little this morning with May's 'History and Parliamentary Procedure'—means a very complicated thing. I am not sure whether we can even frame a rule which will be binding as a statutory rule declaring that a particular member should not, if he is elected, take up a contract. I know this is not what is asked for in this resolution. What is asked for in this resolution is that a rule be framed to the effect that no Government contract should be given to any member of this Council. It is totally different from saying that if such a member takes up a contract he loses his seat. If this is the rule to be framed, what is its nature? Is it an executive instruction to the Government that they shall not give contracts to a particular person to improperly influence him? If that is the idea, I am sure the Government will not stoop to that. My hon. friend says that his idea is that a person who takes up a contract shall lose his seat."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I never said that."

The hon. Mr. K. SRINIVASA AYYANGAR :—"Very well. What he wants is an executive instruction that Government contracts should not be given to members of this Council. I do not know what he means by a rule. He

[Mr. K. Srinivasa Ayyangar]

18th September 1922] apparently wants the prohibition of an executive order to be placed on the executive Government. All that I can say is that the executive Government if they are obliged to give a particular contract to a particular person they will be obliged to give him the contract irrespective of the fact that he is a Member. Under these circumstances, I am sorry I am unable to accept the resolution. If, for instance, the proposition had been that no person who had taken a contract shall be eligible for election or that any person who accepts a contract after he becomes a member shall lose his seat, it would be different. But if it is a prescription to the Government then you must leave it to the Government whether they will give a contract or no. There may be occasions when you want the assistance of a particular person to work a particular project and the Government must be entitled to give him the contract if he is the very best person who can execute the contract most favourably to the Government and the public. You cannot in those circumstances prevent the Government from doing its duty to the tax-payers of their province. I am therefore unable to accept the self-denying ordinance in the terms in which the mover proposes it.

11-45 a.m. "As regards the municipalities, they are small bodies and can control the giving of the contracts; in fact, they have executive functions. There is no parallel between the case of a local board or municipality and that of the Government in its relation to the Legislative Council."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, much of the hon. the Law Member's criticism had been anticipated by me and I referred to those points in my first speech. I would have also referred to the procedure in England because it strengthens my case, where a Member of Parliament is not allowed to have any Government contract. But I thought it would be enough to refer to the Indian enactments. We need not go into technicalities now. The hon. the Law Member and the Advocate-General are there and they may very well look into the wording of the rule when it is passed. There is no use of saying that this word is wrong or that verb is not appropriate. I have clearly stated my object in moving this resolution. Finding fault with words and phrases is of absolutely no use. So far as Parliamentary practices are concerned, the Parliament has nothing to do with these small details. It is only for big contracts that the Cabinet is responsible. Whether a particular officer here or a particular officer there gives contracts to the Parliament Member, it does not much matter. But a member there is not allowed to get big contracts. But we have got our own practices in our local bodies. No doubt the procedure in England may in this case be followed here. Our Secretary also was sent to England at some cost to learn the procedure of the House of Commons so that we may follow that here, and why not we follow the English practice in this matter. The hon. Mr. K. Srinivasa Ayyangar was a lawyer and I too was a lawyer and we know how to take a case and quote it each in his own favour, and I maintain that all precedents are in my favour both in England and in India."

"What I meant was a contract between the Government and a member. It is not between one member and another. If a member is given a contract by the Government, I think that it will prevent the member from criticising the actions of the Government freely. Such a rule as I propose is more necessary in the case of members coming from the mufassal than even in the case of those who represent the city, but it does not mean that there should be no rule at all in the case of members coming from the city."

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"The question was raised, 'what is meant by a Government contract?' That is a very small matter. We are not perfect legislators and we don't always have dictionaries to quote the exact meaning. The hon. the Law Member has had to come to our aid in many cases in bringing amendment after amendment to certain Acts, though they were passed by the Government and the Select Committees. This is a resolution where the principle is to be recognized fully."

The hon. Mr. K. SRINIVASA AYYANGAR:—"I do not find fault with the language of the hon. Member. I wanted to know what exactly he meant by a 'Government contract'."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Government contracts are contracts given by Government. That is all what I mean. So far as I am concerned, I do not see any difficulty about it. The Government want to win over people to their side by nods and smiles, honours and appointments to them and to their relatives, by giving contracts, etc. They want to get rid of their independence. I don't say that they would always succeed in this."

The hon. Mr. K. SRINIVASA AYYANGAR:—"I strongly protest against this. So far as I am concerned, I never tried to win over anyone by nods, winks or even smiles."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I don't say anything about the present Members of the Government. It must be a rule to be applicable for ever. So far as the present hon. the Law Member is concerned I have great respect for him personally and I will ever be prepared to prostrate before him. But I am speaking generally. The Government get people to their side by smiles and nods and conferring on them honours and high appointments. So I say where it concerns the pocket, people may like to side the Government. Of course I know that so far as the rules are concerned they must be altered only by a Joint Parliamentary Committee. But we have passed so many resolutions where Government Members expressed their sympathy which were only mere recommendations. I don't think the Government of India will be so indifferent as not to consult this Government when the rules are to be modified, and I am sure the local Government will consult the hon. the Law Member. All I said was that the principle underlying the resolution might be favourably considered, and the hon. the Law Member began by saying that he had full sympathy with that principle and he was wholeheartedly in my favour. What I say is, let it not be mere lip sympathy. Of course I never thought that executive orders would be passed at once; we cannot expect that from the Madras Government at present. I have already told my friends that I have no desire to press this resolution to a division. I think those people who say that the English constitution is the best and that our Councils should be based on the constitution in England, will recognise the necessity for a rule such as the one I propose. With these words I beg leave to withdraw the resolution."

The resolution was by leave withdrawn.

Exercise of certain powers of the district board presidents.

The RAJA OF RAMNAD:—"Sir, I beg to move the following resolution:—

7. That this Council recommends that Government be pleased to authorize the presidents of district boards by notification under section 233 of the Madras Local Boards Act of 1920 to exercise the powers vested in them under section 38 (1) so far as it relates to taluk boards and union boards.

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"After giving notice of this resolution, I went through the Act again and I found that not only under this section but also under several other sections, the Government have reserved powers to themselves. Therefore, I thought of withdrawing this resolution and giving notice of a fresh resolution suggesting that in other respects also the Government should delegate powers to the district board presidents. Since the hon. the Minister for Local-Self Government made a statement yesterday in this Council in connection with some other resolution that he was contemplating to bring in amendments to Local Boards and District Municipalities Act, I think no purpose will be served by my pressing this resolution. But before I withdraw this resolution, I wish to have an assurance from the hon. the Minister that he will view this question favourably. I, therefore, move this resolution formally."

Mr. K. PRABHAKARAN TAMPAN:—"I second the resolution."

The hon. the RAJA OF PANAGAL:—"Mr. President, Sir, the hon. mover proposes that certain powers which under section 38 (1) of the Local Boards Act of 1920 are vested in the Government should be delegated to the presidents of district boards. Is it advisable to do so? Before we examine the merits of the case, let us understand what these powers are. Section 38 (1) of the Act reads thus:

The Local Government may by order in writing suspend the execution of any resolution of any local board or of any order issued by any local board or president or cancel such resolution or order or suspend or cancel any licence or permission granted by any local board or president' . . . if in their opinion such a resolution has not been legally carried or such a resolution or order or Act or the grant of such a licence or permission is in excess of the powers conferred by law on the executive . . . or such a permission is likely to cause danger to human-life, health or safety or is likely to lead to a riot or an affray."

"I need hardly say that these are emergency powers and are intended to be exercised in very special circumstances. If these powers are delegated to the presidents of the district boards, I am afraid there is no guarantee of their not being abused. We have had many instances of friction between the presidents of taluk boards and the presidents of district boards. If these powers are entrusted to the presidents of district boards, it is not unlikely that the resolutions passed in the taluk boards may be cancelled by the presidents of district boards and I do not think it would be proper that the Government should delegate these powers to the district board presidents. Besides, under section 38 (2) to some extent these powers are vested in the district collectors and if they are also delegated to the presidents of the district boards, the delegation is apt to result in conflict in the exercise of the powers. In these circumstances, I do not think it will be desirable to delegate these powers to the district board presidents. Sir, recently there was an informal meeting of the district board presidents in Madras. In the meeting the presidents suggested that they should be allowed to have control over the establishments of the taluk boards in the matter of transfer, etc., and that suggestion is under consideration."

The resolution was by leave withdrawn.

Communal representation in services.

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, I beg to move

8. That this Council recommends to the Government that in giving effect to the various communal resolutions passed in this Council, if candidates are not available in higher grades, those from the lower with the minimum required qualifications be promoted.

[Mr. C. Natesa Mudaliyar] [13th September 1922]

"Sir, in moving this resolution, I cannot but observe that the hon. Sir Charles Todhunter, the Leader of the House, has laid the entire, tax-paying communities of this Presidency under a deep debt of gratitude for having caused the Government Order dated the 15th August 1922 to be passed to give effect to the various communal resolutions passed in this Council (*applause*)—perhaps anticipating my resolution too. If the Indian Civil Service officers about whom so much is talked of to-day are of his type, I wish the indianization of the service in that branch comes rather slowly. It is such type of Indian Civil Service officers that hold the scales of justice evenly among the various communities of this unfortunate land."

The hon. Sir CHARLES TODHUNTER :—"I rise to make a personal explanation, Sir. I cannot claim responsibility for the order, because it is an order of the whole Government."

Rao Bahadur C. NATESA MUDALIYAR :—"But I know he was the cause of it, Sir. I think that it is such type of Indian Civil Service officers that ought to form the 'steel frame' of the Indian Civil Service to do the good work of a splint to the fractured Indian nation, fractured to every bone by being split to pieces by the clashing interests of the various communities, creed and castes. Sir, this Government Order was misinterpreted by some interested people that it applies only to initial recruitment and to the selection grades, but on a reference to the hon. the First Minister, the Raja of Panagal, it was explained that it applies to every stage and every grade."

"Sir, I only request the hon. the Leader of the House to see that the heads of the departments co-operate with the Government in giving effect to this Government Order and not to non-co-operate with it and bring it to ridicule and contempt. I appeal to the various heads of departments to take into consideration the pitiable condition of our land and proceed sympathetically. As this Government Order answers my resolution, I do not want to press it."

The DEPUTY PRESIDENT :—"Does the House allow the hon. Member to withdraw his resolution?"

Rai Bahadur T. M. NARASIMHACHARLU :—"I rise to a point of order, Sir. If an hon. Member wants to withdraw his resolution he ought to simply say, 'I do not move it'. Is an hon. Member allowed to make a speech if he does not want to move a resolution?"

Rao Bahadur C. NATESA MUDALIYAR :—"I formally moved it, Sir, and it was duly seconded by my friend. I now want to withdraw the resolution."

Khan Bahadur MUHAMMAD USMAN SAHIB :—"Sir, when an hon. Member withdraws a resolution, it is for the House to decide whether he should be allowed to withdraw it or not. Therefore, I submit that the opinion of the House should be taken before the hon. Member, Mr. Natesa Mudaliyar, withdraws his resolution."

Mr. A. RANGANADHA MUDALIYAR :—"So far as we are aware, Sir, the hon. Member Mr. Natesa Mudaliyar made a speech and then he stated he was not going to press the resolution. I do not know who seconded his resolution. He may perhaps enlighten me on that point."

The DEPUTY PRESIDENT :—"Who seconded the resolution?"

Mr. V. P. PAKKIRISWAMI PILLAI :—"I seconded the resolution, Sir."

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The DEPUTY PRESIDENT :—"There was a speech made by the hon. Member Mr. Natesa Mudaliyar in moving the resolution and it was duly seconded. Now the hon. Member asks the leave of the Council to withdraw his resolution. I think it is open to any one to object to his withdrawing the resolution because he made a statement on some important matters. I think it is but fair that I should allow other hon. Members who object to it to speak on the resolution."

Rai Bahadur T. M. NARASIMHACHARLU :—"I repeat my point of order again. I am quite sure every hon. Member of this House will agree with me when I say that I rose to a point of order before the hon. Member Mr. Natesa Mudaliyar rose to withdraw his resolution. My point of order is that if a Member wants to withdraw his resolution he should not make a speech."

The DEPUTY PRESIDENT :—"The hon. Member Mr. Natesa Mudaliyar says that his resolution was duly moved and seconded and that he now wants to withdraw the same."

Rai Bahadur T. M. NARASIMHACHARLU :—"Not before I rose to a point of order, Sir."

The DEPUTY PRESIDENT :—"He now says that he wants to withdraw his resolution. If you like you can speak on the resolution and not on the point of order."

Rai Bahadur T. M. NARASIMHACHARLU :—"I am not going to make a speech on the resolution, Sir."

The DEPUTY PRESIDENT :—"Then the Council will please say whether the hon. Member has its leave to withdraw the resolution."

The resolution was withdrawn by leave of the Council.
The following resolution was not moved and was therefore deemed to have been withdrawn :—

Mr. B. MUNISWAMI NAYUDU :—

9. That this Council recommends to the Government that in constituting forest panchayats the special staff appointed under G.O. No. 774, Development, dated 7th June 1922, be aided by the formation of non-official local committees to advise the officer generally, and in particular as to the suitability of the areas and as to the amount of revenue to be assessed on forests proposed to be entrusted to panchayats.

Reference to the High Court in cases of conviction of non-co-operators.

Sriman BISWANATH DAS Mahasaya :—"Sir, I beg to move the following resolution :—

10. That this Council recommends to the Government that in all cases of conviction of non-co-operators (including those who are still in jail) from 1st October 1921, the papers relating to the proceedings be referred to a Bench of two Judges of the High Court of Judicature, Madras, for revision.

"Before commending this resolution for the acceptance of the Council, I would like to place certain information before it. Besides my own resolution, I find three other resolutions more or less of a similar nature have been tabled. These are resolution No. 42 of Mr. Muniswami Nayudu, No. 56 of

[Sriman Biswanath Das Mahasaya] [13th September]

Mr. Siva Rao and Nos. 82 and 170 of Mr. Krishna Rao Pantulu speaks of the intensity of feeling prevailing among the hon. Members of House.

"In the case of conviction of the non-co-operators, sections 107, 144, 188 of the Code of Criminal Procedure are applied. Apart from the legal question for which I myself have to yield to people who have higher and better knowledge in these things, I would refer to some facts. The first thing is that the non-co-operators do not defend themselves in court of law. Whenever they are brought, they refuse to defend themselves and hence they attract the sympathy of the people and it is therefore necessary that greater care and caution should be taken by the Government. The convicting magistrate should see that the best possible evidence is collected and adduced by the prosecution. But my experience shows that is just the reverse. I find that in very many cases that were convicted in my district, the evidence of the police, of village officers and sometimes men who are regarded as the sediments of society are taken. As the police they are themselves the prosecutors; as for the village officers they are more or less taken as Government officers. I know that the village 'kargi' is not regarded as Government servant for some purposes. But he regards himself as a Government servant and he is also regarded or looked upon by all others as a servant of the Government. Therefore it is not saying that he is not a Government servant. Therefore the evidence of the police and the village officers is all the evidence that is adduced on the part of the prosecution. I also know of some people whose evidence was procured purposely by the prosecution to get a conviction for the offenders. There has been a general sense prevailing in the mufassal and also in the towns that if these cases were defended or if the truth of the case were investigated most of these people would not have been put to such kind of difficulties as they are now undergoing. In other provinces like the Punjab, United Provinces and Bihar and Orissa also the cases of the non-co-operators and the evidence and the legality of the prosecution were referred to benches of the High Court. Under these circumstances, I request the House to consider whether or not it is desirable that such cases should be referred to a bench of the High Court just to see whether the convicting magistrate has done proper justice and has taken care to see that all the evidence necessary for a conviction is adduced. I therefore place this resolution before the Council which, if accepted, will evoke greater confidence in the justice of the Government."

Mr. R. SRINIVASA AYYANGAR:—"I beg leave to second the resolution before the House. It cannot be denied that there is a considerable feeling in this country that there has not been a right conviction in a large number of cases in which the non-co-operators were concerned. It may perhaps be due either to the magistracy taking too rosy a view of the evidence placed before it by the prosecution and showing a determination to swallow all kinds of evidence that has been placed before it without properly sifting it, or it may be due to a determination or indifference of the defence in not helping the courts with certain kinds of materials, in not engaging proper vakils and in not properly defending themselves and thereby exposing the infirmities or weaknesses that may be inherent in the prosecution. Be the case what it may, there cannot be the slightest doubt that there is a feeling that at least some of the non-co-operators have been improperly convicted. There is

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always a disposition to view the evidence, whatever may be its imperfections in a particular way. It may be due to various causes, and I do not propose to enter into them at this stage. I come from a place which has the honour of having a very large number of non-co-operating prisoners.

"In the district jail of South Arcot are to be found concentrated as many as 176 non-co-operators. I had the privilege of interviewing most of them. I can lay claim to an intimate knowledge of the cases in which most of them were involved which ended in their conviction. This much I feel bound to state that in a large number of instances the cases against them were false; in some cases they did not defend themselves partly due to their conviction that there could be no justice secured in their cases, and partly owing to the feeling that there was no justice to be had in the British courts. Whatever it may be, I think it is high time that we follow the policy of other provinces and have these cases revised by competent courts. It is with that object in view, and mainly in the nature of a compromise, I feel it incumbent on me to second this resolution."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I have my sympathy for the proposition now before the House. But what I am concerned with is whether this resolution provides an effective way for achieving the object in view. The resolution indicates that the cases of non-co-operators might be inquired into by two High Court Judges and that they might be left to revise the sentences if they considered it necessary. So far as my information goes, the result of such inquiry conducted by High Court Judges elsewhere has not at all been encouraging. In the Punjab I am told that out of four hundred and odd cases the records of which were perused by the High Court Judges only about fourteen or so were the cases in which sentences were revised."

The hon. Mr. K. SRINIVASA AYYANGAR:—"Only four cases, Sir."

Mr. A. RANGANATHA MUDALIYAR:—"I would only say that if the result of this proposition should be something of that sort, I for one deprecate the machinery suggested by the hon. mover. I would ask whether the hon. the Law Member might not himself call for the records of these cases (Hear, hear) and see whether any revision of sentences is necessary. I know even district judges may call for the records of cases and take action in the matter. It is a matter for great regret that none of them, or very few of them only, have been independent enough so to act in this matter. I think one in the position of the hon. the Law Member who has the necessary power and authority may well be asked to call for the records and set right the iniquities perpetrated by the lower magistrates in the name of law and restore the confidence of the people in the administration of justice."

Mr. T. SIVASANKARAM PILLAI:—"I have given notice of an amendment to this resolution. The resolution is somewhat vague; according to the wording, it means that any non-co-operator, whatever may be the nature of the offence, if he is convicted, his case ought to be reviewed by the High Court. I believe that is not the intention of the mover. My amendment therefore is—

Insert the word 'undefended' before the word 'non-co-operators' and after the same word insert the words 'for offences involving no violence to person or property'.

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"I want to restrict the scope of the resolution to offences which do not involve violence to person or property and to cases where there is no defence set up by the party concerned. There must be no defence set up; that means the accused should not have exercised the right of cross-examination or letting in defence witnesses. Again even if a non-co-operator does not set up any defence the offence for which he was convicted should not be one involving violence to person and property; if not, such cases should not come under this category. I hope the House will approve of this amendment."

Mr. M. R. SETURATNAM AYYAR :—"I second the amendment."

SAIYID MUHAMMAD PADSHA SAHIB :—"I am of opinion that if the case of all the non-co-operators who have been convicted in this country is not revised, at least those of them who have not cross-examined prosecution witnesses or in any other way defended themselves may be revised either by the High Court or, as suggested by my hon. friend Mr. Ranganatha Mudaliyar, by the hon. the Law Member himself. Mr. Ranganatha Mudaliyar expressed the apprehension that even if the Government is pleased to ask some Judges of the High Court to revise the sentences on non-co-operators, there is not much hope of any substantial justice being done in the matter. The reason, I believe, for the unsatisfactory result of the revision in the Punjab and the other provinces in India is due to this fact—that the High Court sometimes attaches rather too much importance to mere technicalities. The High Court sometimes is of opinion that in such revisions it is not necessary for the Judge to go into matters of detail, to scrutinise very closely questions of fact, and that the ends of justice could be met and the Judge would have performed his duty properly if there is a due observance of rules and procedure, and if he concerns himself only with the legal aspect of the question. In cases where persons have not exercised their right of defence, it is only obvious that there would not be much scope left for any apparent legal flaws. It is only when witnesses are cross-examined and a proper defence is put up in the lower court legal questions would come up to surface. So my humble request is that if the Government is going to accept this resolution and appoint a tribunal to revise these sentences the tribunal should be directed to give up the too rigid observance of technical rules of procedure, and not to confine itself to strictly legal aspect of the cases only. It must be directed also to take into consideration details of evidence and other things which are likely to be passed over by the High Court in revision cases so that substantial justice might be done. I think the resolution is a very modest one; it seeks only to do bare justice. It is one of the duties devolving upon a Government to see that pure and impartial justice is administered in the courts even though some of the non-co-operators are hauled up on the ground that they have been violating law and order or have been dangerous to law and order. By granting this concession, or rather by doing this act of justice to which they as subjects of His Majesty are naturally entitled, you would, far from jeopardising the interests of peace, law and order in this country, only be strengthening the confidence of the people in the anxiety, in the solicitude and in the sincerity of the Government to do impartial justice and fairness."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Sir, before the amendment of my hon. friend Mr. T. Sivasankaram Pillai is accepted I should like to point out one difficulty. I do not know whether he aims at

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including within the amendment the offences of all those persons who are convicted under section 108, Criminal Procedure Code, for failure to give security demanded of them. I believe that at the present time a large majority of those who are in jail were prosecuted under section 108, Criminal Procedure Code, failed to give security and have chosen to go to jail practically on the statement of police officials. The hon. the Law Member said in connexion with the revision of sentences that the Government have been advised that they had no power to revise the sentences of persons sentenced to various terms of imprisonment. . . . "They are detained in prison, . . ."

The hon. Mr. K. SRINIVASA AYYANGAR :—"They are detained in prison, Sir, for failure to give security, not sentenced to imprisonment."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I do not wish to quarrel with the language of my hon. friend the Law Member . . ."

The hon. Mr. K. SRINIVASA AYYANGAR :—"The language of the Criminal Procedure Code, Sir."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"They are sentenced to rigorous imprisonment by the magistrates. I am not going to stand on technicalities. Many of those persons who are now detained in jail are persons who, having failed to furnish the security demanded of them under section 108, Criminal Procedure Code, have been sentenced to imprisonment or remanded to jail. The object of the resolution is to secure the release of these persons if possible by getting these cases of—I do not say conviction but—detentions examined by competent persons. If the amendment covers also these cases I have no objection to it. Otherwise the resolution in the name of my hon. friend Mr. Krishna Rao will cover both classes of cases :—

'That this Council recommends to the Government to appoint a mixed committee of officials and non-officials to inquire, examine and report on the cases of persons who have been sentenced to imprisonment for failing to give security demanded of them under section 108 of the Code of Criminal Procedure or for offences under sections 124-A and 153-A of the Indian Penal Code and to recommend to the Government the remission of sentences in such cases as they consider proper.'

"Therefore the object of this resolution is to secure a re-examination of the cases of those persons who are now detained in prison or have been sentenced to terms of imprisonment under either of the above sections of the Penal Code or under section 108 of the Criminal Procedure Code. If the hon. the Law Member wishes again to take the line that these cases are excluded, I am afraid the object of this resolution as well as of the amendment will be defeated."

The DEPUTY PRESIDENT :—"Mr. Krishna Rao wants to move an amendment to this resolution by substituting the words of his 12-30 p.m. resolution (No. 82 on the agenda). I would allow his amendment."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I beg to move the following amendment :—

That this Council recommends to the Government to appoint a mixed committee of officials and non-officials to inquire, examine and report on the cases of persons who have been sentenced to imprisonment for failing to give security

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demanded of them under section 108 of the Code of Criminal Procedure or for offences under sections 124-A and 153-A of the Indian Penal Code and to recommend to the Government the remission of sentences in such cases as they consider proper.

"Sir, this amendment deals with cases of persons sentenced to imprisonment for either failing to give security demanded under section 108 or for offences under sections 124-A and 153-A. It is not necessary for me to detain this Council for any length of time to satisfy it about this matter. It is absolutely essential in the name of justice that in the cases of persons who have been imprisoned under either of these provisions, without any evidence whatever or on evidence which cannot stand the test of commonsense, the orders passed must be revised. The machinery by which this object is to be achieved is a different thing altogether. Let us first realize that if we are to maintain our reputation, and the Government are to maintain their reputation, for doing justice and for seeing that there is no unfair play even in dealing with the worst criminals, we should try and find some means, some machinery, by which wrong sentences and illegal convictions are upset or revised. The method suggested by my friend Mr. Biswanath Das can hardly meet the situation. My resolution suggests the appointment of a mixed committee of officials and non-officials, leaving it to the Government to select such persons as they have the utmost confidence in. It is true that, in the selection of the personnel, they have to exercise great circumspection and care. I have not the slightest doubt that they will choose such persons as have established a reputation for capacity and honesty. But what I would like to impress on the Council, before I proceed further, is that this Council should first realize that even, in the case of non-co-operators who have been giving some trouble, we cannot establish our claim to be regarded as just or fair-minded unless we devise some means by which those sentences can be revised. If we agree upon that point, let us devise the means whereby that object can be attained.

"It was suggested in the course of the remarks made by my hon. friend Mr. Ramachandra Rao that the hon. the Law Member might take up the task and see that those sentences are revised. I would myself not take any exception to that course; but in the answer given in reply to a supplementary question put by Mr. Sivasankaram Pillai yesterday, in the case of Duvvuru Subbamma, it was stated that in cases of sentences passed for failing to give security the Government had no option in the matter and they could not remit the sentence. A careful perusal of the various orders passed during recent times would show that a large number of cases were put up under the security sections. There was no defence offered or no defence worth the name, with the result that they were called upon to furnish security or go to prison in default. According to their creed, they could not, or they would not, furnish any security and they had to choose the alternative of going to prison. Is it not fair and just that the Government should take the trouble of examining these cases and send them up for revision to the High Court? It is open to them, even in cases of convictions for failure to furnish security, to examine those cases and apply for the revision of those orders. If the Government are not in a position in their executive capacity to revise those orders, they could take the necessary steps for that purpose. I therefore consider that there would be no justification for the Government not accepting the resolution which I am now placing before this House. It is not

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necessary at this stage to refer to the number of instances in which there have been wrong convictions. There are plenty of such cases. I do not at present wish to import into this resolution the question of their being defended or undefended. If we agree that justice is to be done, it makes no difference whether it is a question of their being defended or undefended. If you say 'undefended' the difficulty would arise whether it is a case of defence by the counsel or a case where a person defends himself. My memory goes back to a case of which I have some knowledge. It is the case of Chandrasekhara Reddi of Nellore, who was prosecuted before the Deputy Magistrate, Nellore, and who, according to the creed of non-co-operation, would not allow himself to be defended by a vakil though there were several who offered their services. He himself took the trouble of putting questions and cross-examining witnesses. In the course of the cross-examination, he elicited that a statement from a police witness that 300 or 400 other persons were present at the time of the meeting. He asked the magistrate: 'Sir, I deny the statement of these police officers that 200 or 400 persons were present at the meeting. Will you try to secure the evidence of at least one respectable man among these to support that statement?' The Magistrate replied 'No; it is not my business; if you want you can summon witnesses; I cannot.' The result was that eventually upon no evidence, or upon evidence which no reasonable man can believe, he was ordered to furnish security or go to prison in default. These are glaring instances which must be an eye-opener to any civilized Government. Persons have been convicted merely upon police version, when the police are taking undue advantage of the fact that they would not be defended by a vakil. So, is it not our duty to bring to the notice of the Government the injustice that is likely to be perpetrated in the name of justice and see that methods are devised for remission of sentences in such cases as they consider proper? It is likely that the Executive Government would try to preserve the prestige of their officers. But so far as the duty of this Council is concerned, it is clear. With these remarks I commend this amendment for the acceptance of this House."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I have great pleasure in seconding the amendment. The first idea that struck me when I went through the agenda was that in view of the fact that there was a large number of resolutions from the various blocks of this House on this point and in view of the fact that the various other Governments in this country have done something towards the achievement of the objects mentioned in this proposition, my first impression was, Sir, that the hon. the Law Member would get up, as soon as the proposition was moved and formally seconded, and accept the principle underlying all these propositions and do something by way of rendering justice to those unfortunate people. But the attitude, though not the speech, of the hon. the Law Member, who has raised some technical objections, clearly shows that he is not going to accept the principle. And that gives us the necessity to speak at some length on the proposition as well as the amendment. We are not at present concerned with the technical question as to whether one proposition can be an amendment to the other and such things, but we are all agreed that something should be done in the case of those political prisoners, especially the non-co-operators, who have not defended themselves. There may be a glamour about the High Court benches, but my hon. friend Mr. Ranganatha Mudaliyar has

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clearly shown by quoting an example from the Punjab how it will be entirely a waste of time and money to have these High Court benches constituted to go into this question. Not that we have no confidence in them, but they have only to go upon the evidence, and the statements of the accused are not evidence. Take the case of the famous leader Mr. C. R. Das. He produced a statement in court that a certain signature alleged to be his was not his but it was so and so's. Yet the magistrate thought there was no evidence. The evidence for the prosecution is that a police officer comes and says that the particular signature is that of Mr. Das. Mr. Das may be a respectable man, but he is only an accused. A bench of High Court Judges is bound by the evidence before them; in these cases there is only the evidence for the prosecution, which says that the signature before the Court is the signature of Mr. Das. But Mr. Das has not cared to call any evidence to deny it, and so the Judges will say 'We cannot go into the case any more than is proved by the evidence on record.' Such a judgment, even if it is of High Court Judges, is useless, and that is why I say that the procedure suggested in the amendment of Mr. Krishna Rao is very good. Even as it is, the resolution is not very complete. There may be other sections under which these offences may come. There may be other sections of the Penal Code under which these sentences may come. Therefore, the amendment is more general, more equitable and more useful, and I hope the hon. the Law Member will accept the wording of the amendment. After all, what does it want? It wants a committee—a mixed committee as it were—probably presided over by the hon. the Law Member himself as suggested by Mr. A. Ranganatha Mudaliyar.

The hon. Mr. K. SRINIVASA AYYANGAR :—"No, Sir, I do not want it."

Mr. C. V. VENKATARAMANA AYYANGAR :—"That does not matter, the resolution only wants a committee to go into the whole matter whether the evidence is one way or the other. There may be many who consider probably that in the present state of affairs many a political non-co-operator prisoner may safely be let out, whatever the evidence may be, and whatever the offence might have been at the time he was sent to jail. Therefore, such cases would naturally come within the scope of this committee. I myself strongly urge, Sir, that whatever may be the reasons which may guide them, this committee should strongly recommend, for political reasons as well as for reasons of equity and justice, that a very large number of these people should be let off unless they were in any way connected with instigation to commit or actual commission of violence. Simply because a man in a philosophical way says that if self-government is not given, we should all go into the Bay of Bengal and make all others also to do likewise, and that probably constitutes the offence of many a non-co-operator, there is no reason why convictions should have been passed, long terms of imprisonment awarded and the persons be rotting in jail. Such cases again can certainly come within the scope of the inquiry by this committee. We had a recent ruling of a High Court which stated that a statement of one of the leaders of the Muhammadan community that if the Government refuse to give us self-government within such and such time we would try to establish a republic, was not an offence under a particular section of the Act. Therefore, Sir, it is necessary that we should give very wide scope to this committee to recommend not only upon the evidence but

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also upon various considerations as to whether particular persons should be let off or not. My own opinion is that the sooner many of these people are out of jail the better it will be, because we should see that the jails are not to be considered sacred places. Even ordinary prisoners at present say 'I have got the liberty to rob or plunder, and I will go to jail where there are big men like Messrs. Das, Nehru and the Mahatma. Therefore, it is better that these prisoners who were simply guilty of philosophising should be let out instead of being kept on in jails. Otherwise such views as I have referred to above may be spreading and may be the cause of sending more people to jails, and probably that is the reason why in the Punjab where this non-co-operation movement seems to be very rampant, this year there was a very large number of crimes. Of course, the Government explain this by saying that this is all due to the teaching of non-co-operation. Some others may say it is all due to the philosophy of non-co-operation, and some people may think that when big people go to jail, there is no reason why they also should not do so after adding to their resources by means of robbery, etc. It is not the teaching but the philosophy of non-co-operation that I refer to. The reason is that the Government looks upon many of these people with hatred and, what is more, seems to have been ill-treating them according to some reports recently published, and though the Government may have exhibited no special partiality, they are simply obliging the non-co-operators by sending them to jail in a way which rouses the sympathy of the public at large. Therefore, I hope that this amendment will be accepted by the hon. mover and I solicit the kindness of the hon. the Law Member also that he may accept this proposition as amended. The opinion of the public is well known and that is here shown by the fact that a large number of members representing the various sections of this House have given notices of similar propositions as the one now under discussion. That shows that, whatever the judicial spirit of the Government may be, so far as the public are concerned, they fully sympathise with this view and I appeal to the hon. the Law Member once more that he may leave out all technicalities and may appoint any committee he likes with full powers to recommend to them to let off people wherever it is thought that their further detention is unnecessary. With these few words I second the amendment of Mr. Krishna Rao and hope that the House will adopt it."

Mr. T. SIVASANKARAM PILLAI :—"In view of the amendment of Mr. Krishna Rao, I should like to ask for permission to withdraw my amendment, Sir."

The amendment was withdrawn by leave of the Council.

Sriman BISWANATH DAS Mahasaya :—"Sir, I thank you for your kindness in permitting the hon. Member for Nellore to move his amendment and I have no hesitation in accepting the amendment moved by him."

Mr. A. RAMASWAMI MUDALIYAR :—"Mr. President, Sir, I desire to say a few words on the resolution as amended by my hon. friend Mr. Krishna Rao. The proposition now before the House is for the appointment of a committee of officials and non-officials to enquire into, examine and report on the cases of those accused who have been convicted in connexion with the non-co-operation movement and to see how far and how many of them can be let out of prison. The hon. mover of the amendment and the seconder made no secret of their intentions in regard to this matter. I want to prominently

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draw the attention of the House to the difference between the resolution as originally proposed and the resolution as it now stands after the amendment which was accepted by the mover. The original proposition contemplated the appointment of a Bench of two Judges of the High Court to revise all cases of conviction of non-co-operators, to call for the papers relating to their convictions, and to revise the proceedings. The mover of the amendment has substituted for this judicial tribunal a committee of officials and non-officials to enquire, examine and report on this case and to recommend the remission of sentences. My hon. friend in the course of his speech said that the original proposal was an infructuous attempt, that he had no faith that any better result would be achieved by the hon. the Judges of the High Court going through the records, and, the seconder of the amendment practically agreed that when the records went before the Judges they would in all probability come to the very same conclusion which the lower magistracy had come to. That, Sir, is a remarkable admission on the part of both these two gentlemen and adverting to this admission I may at once say that it is a complete refutation of the statement made by Mr. Ranganatha Mudaliyar that an iniquitous treatment had been meted out to these non-co-operation prisoners by the lower magistracy. On the records before them, on the statements made by them, they could not have come to any conclusion other than that to which they came and I have the authority of my hon. friends, two eminent vakils from the mufassal, to say that on those records, on those statements, on the defence, if any, produced by the non-co-operators, and on all the materials available to the lower magistracy, a bench of High Court Judges, whose impartiality has not been impugned, whose fairness and judicial frame of mind is not open to question, can come to no other conclusion. What then is the position? The position is this. You have a set of prisoners who have a creed of their own, a term *canobling*, something which is not mentionable, a term which is hallowed by my friends from Nellore and Coimbatore. By that creed they are prevented from raising a defence in the Court. That creed is sacrosanct so far as my hon. friends are concerned. That creed is inviolable so far as these two gentlemen are concerned; it may be subversive of all discipline; it may be subversive of all established law and order; it may cut at the very root of Government; it may cut at the very root of this Legislative Council; it may cut at the root of all progress and all constitutional agitation; it may even strike at the root of that very goal which you and I, Sir, and every one in this Council, have in mind—the goal of Swaraj or Dominion Self-Government. But, Sir, whatever it may be, that creed has been hallowed by some gentlemen, and my hon. friends here are appealing for help to such people. They have a creed which they and their supporters here, who do not profess that creed, consider inviolable. According to that creed your courts of justice are a sham; the whole system of the administration of justice is a huge farce. According to that creed they cannot let in evidence; they cannot defend themselves; they cannot cross-examine witnesses. According to that creed they cannot employ even vakils; nay, more if vakils from Nellore—to quote the instance so graphically described by my hon. friend opposite—fly after them and are over-solicitous in offering their services free and undertake to help them, that creed sacred, sacrosanct, hallowed, inviolable, comes in their way and they say ‘we can’t have your services’. That, Sir, is the position. It is not that any injustice—injustice as it commonly is understood—has been done on the materials before them by

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the magistracy. We know that after all man’s judgment is limited. We know that judges are fallible and have never claimed for themselves the quality of being infallible. We know that with all the materials available before the judges, with all the assistance which eminent counsels on both sides render to the judges, with the aid of defence witnesses, with every resource which is given to them, both by parties and by the processual law of the country, no judge can be said to have given an absolutely right and correct judgment. No judge can claim to have been infallible. If such is the case in ordinary cases, what is the position of a judge who is to try a prisoner who non-co-operates with him at every stage, who refuses to recognize the majesty of law, who declines to see in the presiding judge the arbiter of right and wrong, who will not examine witnesses, who will not put in a written statement, who will not plead a defence, who has a supreme contempt for every procedure of the judiciary and has not even concealed his utter contempt for the gentleman who presides on the bench. That is the position of the non-co-operators.

“Now, Sir, I go to another aspect of the question. My friends have asked that a committee should be constituted to enquire into these cases and have urged it on grounds of humanity, of justice, of the fair name of the Government, of the dignity of this Council and on every ground sentimental and otherwise. I ask my friends in all seriousness what authority they have for putting forward these requests. Have they got a mandate from these non-co-operating prisoners, or from the non-co-operators in general? Has any body of non-co-operators authorized them or instructed them to move in their behalf? Has any responsible organ of the non-co-operators asked them to intervene and to come to the help of the poor misguided young men who in a fit of over-zealous enthusiasm were carried away through a fit and came within the clutches of the law? To this day I have yet to see that any section of the non-co-operators have come forward pleading for the intervention of anybody judicial or extra-judicial. Their creed, as has been pointed out, by my hon. friend, remains inviolable. Therefore, Sir, I am surprised when my friends come forward and say whatever these non-co-operators may have done and whatever offences they may have been guilty of, we have a duty and we should perform this duty. What is that duty, may I ask? Is it to help those that do not require our help? Is it to assist those who treat us with contempt? My hon. friends speak of humanity. I should like to know a little more of that humanity. They treat us as if we are of no concern in their arrangements of the world. They treat not only me and you, Sir, but the whole system of Government as if we had no concern as to the order and progress of the country; and they come forward and say that they will have nothing to do with the Satanic Government, that they will have nothing to do with our law courts and yet my friends are over-flowing with the milk of human kindness and sympathy which wells up from their hearts and are seeking to help these gentlemen and do something for them. I have got a sentimental objection to this procedure. If a man says ‘I do not want your help’, if a man spurns me when I go to assist him, if a man says that he is better inside the jail and asks me not to trouble myself about him, I think it would be the height of imprudence to thrust my services on that unwilling man and say ‘whether you may be willing or not we will come to your help and release you.’ That

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is a position which no responsible body, no responsible member of Legislative Council, can take up for a moment.

"Let us examine the position in the light of the cases that have been supplied my hon. friends opposite. Much has been said of police evidence. But my friends, I think, will not maintain, shrewd lawyers as they are, that police evidence is no evidence. Both in law and otherwise the evidence of a policeman, even though it comes from a limb of the law is still evidence. What weight is to be attached to it, what authenticity is to be placed on it, what reliance is to be given to it—is a matter on which different people will have different opinions. That it is evidence on which a magistrate must either believe or reject it, is a proposition which cannot be questioned from the point of view of either lawyer or a layman. If on such evidence a magistrate has come to the conclusion that a certain offence has been committed by a certain individual and if that individual declines to assist the court in any way, either to counteract the statements made against him or to prove his case in any other manner, what remains for the magistrate but to do his duty according to his lights and according to the law that he is called upon to adjudicate by? My friends who are shrewd enough to see, as I have said before, that even if these records go up to the High Court Judges, or to any set of judges of any type, there can be only one conclusion, and that is, in 99 per cent of these cases at least the convictions of the lower courts would be upheld. That is exactly what has happened in the Punjab. That is exactly what has happened in other provinces also. Now, my friend Mr. Venkataramana Ayyangar comes forward and says that is a different matter. We know that in these judicial courts very little justice can be obtained for the non-co-operators. So let us go in for the appointment of a committee of officials and non-officials. And he practically dictates to us what the views of the committee should be, what findings it should arrive at, what its report should be, and what further steps Government should take thereon. The committee has to proceed on the assumption that on political grounds and grounds of expediency there ought to be a change in the angle of vision and that these non-co-operating prisoners or at least a large majority of them should be immediately released from jail, and that Government should accept the recommendations of the committee. This, Sir, is an almost unheard of thing, that a committee of officials and non-officials should sit in judgment over the decisions of the magistracy and what is far more curious should come to a different conclusion from the magistracy not on the principles which everybody realizes should be applied by a law court, but on principles which are really extra-judicial and do not enter into the minds of those who have come to the conclusions sitting as a court of law. I have not heard of a parallel to such a case, and my hon. friends cannot point to any other presidency in which such a thing has been done. On what evidence is the committee to proceed;—on the evidence which the judges have heard, or on *a priori* grounds relating to the political situation and the conditions of the country? How are the committees to be guided in their deliberations? What principles are they to follow? Is it the principle enunciated by Mr. Venkataramana Ayyangar that a non-co-operator is better out of jail than in jail? Or the still more curious principle that to avoid associations and to avoid criminal classes committing more crimes so as to get in jail and associate with the high-souled non-co-operators, the committee should recommend that all non-co-operators should be let out of the jail? I do venture to think, Sir, that

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there could be no more futile suggestion than this suggestion to appoint this committee. The non-co-operators don't defend themselves and don't want to be defended. Take the case under the Security section that has been so graphically described by my friend Mr. Krishna Rao. The gentleman will not put any defence. He will not file a written statement. He will not call in evidence in his favour and on the evidence placed before him the Magistrate thought that security ought to be furnished. Under his creed, the sanctified creed of the non-co-operators, he would not furnish the security and goes to jail thinking that he is better serving his country from within the jail than from without. Now, Sir, I ask what committee, which Law Member, what order of Government, could intervene between such gentlemen and the jail unless we throw aside all the limitations of the penal laws and all the laws of the Criminal Procedure Code."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"May I correct the statement of the hon. Member that the gentleman cross-examined and also filed written statements, but did not call in defence witnesses?"

Mr. A. RAMASWAMI MUDALIYAR:—"There are hundreds of cases, Sir, in which every circumstance which I have stated before has occurred. In a case in Salem of which I have a very vivid recollection one gentleman non-co-operated to the fullest extent possible. He would not engage a vakil, would not allow them to talk on his behalf, and would submit himself to no process and to no discipline of the courts. Such extreme cases cannot be treated lightly. It is not a question that goes to the very root of Government, or that party. It is a question which affects the very fundamentals of any Government. It is a question which affects the very foundations of law and order, peace, be it Swaraj, be it bureaucratic Government. I take it, Sir, even in Swaraj, even under the extreme form of self-government, law and order, peace, respect for the institutions of the country howsoever they are maintained—and I do not think that my friends on the opposite side will question that principle—all these should be respected. May I venture to suggest, Sir, that instead of coming to this Council with recommendations, who have not asked for gentlemen who do not want these recommendations, who have not asked them and will probably spurn them, though they may take advantage of them when they have been carried into effect, instead of coming to this Council with such recommendations; for such gentlemen my friend Mr. Venkataramana Ayyangar could be better employed if he were to go to the non-co-operators and ask them to behave in a more reasonable frame of mind."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I have done so lots of times, Sir."

Mr. A. RAMASWAMI MUDALIYAR:—"My friend says he has done so. He has done it absolutely without hope, absolutely without any effect, and may I tell him that if with all the sympathy that he has for the non-co-operators, and they have for him, he was not able to convert them with all his loud eloquence, that it will have no better effect, that he will not be crowned with any better success, in this Council? The non-co-operators, Sir, do not want our help or the help of anyone in this Council. They have not asked for it. They probably will say that they do not require it. Under these circumstances, I think it will be perfectly futile to do anything of the sort that has been suggested. We shall be stultifying ourselves, we shall be stultifying the position of the Government, we shall be stultifying the

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position of every man who has any respect for himself or for the institutions of the country, if we now come forward of our own accord without any call from these non-co-operators, without any appeal from them, and say to them that we are ready and eager to come to their help even if they spurn us. The consequences of such an unreasoning and unreasonable attitude on our part would, I am afraid, be very serious.

"And, Sir, I may close with one more word. I am not possessed with all the inner secrets of Government on these matters, but from what little knowledge I have of the subject, I may state that Government have from time to time been prepared to meet anyone who is repentant or who will give an undertaking not to continue the course of action which the Government thought offended against the law of the country. Government have been ever ready to treat such men indulgently and to give them the benefit of the doubt and to withdraw the prosecutions against the individual. After all, from the knowledge that I possess of Members of Government, I may state that it is not such a machinery as is sometimes supposed. The hon. the Law Member has feelings of his own. He has the same impulses beating in him like any other Member and could not be thought of merely as a machine carrying on the administration of this department, and if there were cases which by any possibility could be helped, the hon. Law Member would, I am perfectly certain, be one of the foremost to come to the assistance of such cases, and, as I said before, there are heaps and heaps of cases of this sort, in which every indulgence has been shown to those who have shown willingness to retrace their steps and to withdraw from the disastrous course which they were once pursuing. But in spite of this clemency people are prepared for the consequences and believe they are serving their country better inside the jails than outside. Well all that can be said on their behalf is, let them adopt their course of action. That is all I have got to say."

Mr. S. SOMASUNDARAM PILLAI:—"Sir, Mr. Krishna Rao has moved an amendment for the appointment of a committee, and I want to know at whose instance he wishes a committee should be appointed to inquire, examine and report. He wants the committee to inquire: to inquire whom? And again whom will the committee examine? Is he sure that these non-co-operators will appear before them and would be willing to be examined by them when they have refused to do so before a magistrate? Certainly they never agreed with the system of the Government. They saw Satan in their faces—only a Satan sees his face reflected in the face of everyone else—for it was a Satanic Government, and how can they appeal under the circumstances? Of course my friend Mr. Krishna Rao, out of pity and sympathy for them, has brought this motion. But have they repented? The house of correction is intended to make the offenders repent for their past actions. They have not. Why not they prepare petitions and send up for the Government? I know the Government are willing to excuse you if you show repentance. Government is not vindictive. I know some young men were charged here in Madras. Their parents requested me to advise them. I advised them to apologize, feeling sorry for what they had done. They were all set at liberty. But you have not apologized. They wish to enjoy the jail life at the expense of the tax-payer—the poor tax-payer—for everything. The tax-payer has to pay for the money spent on these non-co-operators. Unless they do this these people will come again and give us fresh troubles. Then the Government

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will be obliged to reinstate them in their places in the jail. Of course, they are misguided and misled; but even after going to the jail and finding out their folly, they do not like to admit their guilt. Let them serve their term in jail and let them note the consequences. And let them know that this is the result of their own action. As pointed out by Mr. A. Ramaswami Mudaliyar, our friend the mover wanted the High Court Judges should decide, but Mr. Krishna Rao has some difficulty. He sees defects in the High Court Judges—they are not capable of administering justice because they cannot weigh the evidence properly. The magistrates are our own countrymen, and do you mean to say that the High Court Judges will go against the evidence before them? Suppose you are a judge, can you go against the evidence before you? Even if anyone else weighs the evidence he will arrive at the same conclusion. If they are in jail they will come to their senses and prostrate at the feet of the mighty Government that stands for peace, law and order."

Rai Bahadur T. M. NARASIMHACHARLU:—"Sir, if I rise to support this resolution, it is not because that I have got any sympathy with non-co-operators as a body, it is not because that we wish to thrust help upon people who do not want it; it is not on these grounds that I wish to support the motion. I am concerned more with the Government (hear, hear). I am concerned more with the honour of the law and the honour of the persons who are administering the law. It is in that view that I wish to support the resolution. An impression has gained ground in the country—and you cannot help people forming their own impressions that the Government have somehow or other determined to put a stop to all activities of non-co-operators, and that they have determined to arrest any progress in that direction. It is with that view that they are prosecuting the people for offences under security chapters of the Criminal Procedure Code. When that policy is made known, what are the subordinate magistrates doing? They are over-zealous, more zealous than their master, the Government, in the administration of law, and you cannot help forming that impression. Now that that impression has gained ground, any evidence is enough for the magistrates to convict the persons before them. If the magistrate is left to exercise his own discretion I may say, Sir, that he would exercise his discretion in favour of the accused."

The hon. Sir CHARLES TODHUNTER:—"May I ask, Sir, if the hon. Member charges the Government with interfering with the discretion of magistrates?"

Rai Bahadur T. M. NARASIMHACHARLU:—"I have never said that the Government are doing it, and I know that the Government will be the last person to do any such thing. Sir, what I said was that there are some over-zealous persons who think it expedient to convict persons on any evidence placed before them. That I submit, Sir, is the impression that has gained ground. Would the Government like to know that impression or not? And I say, Sir, as a friend of the Government, that that impression has gone abroad. Would the Government wish to know that, or would the Government shut their ears from knowing that? I offer it in all sincerity, and I request the Government to accept it in all sincerity. I want the Government to try to see that for the good name of the Government that impression is not allowed to gain ground. That being the case, as I said, I am concerned more

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with the honour of the law and the Government which is administering the law; in the name of that honour, in the name of the Government itself which is administering the law, I ask that a revision by a committee of officials and non-officials be made on that basis.

"I myself, Sir, was present when the case of a non-co-operator was going on. In a few minutes the case was over. If I were the magistrate, with the evidence before me, I would have acquitted the accused. It depended on the construction of the speeches made. But the magistrate took a different view altogether. It was said, Sir, by my hon. friends Messrs. Krishna Rao and Venkataramana Ayyangar that if the case went before the High Court Bench they could not come to any other conclusion. I venture to differ from them. Many of these cases depend on the construction of the speeches made by the non-co-operators. A Judge of the High Court of Bombay came to the conclusion with the evidence before him that such and such a gentleman did not commit an offence, though the lower court did come to a different conclusion."

The hon. Mr. K. SRINIVASA AYYANGAR:—"It is not correct. The High Court came to the conclusion that the case before the court did not amount to waging war."

Rai Bahadur T. M. NARASIMHACHARLU:—"Therefore, it is possible to give a different construction to the speeches, and I say that whether it is the High Court, or whether it is a committee of officials and non-officials, it is possible to take different views upon the construction of speeches. Therefore, I say, Sir, in several cases it is possible, and I think it is highly probable, that this committee will come to a different conclusion and do justice to the persons concerned. As I already stated it is not out of sympathy for non-co-operation as a policy, but out of my concern for the honour and dignity of our law and the dignity of the persons administering the law. Let it not be said that these persons are over-zealous and simply believe any evidence that is placed before them; it is also possible that they might have committed an error of judgment in construing the speeches made by the accused. Therefore, simply because these persons do not want our help, simply because they do not defend themselves, and simply because it is their creed to submit to anything and everything that is done against them by the Government, on all or any of these grounds we ought not to keep quiet. So far as the honour of the law and the Government that is administering the law is concerned, we should see that the law is administered purely. What is done at present is that the trials are conducted according to the letter of the law but the spirit is wanting there. The trials are not conducted in the spirit of the law and that is the impression that has gained ground. I therefore submit, Sir, that we should have these cases examined both in the letter as well as in the spirit of the law, and if we do so, certain cases will come to light in which we will find that the persons ought not to have been convicted at all. On that ground I support this resolution."

Mr. T. SIVASANKARAM PILLAI:—"I wish to add a few observations on the amended resolution put forward by Mr. Krishna Rao."

"It will be seen that the people are losing their confidence in the Government. This has been spoken to by no less a person than the Right hon. Mr. V. S. Srinivasa Sastri. The one avenue through which this confidence

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Whether Malpuri Narasimham, Gollapudi Srirama Sastri and Prayaga Viswanatham of the Godavari district were sentenced to ten days' simple imprisonment each for wearing Gandhi caps, and (b) to state in brief the circumstances under which and the offence for which they were so punished?

The answer is here, and it will speak for itself:

The passage in the newspaper *Swarajya* from which the hon. Member has apparently quoted refers to the Guntur district. Four persons who appeared before the District Magistrate in head-dresses which he considered to have been put on for the purpose of insulting his court were sentenced to fines under section 228, Indian Penal Code. The Government have no information as to whether they were imprisoned in default of payment of their fines.

"Presumably, the non-co-operators did not pay the fine imposed and the result was that they were sent to prison. Now the Government must have had information about the incident. It must have censured the district magistrate, who had no business to feel himself insulted at the sight of Gandhi cap. During my travel to Simla, I saw in the Government and other schools and in northern India and in Bombay pupils and scholars wearing Gandhi cap and Gandhi coat, and nobody took any notice of it. I do not know what reason the magistrate had to suppose that this Gandhi cap was meant as an insult to him. In these circumstances, I beg to ask: is it not the duty of the Government to correct the attitude of its magistracy? If it is not done, the people will think that the Government approved of the magistrate's attitude and that is the surest way of bringing the administration into contempt."

"One word more. It is said that there are courts of justice and the Criminal Procedure Code with ample provisions for interference in cases of miscarriage of justice. What the resolution asks for is not so much as a judicial interference on the part of the High Court, but it is that the Government should examine these things with the help of a non-official committee with a view to find out where the idiosyncracies of individual officers offend judicial propriety and correct them immediately so that the Government may save itself from the accumulating bad reputation."

"On these grounds I should very heartily support the resolution."

The hon. Mr. K. SRINIVASA AYYANGAR:—"Mr. President, I have been listening with great care to the speeches delivered here in support of this resolution with a view, I may assure hon. Members, to find out on what basis or on what principle the Government is asked to accept this proposition. I was bewildered and am unable to find out what the elementary principle was on which stress was laid by Mr. Krishna Rao, what elementary principle he asked me to accept. I heard appeals to the honour—somebody suggested honesty of the Government—I believe and my hon. friend Mr. Narasimhacharlu was anxious for the honour of the Government, the honour of the law and the honour of the various officers set up to do justice so far as we

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can do it. What then, Sir, is the principle which the hon. Members who spoke in support of this resolution want us to accept? An appeal was made to justice, and I thought a conclusive answer was given to it by Mr. A. Ramaswami Mudaliyar who spoke on that matter. Now, let us take it on the ground of justice. After all, you can have only human justice and it is impossible for anybody to say that even after arguments, after defence, after eminent counsel have spoken, that eminent judges are right or wrong. After all, Sir, we can only do justice according to human institutions, and those institutions have been provided for by legislation which is the result of continuous experience of generations and generations.

"Now, let us take the case of non-co-operators. I do not want to make any point as to whether they are defended or not defended, whether they come under the category of political prisoners or not, and so on. Before I proceed further, I may say that it is undoubtedly in human nature for the defeated party to complain; on the other hand it is one of the noblest qualities in human nature that it will sympathise with all generous enthusiasms whether you like it or not and I am afraid it is that sentiment which, carried to the extreme, is responsible for this resolution and not any real failure of justice. I can quite sympathise with this sentiment and it is probable, in certain cases, I may have acted on motives of such sympathy or in consequence of such sentiment. But let me first analyse this question of justice. You are put up before a magistrate who is invested with authority to try all criminal cases. He has nothing to do with the complexion of a particular man's particular ideas or questions of policy. You have again the law which says what is an offence and what is not an offence. You go before him and you are charged. Certain evidence is given. You say, 'I am not going to defend; I am not going to cross-examine; I am not going to get any evidence; you may do just as you choose.' Supposing for the moment you take it to a higher court, or the Government refers the matter to a higher court do: has it any powers of divination as to the justice of the case? They can only judge from the materials before them. What will be the result? They are bound to come to the same conclusion as the magistrate did. A case was cited by my friend Mr. Narasimhacharlu where he happened to be present and when he came to the conclusion that the magistrate was wrong. You please go and ask the magistrate, and he will say that Mr. Narasimhacharlu was entirely wrong. Shall we send out Mr. Narasimhacharlu on a roving commission for the purpose of finding out whether particular magistrates are doing their duty or not?"

Rai Bahadur T. M. NARASIMHACHARLU:—"I mentioned it not to thrust my opinion, but only to say that there is the possibility of a difference in views, and that is the object of my mentioning the case."

The Council adjourned for lunch at (1-30 p.m.) and re-assembled at 2-30 p.m.

The hon Mr. K. SRINIVASA AYYANGAR:—"Mr. President, I was about to point out that the legislature itself recognizes that human judgment is fallible. Therefore you will find that provision has been made in law for the purpose of correcting errors, the proper course for the persons who have been unjustly convicted by the perverted magistrate mentioned by Mr. Narasimhacharlu is to appeal to a higher authority and a still higher authority. The law not

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having been content with that makes a provision for remission of sentences under section 401 of the Code. Such a provision as that may not be very necessary in the circumstances of this country, because you can have an appeal on facts to the High Court in most of the serious cases. This power is generally required in cases where jury trials are common and where the judges are bound by the verdict of the jury. But anyhow we have to exercise the prerogative in rare cases where the parties obviously have not obtained justice. Now that is the present system. And if a particular person or a combination of persons were to say: 'I have no faith in the courts, or in the system, I am not going to take part, you may do as you choose,' what can we do? Often-times you will have noticed that the statements which are made by the non-co-operators are not really in the nature of a defence of the case, but more or less a confession of their faith and that confession includes 'I do not believe in this system, nor do I expect to get justice from these courts.' Again, you will notice it is not that they object to particular persons, A or B, but they say, it is to the system that they object. How are you going to help that sort of person?

"I will give another illustration. There are some persons who are thoroughly convinced that communism is the very best form of Government that mortals can have. They think there should be no private property. A genuinely enthusiastic person goes out and commits dacoity with half a dozen other persons of similar conviction in another man's house. He goes before a court and says: 'You are a pervert of the system which protects private property. I do not expect any justice from you. Therefore I am not going to take part in the trial. I am prepared to suffer for my conviction.' Now, I ask the House, will you say that a committee should be appointed to inquire into the question whether that person did not honestly hold the opinion that there should be no private property and whether he has had justice? I cannot find any distinction between persons who, what-ever may be their motives, say that they were not going to get justice under the system which has been established by law in this country and decline to avail themselves of the existing law, and remember that that law is binding not merely upon the people but upon the Government itself. Shall we set up tribunals of their choice? Now, Sir, so much for this appeal to justice. Let us abolish those laws if you want, but what on earth is the use of saying that they do not believe in the system of justice which has been established by law and let us have a special tribunal of officials and non-officials to try these cases and suggest to the Government the remission of the sentences under the same law? Now I ask this question: What guarantee is there that these non-co-operators are going to have faith in this committee supposing this committee comes to the conclusion that on the materials of the case there is no other alternative than to accept the judgment which has been given by the law courts? I heard complaints made on the other side of the House that in the United Provinces and Punjab they appointed High Court Judges or officers of very high judicial authority to investigate these cases. It was not apparently satisfactory to my friends opposite. As was pointed out by Mr. Ramaswami Mudaliyar that was proof positive that there was nothing seriously wrong with the magistrates and that they had not swerved from the path of duty nor were they over-zealous. I want to point out that in no other province except these two, so far as I am aware, has there been a recommendation to investigate into judicial decisions. The circumstances of these

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two provinces may have required the appointment of a committee for the revision of the sentences. It must be remembered that there was, in these provinces at the time when most of these persons were arrested, a great deal of unrest and a great deal of disturbance which necessitated the introduction of the Criminal Law Amendment Act or the Seditious Meetings Act. These Acts have been put in force by executive authority and it may be that owing to over-zeal on the part of some of the magistrates there may have been, in a few cases, failure of justice. Whether it was so or not I do not know, and I am not going to compare Madras with other provinces. What I want to say is that no reason and no facts have been placed before this House for us to embark on a re-inquiry or a re-investigation of the cases which have been tried under the law. If there has been a failure of justice it is due entirely to the action of the person who declined to take part and avail himself of the rules of law provided for his safety. So much for appeal to justice.

"Then, Sir, the next thing is with regard to the political aspect of the question. Incidentally I may mention, my friend Mr. Narasimhachari was concerned about the honour and prestige of the Government. I am sure he was perfectly genuine. There is an impression abroad that these persons have not obtained justice. Is that impression correct or based on any reasonable grounds? They have obtained justice under the law as established. So far as the prestige of the Government is concerned, I must say, its prestige depends upon the law as established, it depends on the impartial administration of law; if the law is bad, if it is oppressive, get it changed. And if it is brought to the notice of the Government that in a particular case the magistrate or the judge has misbehaved, or through his perverse zeal there has been failure of justice the Government will take suitable action. But to come and say that there is an impression on the part of A, B or C that these non-co-operators have not been able to get justice because they declined to have justice and thereby the prestige of the Government suffers, is an argument which I, for one, cannot accept.

"Apart from this there may be political grounds for the release of prisoners who have been justly convicted. That is a case for amnesty and not a case for an inquiry by a committee into the causes for the punishment of A, B or C. If, for instance, the House thinks that there should be a general amnesty to all prisoners whatever their views, political or otherwise, may be, that is a different proposition and that, as I understand, is not the resolution. In these circumstances I regret I am unable to accept the resolution whatever sympathy I may have with the motives which actuated the hon. Member who has tabled this resolution.

"Before I sit down I want to draw attention to one more point. I have been generally speaking with regard to facts of the cases and punishments for offences. In cases where a security has been demanded to prevent a breach of the peace, I want to impress upon the House the fact that it is primarily the duty of the district magistrate to see that there is peace in his district. It will be impossible for any Government from its headquarters to be giving directions to the district magistrate to do this or that without impairing his responsibility and without taking a further responsibility upon itself, which it cannot efficiently discharge. Meticulous provisions are made in the Criminal Procedure Code for the purpose of releasing persons who have been detained in custody when the necessities of the case do not

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require their being kept in jail. There are provisions under which the district magistrate can act on the application of the party. There again I emphasize the fact that this power is left by law on the district magistrate. The responsibility is placed upon him and if in suitable cases the attention of the district magistrate is drawn, he will do his best, and if he does not it will be time for the Government to interfere."

Mr. T. C. SRINIVASA AYYANGAR:—"There seems to be some misconception with reference to the purpose and motive of this resolution. From certain of the speeches delivered from the other side of the House it appears that the speakers take the committee to be a court of final appeal. That is not at all the object of the motion as I understand it. Under section 401 of the Criminal Procedure Code the Governor in Council has got the power to remit or reduce the sentences passed upon offenders either of its own motion or on the application of the parties concerned. The exercise of this prerogative or power, whatever it may be called, is not restricted. Whether the local Government would exercise that power or not, depends on the then existing circumstances. Now, if you examine the provisions of that section you will find that under clause (i) of that section the Government can act of its own accord or under clause (ii), on the application of the parties concerned, can call for a report from the court concerned and impose whatever conditions it may think proper. Clause 4 says that in respect of the person concerned, they (the Government) may impose on him conditions even though there has been no application from him. All these show that Government, for the proper discharge of its functions and for the beneficial purpose of administration of justice has armed itself with all powers. And if we go to the preventive procedure, that is, the procedure laid down to be followed by magistrates for preserving peace and for preventing possible breaches of peace you will find sections 124 and 125 which say that the district magistrate, when he finds that it is not hazardous for the public peace, may release from custody or detention people who have failed to furnish security, or he may reduce the security. He should make a report to the sessions court in cases where the security to be given extends for more than a year. These show that along with the regular procedure which is open to the parties aggrieved by way of appeal to the appellate court or by the revision to the High Court, there are also powers reserved by law in one case to the Local Government, viz, in the case of convictions for offences and in the other to the district magistrate for the purpose of moving in the matter when the necessity for the detention ceases to exist or when conditions have altered.

"This motion for the appointment of a committee is merely to help the Government in the discharge of its functions or rather to help the Government to see whether it can take action in certain cases under section 401 and in other cases, considering the present situation of the country, to see whether they cannot issue general instructions to the district magistrates to apply their discretion regard being had to the local conditions and release the persons detained in prison.

"Now, Sir, I do not believe that this motion has been brought forward by way of showing any sympathy with the profession or practice of the non-co-operators. Several members have tabled motions to the same effect and these amply show that it is not owing to any sympathy with the creed of the non-co-operators. We are all co-operators and so we are all here. We want to

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co-operate for a good purpose even in a matter where the non-co-operators are concerned. But if we follow the advice given to us by Mr. Ramaswami Mudaliyar who wants merely to follow the example of non-co-operators by non-co-operating with the beneficial provisions of law, are we better than they? I do not believe this House will accept that advice. By passing this resolution it is not our intention to cast any slur upon the propriety or validity of the orders or the judgments of the magistrates or courts. If you view the matter in this light, all difficulties will vanish. I submit, Sir, that the situation in the country has to a great extent altered for the better and that from what we see and hear there is a change in the outlook and in the views of even the non-co-operators. I do not believe, I am speaking subject to correction, that during the last few months there have been any prosecutions of this class. If these circumstances show anything, they show that either some non-co-operators are tired of their activities or that they do not see in that creed of theirs any great value. All these things have to be taken note of by the Council and by the Government.

"There is one more point, Sir. Among the non-co-operators I believe there are a large number who are misguided and there are some who are quite honourable men, but perverse in some of their views. If the Government are prepared, in spite of the activities of these non-co-operators, to take a sympathetic and balanced view of the matter according to the changed conditions existing now, I have no doubt that it will have a wholesome and salutary effect on them. I hope, Sir, that, in the interest of Government and in the interest of the proper administration of justice—justice must be tempered with mercy—this proposition will commend itself to the House."

Mr. R. SRINIVASA AYYANGAR:—"Sir, I want only just to say a word or two in support of the proposition. Let us consider the attitude of the non-co-operators. The question is how to meet that attitude. Are we to meet their attitude of obstinacy by an equal amount of obstinacy, or are we to overcome the situation by a certain amount of sympathy? The whole discussion appears to me to proceed upon wrong lines; for, instead of considering the real issue on the merits, we are allowing ourselves to be influenced by irrelevant considerations. It is not as if any non-co-operator is now before the Council, or any plea is sought to be entered on behalf of the non-co-operator. Let us leave the non-co-operators severely alone. But what strikes every co-operator, every one who wishes well of the Government is the attitude of the Government as is understood by the outside public with respect to matters now engaging the attention of the House. The hon. the Law Member has told us that the person who says that he has no faith in the system of Government, or the system of administration, who refuses to take part in the trial and who would not give any help to the course of events is not entitled to any consideration."

The hon. Mr. K. SRINIVASA AYYANGAR:—"He has no business to complain if he had not had justice; nor is it for anybody else to complain if he had no justice."

Mr. R. SRINIVASA AYYANGAR:—"I submit it is open to him to complain and it is as much for others also to complain. What I want to say is this. A man who is disgusted with life wants to commit suicide. The law does not permit him to do so, and if the man is caught in the act of doing it, he

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is arrested and a prosecution is launched against him. It is perfectly open to him to say: 'I am disgusted with the world; I have nothing to do with the world; I have no faith either in you or in the system of Government.' Does the Government contemplate with equanimity the attitude of such a person and leave him severely alone? The prosecution is launched against such a person to prevent that person from committing suicide, because Government feels that it is part of its moral duty to prevent such a catastrophe. To illustrate my point again I may cite another instance. A man who is sent to prison is disgusted with the system of Government and with his own life, and goes on hunger strike. He wants fasting and he refuses to take meals. But under the present rules, the man is punished; meals are forced down his throat. Therefore the same moral obligation which comes into play in other classes of cases may very well be invoked by a paternal Government, for I take it that these non-co-operators, whatever may be their failings, have so far not been regarded as either aliens or as persons who ceased to be British subjects. The Government is the same, and the persons are the same. They must still be regarded as British subjects and therefore it is incumbent upon the Government to treat them with a certain amount of care and consideration.

"Then it is said that a right of appeal is open to him, and if a man declines to avail himself of it, he has himself to thank for it. But, so far as I know—and I can lay claim to some knowledge of the law of the land—there is provision in the Criminal Procedure Code under which it is open to a district magistrate to call for the records of a case *suo motu*. There is one section (section 485) which empowers these district magistrates and sessions judges to call for the proceedings of inferior courts, to scrutinize them, to satisfy themselves about the correctness of the findings and, if necessary, to submit cases to the High Court. And we, the lawyer members of this Council, are familiar with various instances of undefended persons sentenced to long terms of imprisonment by courts of first instance escaping on appeal preferred by them from jail. These jail appeals are not argued by any vakil on their behalf. What does it show? That shows that even in undefended cases different courts have been obliged to come to different conclusions upon the same material. Therefore the omission of a person in not availing himself of the remedy need not necessarily be put forward as a reason against any attitude that the Government might otherwise be tempted to assume in dealing with cases of such persons.

"Then my learned friend Mr. Narasimhachari stated that this question brings to the forefront, if I may say so, the honour and prestige of the Government. I am inclined to agree with him, notwithstanding the very able defence put forward on behalf of the Government by the hon. the Law Member. Let us ignore, let us even treat with contempt, this class of non-co-operators, but what we value most is the honour and prestige of the Government; and there seems to be a prevalent feeling in the country—a feeling which is by no means confined to A, B or C here, there or elsewhere—that some of these persons were wrongly convicted upon materials which will not bear a moment's critical scrutiny. Therefore I give my hearty support to this proposition."

Sriman SASIBHUSHAN RATH Mahasaya:—"Sir, we have recently heard that some persons in Malabar who were convicted for serious offences have

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been released by the Government. Their sentences have either been remitted or reduced. I want to know if these non-co-operators have committed more serious offences. It will at least be admitted that the non-co-operators, on account of their creed of non-violence, have not committed crimes as serious as those committed by the Mappilla rebels, and if the Government have been so merciful as to extend their mercy to those Mappilla prisoners, it follows that they should extend the same mercy to the non-co-operators who have been sent to prison under very peculiar circumstances."

The hon. Mr. K. SRINIVASA AYYANGAR:—"Government have not hesitated to act under section 401 in suitable cases."

Sriman SASIBHUSHAN RATH Mahasayo:—"I am only suggesting, Sir, that this committee which is now proposed will only recommend to the Government to exercise mercy in certain cases and to see if justice is done in certain other cases. If that committee is to be only a recommending committee and the Government will have discretion to act up to the recommendations of that committee or not, I do not see any reason why Government should be so obstinate in refusing such a committee. Government should be merciful and not vindictive and I hope it is not vindictive. It is only the lower officials who were once badly handled by the non-co-operators that are vindictive and it is natural, human nature being what it is, for the police to be vindictive sometimes. The police might have brought in evidence of the police some people may have been convicted. The position of Government is different. Its relation with the subject is different from that of an ordinary individual towards his enemy. Because the non-co-operator chooses to go to jail, let us not clap him in jail. If a man wants to commit suicide, it is the duty of the Government, it is the duty of the considerations, Sir, I support the resolution."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, almost all the grounds have been covered by the previous speakers on this resolution. The ethics of non-co-operators, their methods, their mentality and generally their attitude with regard to courts and their desire to fight for a principle and various other topics have been discussed in this connexion. I do not wish to cover the comprehensive ground which has been taken by the previous speakers. My friend Mr. Ramaswami Mudaliyar spoke as if he alone is shouldering the whole responsibility for law and order in this presidency, and my friend Mr. Somasundaram Pillai, out of his abundant love and sympathy for the non-co-operators, said that jails were meant for their good and that they had better remain there for some time to come. But, Sir, those of us who wish to impress upon Government the necessity of adopting some line of action take this view of the matter, and that is, whatever may have happened, there is no longer any necessity to keep these people in jail under the security sections of the Criminal Procedure Code. Sir, I do not wish to refer to the various statements of the law laid down by the hon. the Law Member. There are properly constituted courts and the Criminal Procedure Code provides a series of appeals. Nobody denies this. Most of these non-co-operators who have been bound down to keep the peace under section 108 of section 125 are persons whose enthusiasm exceeded their discretion and brought them to their present state. I am prepared to concede for the sake of argument

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that there were reasons at one time for detaining these persons in prison, but I may mention, and other hon. Members also have done so, that there is no longer any necessity to detain them in custody. Section 125, Criminal Procedure Code, empowers district magistrates to detain these persons in prison only so long as it is necessary in the interests of peace and order, and I trust, Sir, that this debate will have convinced the Government that the time has come, whether it be on the motion of the Government or whether it be on the motion of individual district magistrates who are responsible for this order, to no longer detain these persons in custody when there is absolutely no chance of any breaches of peace and order in the districts. I should like to know, Sir, whether the Government have been receiving reports from district magistrates from time to time as regards the situation in each district. So far as this debate has gone, the hon. the Law Member has not said a single word to convince any of us that any district magistrate has told him that it is necessary to continue the policy of detaining these persons in prison, and so far as I can judge from the state of the public peace throughout the presidency, I should think that there is absolutely no case whatever just at this time of the day to detain these persons any longer in prison. I believe that is the spirit of section 125 of the Criminal Procedure Code and the hon. the Law Member who says that the spirit of the law has been defined must also state the spirit of the law as enunciated in section 125 if carried out in its broad sense. Therefore, Sir, I do appeal to the Government for its prestige, its honour and dignity that simply because certain persons were prepared to go to jail, Government should not listen to the advice of Mr. Ramaswami Mudaliyar or Mr. Somasundaram Pillai; they should not be detained there because the magistrate said that they should be sent to jail for six months as they refused to furnish security. Therefore, Sir, when other presidencies have sought . . ."

The hon. Mr. K. SRINIVASA AYYANGAR:—"It is done in none of the major provinces."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Whether major or minor provinces, it does not matter."

The hon. Mr. K. SRINIVASA AYYANGAR:—"The hon. Member said 'other presidencies', which means all the other presidencies. I wanted to correct him."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"My friend has been very exact in his statement."

The hon. Mr. K. SRINIVASA AYYANGAR:—"It is of importance to be exact in respect of this matter, whether all the presidencies have done it."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I did not say all presidencies. I said other presidencies. My hon. friend, the Law Member, seems disposed to be very technical. I beg to assure him that he is really not. The hon. Law Member's speech was very unconvincing. In surveying the present political situation in the country he ought to take a broad standpoint. He seems to have forgotten that the whole temper of the people is changed, that the non-co-operation movement has had a set-back. Whatever may have taken place in the past, the present Government, constituted as it is of three gentlemen who represent

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the people of this presidency should never hereafter say in this Council that they are not aware of the political temper of the people of this presidency."

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU :—"We are perfectly aware of it, Sir. I wish to know from my friend whether the Civil Disobedience Committee has sent its report and what action is proposed to be taken thereupon."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"My friend ought to have known whether the committee had or had not reported."

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU :—"My friend may know more about those things because he is defending them."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"That is not the correct way of stating it. I have never defended anybody. I have never defended the Civil Disobedience Committee. But my friend interrupted me."

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU :—"I interrupted because reference was made to us."

The hon. Rao Bahadur A. P. PATRO :—"The hon. Member Mr. Ramachandra Rao said that at least three members present ought to know what the political feeling of the country was. We are aware of it and we stated our opinion on behalf of the Government. He seems to differ from us and thinks that non-co-operation has had a set-back and that it is dwindling down. But I have the authority of the organ of non-co-operation, the *Swarajya*, contradicting the statement that has been made from time to time by the Liberal Party, by myself and others, and saying that non-co-operation is not dying but gaining strength every day, and recently, for the last one week, it has been writing articles so vigorously and fully in support of the position that was maintained at the beginning."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"May I point out, Sir, that I do not want to disturb my hon. friend? I was replying to the hon. the Law Member, and since I made a statement in the course, the Ministers seem to have felt a little pin-prick and each one of them wants to get up and make an explanatory statement. My friend, Mr. Patro, if he chose to speak, should have taken the opportunity of replying. I quite well see the case of the three hon. Members of Government who are aware of the political temper of the country. I do think that the collective Government ought to consider that the time has come in this presidency when the people now in jail can be a menace to the peace and order of the country. I am perfectly certain that that will be the general temper of this House, the view that I and several other hon. Members of this Council, not only on this side, but on the other as well, hold, and several others who have not spoken on the motion. That being so, I think it should induce my hon. friend to realize that we are not here to release persons who are dissatisfied with the existing form of government or who would be a menace to the general peaceful character of the administration of this country. I suppose it is not the intention of the hon. the Law Member or of any other Member associated with him in the Government to take hold of immature youths and imprison them as if they had matured convictions. I do feel strongly that these persons who are in jail are immature youths. The majority of them are

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about 20 or 25 who in their enthusiasm said: 'We do not want to plead; we do not get justice and we shall go to jail.' I ask seriously whether any country would allow its youth so to rot in jail, to undergo all the rigours and be exposed to all the moral contamination of jail life. Is that a humane and be exposed to all the moral contamination of jail life. Is that a humane form of punishment for persons who have been misguided? It is very well for my friend Mr. Somasundaram Pillai to say: 'Let them remain in jail.' The Government have a higher duty and I trust they will rise to the occasion and take action."

MR. O. TANIKACHALA CHETTIYAR :—"Mr. President, I am sorry to have to oppose this motion. If any argument is needed why we should not support this motion, it is furnished by one of the papers which have been circulated to us giving notice of a supplementary grant for Rs. 2,01,000 for the excess expenditure over the budget grant under Civil Works towards jail works for the accommodation of Mappilla prisoners. Sir, this is one of those burdens which the tax-payer is called upon frequently to bear on account of the activities of the non-co-operators. It may be that there are people who say that there are other contributory causes for the outbreak of the Mappilla rebellion, but nobody will deny that the primary cause that set the country ablaze was the non-co-operator's activities. For that we are called upon from time to time to vote budget demands, out of the time of the budget, at all times, to pay heavily, and this is one such thing. Therefore I request the House to bear in mind that this is one of the several consequences which have flowed from the preachings of the innocent, non-violent non-co-operation propaganda. Sir, it is said: 'Oh! It does not befit the dignity, the honour of this Government and this country to allow these people to rot in jails.' May I ask, does it befit us as the representatives of the taxpayer that we should submit ourselves to this operation of paying more taxes, collecting more taxes from the ratepayer for the support of various institutions which have become necessary by reason of the activities of the non-co-operators. I mean the money necessary for the maintenance of law and order, for the maintenance of a large police, a larger jail department and the large advances required for enabling the people in Malabar to set up new homes? My friend, Mr. T. C. Srinivasa Ayyangar, said that under section 401 of the Criminal Procedure Code a complete machinery is provided by which cases where punishments have been inflicted could be relieved at the instance of the accused person. Then I ask the question, why then, even when a machinery is provided by the law, do you suggest this fifth wheel to the administrative or judicial coach in the shape of a committee to advise the Governor in Council? Seeing that these people whose creed we are all asked to respect so much and who have no respect for law say that they shall not be bound by laws made by the British Government, how can we, representatives of a Reformed Council, which is the product of a satanic government, be called upon to set up a machinery which shall investigate into their cases? Is it not inoculating these non-violent non-co-operators who will not have anything to do with the British laws with another dose of British machine-made law? Where is the necessity for the investigation? Do you provide for hardships which people suffer in courts of law? For instance in the case of a debtor served with notice to file a written statement within a fortnight, if he fails to do so, a decree *ex-parte* is given and the law does not take a sympathetic view and set the decree aside. Likewise, when these people have had an opportunity to

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cross-examine witnesses or to adduce evidence in support of their innocence, when they have chosen not to do so, why should we be called upon to set up a special machinery? Will it be relished by them? Is it to the advantage of the country, I ask, that we should go out of the way to provide a special machinery? Sir, the original proposition asked for a committee of two Judges of the High Court as if the Judges of the High Court had not sufficient work with the arrears. Already such examination proceedings in other presidencies have been taken and the results are not found satisfactory from the point of view of those who sympathize with the non-co-operators. Apparently keeping that in view, the amendment asks not for a bench of the High Court Judges, but for a committee composed of the members of the Legislative Council, officials or non-officials. It does not say what their qualifications are to be to investigate the cases, to sit in judgment over the courts of law whose judgments would have been reversed if the procedure laid down in the Code had been followed. It is absolutely unjustifiable that we should set up this special machinery of a committee to sit in judgment over the proceedings of a court of law for the benefit of people who won't feel thankful for the Council which may set up, or the Government which at the instance of the Council may set up, a special machinery and who themselves despise anything connected with the British Government. I therefore oppose this motion."

Mr. P. SIVA RAO :—" Mr. President, as one who has given notice of a similar resolution (No. 56 on the agenda), I wish to say a few words in support of the amended resolution moved by my friend, Mr. Krishna Rao. Sir, to my mind, much unnecessary heat has been developed in the course of the debate and the issues have been unnecessarily clouded, obscured by the introduction of thoroughly irrelevant matters in the discussion of this question. It is a very simple question for the consideration of this Council, the appointment of a committee whether of the judges of the High Court or of officials and non-officials to sit and to revise, to scrutinize, to go into the question of the validity of the convictions that have been passed against non-co-operators in general. The issue that has been wrongly put forward is whether non-co-operation is commendable or not. That is not the question involved. I am myself one of those that has condemned on more than one occasion the evils of the non-co-operation movement, but that has nothing to do with the resolution before us. The hon. the Law Member asked what the basis of the resolution was. No doubt, Sir, at first sight it looks as if by the appointment of a committee this Council is trying to supersede the administration of justice by the regular tribunals established in the land. There is also no doubt that we have to make out certain exceptional circumstances for such an intercession under circumstances like these. There has arisen in the land a certain section of people known as non-co-operators who, wrongly or rightly, have taken into their head not to defend themselves in courts of law when a charge is brought against them. Now, Sir, is it not our duty, under these circumstances, when a non-co-operator is charged with an offence and he does not choose to defend himself, to see whether the conviction is justified? The analogy of a civil court is brought. The purpose of a civil court is quite different from the purpose of a criminal court. In murder cases even when the person confesses his guilt it is provided that the courts need not act on his confession and the trial may be proceeded with. In spite of the confession

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evidence is recorded and the person is convicted according to law. In the case of misguided persons—they may be foolish or idiotic, I do not say what—if they do not choose to defend themselves the *ex parte* evidence against them must be scrutinized by somebody, by a committee of the High Court Judges or by a mixed committee. Now, Sir, there is one other matter. In a case like this where there has been seething unrest, when there is excess of zeal displayed on both sides, when the subordinate magistracy and the non-co-operators lose their heads—sometimes the subordinate magistrates have been making reckless use of certain provisions of law—when matters have come to such a state is it not natural to ask that under these circumstances some sober authority which is not carried away by such influences should seek to revise these judgments? Above all these the consideration which this Council has to bear in mind is the prestige of the Government and the purity of the judicial administration. The hon. the Law Member seems to be aware that there has been a feeling that even legitimate political activities have been sought to be put down under the pretext of putting down the non-co-operation movement."

The hon. Mr. K. SRINIVASA AYYANGAR :—" I never said anything of that sort. I do not know how Mr. Siva Rao came to that conclusion."

Mr. P. SIVA RAO :—" Very well, Sir, I beg the pardon of the hon. the Law Member. When according to some members of the Council there is already a feeling in the country that even legitimate activities have been sought to be put down on some pretext or other and when there is the feeling abroad that the subordinate magistracy have been overrun by enthusiasm and zeal on their part I must say there is surely a strong case for the appointment of a committee. Even within my experience and knowledge whenever the non-co-operators are hauled up before the magistrates they never escape. When there has been such a widespread feeling in the land is it not advisable for the Government to appoint a committee? I put it on the ground of political expediency. Why not appoint a committee to scrutinize these convictions? After all, as in the case of the Punjab, they may come to the conclusion that four out of 450 convictions have been erroneous. That will be allaying the cry for the enquiry that is demanded. I will put one more question, for I have already taken much of the time of the Council. Will the hon. the Law Member honestly justify the case of conviction mentioned by Mr. Sivasankaram Pillai? A man appears before the district magistrate with a Gandhi cap. The Gandhi cap is to the loyalist something like a red rag to the bull. A person chooses his own dress. It may be a very convenient head-dress after all. It may not mean a political symbol as has been mistaken by the magistrate. I would respectfully ask the hon. the Law Member whether in all his conscience he would justify cases like these? What steps have the Government taken, at the instance of the hon. the Law Member, to correct such an excess on the part of the magistrate? That, I say, is a stigma on the way in which justice has been administered in the land. This prominent instance has been mentioned by Mr. Sivasankaram Pillai and the House is very much indebted to him. One has to go through the reports made in the press from time to time and probably the *Swarajya* is a paper in which most of these cases are reported. If the hon. the Law Member wants it I shall be prepared to give him a collection of such excesses committed by the magistrates

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for the purpose of putting down this non-violent non-co-operation. Will the hon. the Law Member correct the district magistrate who punished the wearer of the Gandhi cap? It is only in such cases that we ask for revision. It is not a motion for general amnesty as some of our friends have been saying. Some competent authority, some sober authority, uninfluenced by political considerations, unexcited by the sensations of the hour, should sit and revise all these convictions so far as it is possible for a human being to arrive at the truth of the matter. Let them scrutinize the convictions and come to a conclusion whether they have been convicted rightly or wrongly. Even the honourable judges are not infallible. It is asked, when there is no material on the record how are we to correct? Even *ex parte* cases can be scrutinized, patent irregularity rectified. Now, Sir, without taking any further valuable time of the Council, I shall lay emphasis on the particular aspect that when the prestige of the Government is challenged the Government cannot but appoint a committee to clear this odium and vindicate their own position to the public and show that after all they have been fair and just even to the non-violent non-co-operators. There is a section of the House who are very vindictive. They want to take up the cudgels against the non-co-operators. They want to use the sword against them. I may inform the hon. Members on the other side that this is not the correct way of dealing with this non-co-operation movement. By sending men to jail you are not easing the situation at all. That is a different matter. I strongly press this resolution for the acceptance of the House."

Rao Bahadur A. S. KRISHNA RAO PANTULU: - "Sir, I am afraid that the scope of this resolution has not been correctly understood by several of those who have spoken opposing it. I am sure that several irrelevant points have been raised which with a correct understanding of this resolution should not have been raised. It was suggested that I wanted to introduce a machinery to supersede the existing machinery to sit as a court of appeal or a court of revision and to set aside the judgments of magistrates. It was suggested that there was not sufficient confidence expressed in the personnel or in the composition of the High Court judges and that a different machinery has been thought of. If only those hon. friends who were bold enough to oppose it on this ground had looked at this resolution carefully, they would not have committed those errors. It suggests a committee not for the purpose of setting aside any judgment, not for the purpose of deciding those cases, not for the purpose of setting persons at liberty, but with the object of making an enquiry and reporting on certain cases and recommending to the Government a revision of such sentences as they considered proper. No one has suggested that the Government should abdicate those functions and delegate such functions to the committee. There is no justification for such vehemence of opposition to this simple resolution. Again, Sir, if I stated that the committee should consist of officials and non-officials, it was not that I did not want to leave it to the judges of the High Court. I only wanted to give more latitude to the Government for the purpose of an enquiry. If the Government could find competent and capable persons, even apart from the High Court judges who could be trusted to devote sufficient time for the consideration of these questions along with those judges, I thought the Government would welcome the proposal. It is with that spirit that I placed the resolution before the House. Again I find

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much has been stated as if persons who have advocated an enquiry want that all non-co-operators should be set at liberty. Nothing whatever has been stated about this man being set at liberty or that man being set at liberty. It was suggested in explicit terms that an enquiry might be made into those cases of convictions under security sections or other substantive sections and that as a result suitable recommendations might be made. The only point now is whether in view of the discussion that we have had, there is a case for enquiry. Let us pay more attention to the substance of the resolution than quarrel about words. If the Members of the House are satisfied that there is a case for enquiry, let them accept the resolution. If they think that there is no case for an enquiry, let them reject the resolution. I only wish to appeal to the experience of this House to consider whether in cases of convictions whether under security or other sections, it has not come to their knowledge that there have been cases of flagrant injustice. If cases have come to their notice and if such convictions are due more to the procedure adopted, why not we give our assent to this motion which simply suggests an enquiry? British jurisprudence and British legislators are proud of saying that you must show special considerations even to hardened criminals and murderers. Shall we say that because non-co-operators are trying to cause trouble to the Government we should not show them sufficient consideration and fair dealing? If we fail to do so, we shall not go down to posterity as persons reasonable in our actions. There is another point which I shall place before the House before I close. It has been suggested, and it is a matter which is clear to everyone, that there has been a change in the political situation of the country. When my hon. friend Mr. Ramachandra Rao made that sugges-

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tion, some one opposite wanted to refute that position and the hon. the Minister for Education referred to the *Swarajya*, and the articles in *Swarajya* as showing that there was no change in the political situation; but are we not to look ourselves into the state of things and satisfy ourselves that there is a change? What was the state of things in Guntur at the time when we were discussing a number of Bills introduced by the hon. the Revenue Member, and what is the state there at present? We also find that there was no necessity to put up some of the sections of those Acts into operation. Does it not show the Government are satisfied that things are not now so bad as they were in those days, and that there is a change for the better in that district? What was the state of feeling of the people when His Excellency the Governor passed through that district? It was fully realized that there was a change for the better, and this was the opinion expressed in several papers. It will be remembered that owing to the indiscreet act of some of the local magistrates, on the day on which the members of the Civil Disobedience Committee arrived there, some curious orders were passed and that about 175 persons were arrested and put up before magistrates. As a result, some were warned and some were fined. There was no imprisonment in default; but only the farce of a trial. There the matter ended. I have not the slightest hesitation in saying, from the information published, that this was all due to the indiscreet action taken by some police officers and the magistrates. Let anyone take the challenge and say that the situation there has not become better than before. I have referred to that one district because it came to prominence owing to the introduction of some Bills. The case of the other districts also is the same. If, Sir, this House is satisfied that for

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whatever reasons there has been a change for the better in the political situation of the country, I would ask, upon what humane principles would you urge that we should not at this stage take a course which will create greater contentment in the country? Even as a matter of political expediency, I would urge upon the Government the necessity of taking substantial steps for the purpose of revising the sentences in all possible cases and creating more quiet and peace throughout the country.

"It was pointed out, Sir, that the provisions of the Criminal Procedure Code are ample and the Government machinery can cope with the situation. The hon. the Law Member tells us that in regard to cases under the security section, the district magistrate is responsible for the maintenance of peace and that it is for him to take necessary action in suitable cases. But can it be stated that during the past one or one and a half years, during which there were many prosecutions, arrests and convictions, any specific instructions have been issued by the Government to the subordinate officers, under the altered circumstances of the country, for the purpose of adopting the course mentioned above? There is nothing of the sort. Therefore, without taking any further time of the House, I request the House to accept this resolution."

The hon. Mr. K. SRINIVASA AYYANGAR :—"Sir, I wish to say only a few words. I don't think that my friend Mr. Krishna Rao was right in complaining that we did not understand the exact scope of the resolution. I have from time to time pointed out that we can only deal with resolutions as tabled; but I have been twitted with this, namely 'you accept the principle and don't worry about the wording'. Now with regard to this subject we have got six resolutions—and I would ask the Council to note whether the speeches made have not ranged over all of them—most of them being for the constitution of a tribunal or a committee, whatever we may call it, for revising the proceedings of magistrates. It is proposed to appoint a committee for the purpose of advising the Government as to how they are to exercise their prerogative of mercy. On what basis? It is said that the political situation has changed. Is this committee to be appointed for the purpose of making an enquiry into the political situation of this province? Well, is it to be counted a sin if the Government relies upon their officers as to whether the time has come for taking any special action, or if they act with caution? Government had considerable amount of—I won't say annoyance—serious trouble owing to this movement of non-co-operation in various parts of the province. It is easy for hon. Members to say 'We see no signs of any trouble, the country is absolutely quiet; you just make a general gaol delivery of all the persons'. However, I do assure hon. Members that the Government are not acting and have not acted in any spirit of revenge. In cases where the Government were satisfied that owing to youthful enthusiasm any person was prosecuted, they did not hesitate to withdraw the prosecution. In suitable cases they have not hesitated to act under section 401."

"I am unable to see, how a committee is going to assist the Government in the exercise of their functions under section 401. If there are any particular cases in which action is desired to be taken, all that is necessary is to draw the attention of the Government to those particular cases. Then it will

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be the duty of the Government to see whether they are fit cases for action to be taken under section 401. I am in entire sympathy with the sentiments of my hon. friend Mr. Ramachandra Rao; but unfortunately most of them are irrelevant to the resolution before us.

"Now, let us see whether there is any basis for the complaint of my hon. friend Mr. Krishna Rao. Resolution 27 'recommends to the Government that a special tribunal consisting of one or more High Court Judges be appointed to examine into the legality or otherwise of the sentences passed' and so on. Resolution 42 is of the same nature. My friend Mr. Siva Rao's resolution 'recommends to the Government that a committee may be appointed to call for and examine the records of cases connected with the recent political arrests leading to the conviction of non-co-operators' and so on. Let us take again resolution 16, which says 'that this Council recommends to the Government that in all cases of conviction' that is, the functions of section 401 should be involved not merely in the case of those who are in jail but in the case of those who are outside the jail—from 1st October 1921, the papers relating to the proceedings be referred to a Bench of two Judges of the High Court of Judicature, Madras, for revision'."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I rise to a point of order, Sir. The House is now considering the amended resolution which suggests that a committee be appointed to inquire into the cases. The hon. the Law Member is reading various other resolutions."

The hon. Mr. K. SRINIVASA AYYANGAR :—"What I am trying to point out is as to whether there is any justification for the complaint made by Mr. Krishna Rao. The speeches delivered on this resolution covered every one of the other resolutions."

"I wish to say one word more, Sir. With regard to the invitation of my friend Mr. Siva Rao on a particular case, I happened to be Judge of the High Court for two years and if that case had come up before me as a Judge then I would have been able to express an opinion; and if the party have chosen he would have had the opinion of the High Court. Whether it is right or wrong it is for the superior judicial tribunals to judge and not for the Law Member."

The resolution was put and lost. A poll was taken with the following result :—

Ayes.

- | | |
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| 1. Mr. K. Adinarayana Reddi. | 13. Dr. C. B. Rama Rao. |
| 2. " B. Muniswami Nayudu. | 14. Rao Sahib U. Rama Rao. |
| 3. Dr. P. Subbarayan. | 15. Mr. A. Ranganatha Mudaliyar. |
| 4. Mr. A. Tangavelu Nayagar. | 16. " K. Sadasiva Bhat. |
| 5. " K. C. Venkatachella Reddiyar. | 17. Sriman Sasibushan Kath Mahasayo. |
| 6. Diwan Bahadur M. Ramachandra Rao Pantulu. | 18. Mr. M. R. Soturatnam Ayyar. |
| 7. Rao Bahadur A. S. Krishna Rao Pantulu. | 19. " T. Sivasankaram Pillai. |
| 8. Mr. P. Siva Rao | 20. " R. Srinivasa Ayyangar. |
| 9. " C. V. Venkataraman Ayyangar. | 21. " T. C. Srinivasa Ayyangar. |
| 10. Sriman Biswanath Das Mahasayo. | 22. " M. Suryanarayana. |
| 11. Rai Bahadur T. M. Narasimhacharlu. | 23. Saiyid Muhammad Padsha Sahib. |
| 12. Rao Bahadur C. V. S. Narasimha Raju. | 24. Khan Sahib Munshi Muhammad Abdur Rahman Sahib. |

[13th September 1922]

Noes.

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| 1. The hon. Sir Charles Todhunter. | 27. Rao Bahadur C. Natesa Mudaliyar. |
| 2. " Khan Bahadur Sir Muham-
mad Habib ul-lah Sahib
Bahadur. | 28. Mr. V. P. Pakkiriswami Pillai. |
| 3. " Mr. K. Mriavasa Ayyangar. | 29. " C. Ponnuswami Nayudu. |
| 4. " the Raja of Panagal. | 30. " K. Sarabha Reddi. |
| 5. " Rai Bahadur K Venkata-
reddi Nayudu. | 31. " W. P. A. Saundara Pandia Nadar. |
| 6. " Rao Bahadur A. P. Patro. | 32. " K. Sitarama Reddi. |
| 7. " Mr. A. R. Knapp. | 33. " S. Somasundaram Pillai. |
| 8. Mr. B. Leslie. | 34. " M. Suryanarayanaurti Nayudu. |
| 9. Capt. E. W. Huddleston. | 35. " T. O. Tangavelu Pillai. |
| 10. Mr. F. J. Richards. | 36. Diwan Bahadur M. Krishnan Nayar. |
| 11. " C. W. E. Cotton. | 37. Mr. S. Muttumanickachari. |
| 12. " R. Littlehales. | 38. Diwan Bahadur D. Seshagiri Rao
Pantula. |
| 13. " E. Periyasayagam. | 39. Mr. E. C. M. Masorennhas. |
| 14. " R. K. Shanmukham Chettiyar. | 40. " A. T. Palmer. |
| 15. " A. Ramaswami Mudaliyar. | 41. " M. Ratnaswami. |
| 16. " S. R. Y. Ankinadu Prasad. | 42. The Raja of Ramnad. |
| 17. " B. P. Devarajulu Nayudu. | 43. Sri Meka Apparao Bahadur. |
| 18. Rao Sahib S. Ellappa Chettiyar. | 44. Mr. K. Prabhakaran Tampian. |
| 19. Sir P. Tyagaraya Chettivar. | 45. " C. R. T. Congreve. |
| 20. Diwan Bahadur M. Venkataratnam
Nayudu. | 46. Rev. W. Meston. |
| 21. Mr. S. T. Shanmukham Pillai. | 47. Abdul Kasim Beary Sahib Bahadur. |
| 22. " O. Tanikaobala Chettiyar. | 48. Khan Bahadur Muhammad Sadulla
Badsha Sahib Bahadur. |
| 23. " W. Vijayaraghava Mudaliyar. | 49. Khan Bahadur Muhammad Usman
Sahib Bahadur. |
| 24. " K. A. Kandaswami Kandar. | 50. Rao Sahib M. C. Madurai Pillai. |
| 25. " P. C. Muttu Chettiyar. | 51. Mr. G. Vandanaam. |
| 26. " M. Narayanaswami Reddi. | 52. Rao Sahib P. Venkatarangayya. |
| | 53. Mr. A. M. MacDougall. |

Neutral.

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| 1. Dr. M. Appalarasayya Nayudu. | 3. Mr. K. V. Ramachari. |
| 2. Rao Bahadur A. Ramayya Punji. | |

The resolution was lost, 24 voted for, 53 against, and 3 remaining neutral

3-45 p.m. The following resolution was not moved :—

Mr. K. SARABHA REDDI :—

12. That in view of the large devolution of powers to taluk boards in matters relating to education and the consequent reduction of work in the offices of Sub-Assistant Inspector of Schools, this Council recommends to the Government the abolition of attenders in the said offices.

Postponement of resettlement proposals.

Mr. A. RANGANATHA MUDALIYAR :—"Sir, the resolution that stands in my name in the agenda runs thus :

13. That this Council recommends to the Government that the adoption of resettlement proposals in the Presidency may be postponed pending legislation embodying the principles of land revenue settlement or introduction of the permanent settlement of holdings.

13th September 1922] [Mr. A. Ranganatha Mudaliyar]

"Sir, I had a conversation yesterday with the hon. the Revenue Member and he told me that he had made a reference to the Government of India as to their attitude regarding the introduction of permanent settlement in the presidency and that he had not received a reply. In consultation with him, and with your permission, and the permission of the Council, I propose to bring up this resolution on the first day of the next meeting of the Council."

The resolution was with the permission of the Council postponed to the first day of the next meeting.

The following resolution was not moved :—

Rao Bahadur M. C. RAJA :—

14. That this Council recommends to the Government to instruct heads of Government colleges and also of Aided colleges to give preference in the admission of students to those who have been getting Government scholarships in their school or college course.

Reduction of the price of proceedings of the Council.

Mr. B. MUNISWAMI NAYUDU :—"Sir, I beg to move

15. That this Council recommends to the Government that the price of proceedings of this Council be reduced so as to be not more than two annas for each day's proceedings.

"Sir, I move this resolution with the object of making the proceedings of the Council available to the general public at as cheap a rate as possible. The Council proceedings of the pre-reform days used to be printed as a part of the *Fort St. George Gazette*—as Part IV—and they were being supplied for an annual subscription of Rs. 4, and any member of the public who paid Rs. 4 could get a complete edition of the Council proceedings for one year. It was at the instance of an hon. Member of this House and acting on his suggestion that the proceedings are issued in the form of a book that we now have. Each day's proceedings is priced at 8 annas. Taking 60 days as the average number of days of our sittings during a year, the cost of the proceedings comes to about Rs. 30 per year. In answer to a question put by me—question No. 61—it was stated yesterday that the annual subscription has been fixed at Rs. 20. Even then it works at five times the price which was payable in the pre-reform days when the proceedings were issued as part of the *Fort St. George Gazette*. I only wish to point out that in answer to that very question, it was elicited that about 760 copies of these proceedings were printed of which only about 500 copies were distributed to the members of the Legislative Council and to the various public offices and the departments. Supposing that some 60 copies are sold to the public at the rate of Rs. 20, there would yet remain 200 copies. If the price is not reduced from Rs. 20, it will not be that more than 20 copies will be sold hereafter : so that this excess stock of 200 copies will be absolutely of no use to the public. It may be that those members who have lost their copies may apply for some copies ; but it is clear that the general public have not taken any advantage of these proceedings at all. It is not even taken by the public libraries. We find that various rumours are circulated and also that various statements are made

[Mr. B. Muniswami Nayudu] [13th September 1922]

in the papers as to what this Council does on this resolution or that resolution, that for a particular motive a particular resolution was lost and that for some other motive some other resolution was carried. Unless the original proceedings are read by persons who take interest in these matters it is not possible for them to judge how far statements are true. At any rate the proceedings of the Council should be priced so low that anybody who wants first-hand information can get it. I submit that before 1921—in the pre-reform days—it was possible for a member of the public to get for Rs. 4 one full year's proceedings. There is no reason why the price should now be fixed five times as much as that. If in the previous years, the object of the Government was to make these proceedings available to the public as cheaply as possible the same reason holds good even now. If to-day it is contended that the tax-payer ought not to be made to bear the charges for printing these copies and make them available to the public at a cheap cost, the same reason held good in the pre-reform days also. After all, is the Government going to publish these proceedings only for the purpose of having them sold to the public? Whether the public purchase them or not, they have to be printed and circulated to the Legislative Council members and also to the various public offices. We find that 500 copies have been so circulated. When once their printing is undertaken irrespective of the question of what it would cost, I submit, that 200 copies which are being printed in excess can be priced cheap enough to be made available to the public. Very often, when we bring resolutions before the Council, we are told that the identical resolution was debated upon in some years previously, that it was answered in a particular manner and that the Government came to a decision this way or that way and so on. If a member of this Council or the public want to know exactly the course which the debate took in a previous year on a particular topic, or what the attitude of the Government was on a particular subject, he would not be able to get it unless it be that he himself has got a copy of those proceedings or that he can have reference to a public library. In a mufassal centre or in a place where there is no library, any person who wants the above information should pay Rs. 20. An annual subscription of Rs. 20 is certainly costly for even a public library and it is still more prohibitive for a private individual. I therefore submit that having regard to the fact that the proceedings of the Council are not published merely for the purpose of being sold to the public and having regard to the experience of this year, namely, that out of 760 copies that were printed as many as 200 copies still remain unsold, whether it would not be desirable for the Government to reduce the price of each day's proceedings and make it available to the general public. I will only add that having regard to the fact that the proceedings of the pre-reform days were made available to the public for Rs. 4, if the present day council proceedings cannot be allowed to be sold at as cheap a rate as Rs. 4, at least there may be some justification for increasing it to Rs. 8. If my resolution fixing the price at 2 annas for each day's proceedings is accepted, it would work up to Rs. 7-8-0 for one year's proceedings consisting of 60 days' sittings or in round figures the annual subscription may be fixed at Rs. 8. I therefore commend my resolution for the acceptance of the House."

Mr. W. VIJAYARAGHAVA MUDALIYAR :—"Sir, I have very great pleasure in seconding this resolution. I will only add one or two words. As the House is aware we are spending a lot of money for the publication and dissemination of literature through the Publicity Officer. There can be no two

[13th September 1922] [Mr. W. Vijayaraghava Mudaliyar]

opinions as to the importance of this Council and if the proceedings of the Council are made available to the public at a cheap rate, it would be the best means of disseminating the views of this body and the Government. If it is considered that it is a loss to the tax-payer to spend money on these proceedings and sell them at a loss, I think this may be legitimately considered to be part of the Publicity Officer's activities and the extra cost may come under that head. I therefore support this resolution."

The hon. Mr. K. SRINIVASA AYYANGAR :—"Mr. President, I want only to place a few facts before the Council and after that if hon. Members think that money is to be wasted on cheap presents of the proceedings of the Council in order to induce persons who may have a fancy to read them, I for one cannot object. We are now selling it at less than cost price. We have to print a certain number for free distribution among the members of the Council and to Government departments, and we printed a limited number of extra copies with the hope that we might be able to sell some and get back at least a portion of the cost. The position as regards the actual cost of the proceedings of the Madras Council is as follows: Working on the figures for printing the proceedings of the Council for 1921 the cost of production for the series is about Rs. 15 (correctly Rs. 14-15-11). To this we have got to add the usual commission for sales by agents. The Government publications are sold by book-sellers who charge a percentage on the sale of Government publications. When the commission is allowed the cost of the proceedings is raised to Rs. 22-8-0 for a year. The actual sale price of the whole set is fixed at Rs. 20 per annum.

"Now we have already printed volumes I to III till December 1921 in book form and this involved an expenditure of Rs. 10,500 out of which we have been able to get back Rs. 500 in round figures. I am not able to say that there is going to be any further demand whether you reduce the cost or not. You may as well see what other provinces are doing. The cost of the debates of the Legislative Assembly up to date is Rs. 45-4-0, that of the Council of State is Rs. 23-7-0. I suppose it is not a very luxuriant place—United Provinces Rs. 47, Behar and Orissa Rs. 57—I have not seen the bulk of it and am not therefore fit to judge of the cost—Bombay Rs. 40, and Bengal Rs. 23-8-0. I believe in the case of Bengal it must be only for a part of the period.

"That is how the matter stands. We are not entitled to diminish the cost to below what it actually costs. It is true we have got to print a certain number, but we are trying to make some money out of it in order that the tax-payer may be relieved of a part of the burden. With these words I shall leave it to the Council whether we shall retrieve a portion of the cost or make a bonus of it to people who are not anxious to read them. It is not for me to oppose it but for my hon. friend the Finance Member."

SAIYID MUHAMMAD PADSHA SAHIB Bahadur :—"I am surprised to see that a proposition like the one moved by my hon. friend Mr. Muniswami Nayudu is also opposed by the hon. the Law Member. I say, Sir, that this suggestion should not be looked at from any sordid business point of view but should be looked at from a broad standpoint. It is admitted on all hands that the present hostility towards the Reforms is mainly due to the ignorant belief that prevails among the masses to the effect

[Mr. Saiyid Muhammad Padsha Sahib] [13th September 1922]

that even under the Reforms there is not much power in the hands of the representatives of the people of the country and that even in the new councils it is only the bureaucrats that are the masters of the situation and that non-officials are being made catspaw of by the official members of the Council. If, however, the proceedings of the Council are priced in a manner that they may be within the reach of all sorts and conditions of people, they can know what is being done in this representative House of the country, and to a great extent the suspicion which is now entertained by the ignorant public will be dispelled. So on this short ground I appeal to the House to give its support to this resolution."

The hon. Sir CHARLES TODHUNTER :—"Sir, I fear I must oppose this resolution. The last speaker supported it on a short ground and I must oppose it on a still shorter one, that is, the ground of economy. We have a large number of resolutions on the paper for the appointment of a committee to go into the question of retrenchments. We have been going into the question of retrenchment, and we have retrenched in every possible direction already, among others, in the matters of stationery, envelopes, newspapers, telegrams, etc. Now, we are asked to spend a large sum of money to scatter the proceedings of this Council broadcast to people who won't read them. The answer that I would give to the hon. gentleman is 'you can take a horse to the water, but you cannot make it drink'. I would ask the Council not to spend the tax-payers' money in taking horses to the water and then taking them back again."

Mr. C. V. VENKATARAMANA AYYANGAR :—"In supporting the resolution I shall first of all briefly consider the question from a business point of view. The hon. the Finance Member said it would cost more money to the Government. The Government of India originally expected much income from the increased postal rates and we know the result. My own impression is there will be a larger number of people buying the proceedings of the Council if they are made cheaper. Booksellers make large sums of money not from the sale of costly books but from cheaper ones. So from a business point of view I think it will be better that the price is lowered so that there may be a good sale."

"From what has been said by the hon. the Member for Finance and the hon. the Law Member it seems it is not going to make any change if we reduce the price. I do not want unwilling horses to be taken near water, but I want to place a bucketful of water near the horses just to see whether some at least drink water. By reducing the price we expect a larger sale; more horses may probably come to drink some water at least. From the point of view of the Government it will not make any difference in sales if we reduce the price, but I believe that there will be a change for the better by adopting that course, and we want to try this as an experiment."

"Many of us are no doubt for retrenchment, but we certainly do not want to retrench useful things. The cost of the publication in the pre-reform days was referred to by the mover: we have now a larger electorate; and we should make the electorate whom we pretend to represent understand what is taking place here. If you want to combat non-co-operation at least as far as this Council is concerned the best way is to make the proceedings available to as many people as possible. We have been wasting money for the so-called

13th September 1922] [Mr. C. V. Venkataramana Ayyangar]

propaganda work for combating non-co-operation movement, and this would be the best form of propaganda against non-co-operation. You have printed a number of copies over and above what is necessary for free distribution. Most of these copies remain unsold, and if they remain so they may be eaten away by white ants. Rather than that let them be sold at a reduced price. If you want the work done here not to be secret—there may be some who would like to have it so—then let us make the proceedings available to a large number of people. I think there should be no opposition to this resolution. Last year the question came up as to whether the proceedings should be published in the *Fort St. George Gazette*. The Council did not want that as it would be costly. We only want now the copies that would otherwise remain unsold should be sold at a cheaper rate. This is the more economical course. From any point of view, Sir, we will be doing a good thing if we sell them at a cheaper rate. For these reasons we want to try this experiment."

Mr. S. SOMASUNDARAM PILLAI :—"I do not know for whose benefit this proposition is brought in this Council. If it is for the general public, they usually go through the newspapers and read the substance of what is being done in this Council. Most of the proceedings are also translated in the vernacular papers. If you make the proceedings cheaper people will become more indifferent to it. The proceedings are not like S.P.C.K. publications. If politicians are really interested in the knowledge of what is being done in the Council they must do it themselves. It has been shown by the hon. the Law Member that in other provinces the cost is more than double what it is here. Such being the case, I cannot understand the object of the mover of this resolution in bringing it. I do not know for whose benefit he has brought forward this resolution. If it is for the purpose of making the Government lose it may be very good in that way. I don't think he means that. On the other hand, I should like to request the hon. the Law Member to raise the price of the publication."

Mr. B. MUNISWAMI NAYUDU :—"Last year they printed 200 copies more than was necessary for circulation and they have not made much money out of them. If these copies are not sold they must be consigned to the lumber room. I suggest that instead of consigning them to the lumber room they may be sold. I am placing one aspect of the matter. It was asked for whose benefit the publications should be priced cheaper. The copies are to be printed so that they may serve as a permanent record of the work done in the Council, and I want that the surplus copies should be made available to all people. I am as mindful of the interests of tax-payer as anybody else, and I want the tax-payers themselves to be benefited by making these publications as cheap as possible. There are some libraries in the presidency and they could not now subscribe owing to the high cost. If the cost is cheaper even 200 copies would not be sufficient. Therefore I submit that by distributing these proceedings at a cheap rate it will be the tax-payer that benefits really. The people in the mufassal have not much access to newspapers every day. Those who are not able to read papers will really be benefited by the cheap publication of the proceedings. The Publicity Officer has been no doubt sending summaries of these proceedings. Instead of depending on the one-sided versions of the Publicity Officer the people would prefer the full proceedings of the House."

[13th September 1922]

The resolution was put to vote and carried. The hon. Sir Charles Todhunter demanding a poll the House divided as follows :—

Ayes.

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| 1. Rao Bahadur T. A. Ramalingam Chettiyar. | 17. Sriman Biswanath Das Mahasayo. |
| 2. Diwan Bahadur M. Venkataratnam Nayudu. | 18. Mr. S. Muttumanickachari. |
| 3. Mr. W. Vijayaraghava Mudaliyar. | 19. Rai Bahadur T. M. Narasimha Chari. |
| 4. Rao Bahadur K. Gopalakrishnayya. | 20. Rao Bahadur C. V. S. Narasimha Raju. |
| 5. Mr. B. Muniswami Nayudu. | 21. Mr. A. Kanganatha Mudaliyar. |
| 6. „ M. Narayanaswami Reddi. | 22. „ K. Sadasiva Bhat. |
| 7. Rao Bahadur C. Natesa Mudaliyar. | 23. Sriman Sasibhusan Rath Mahasayo. |
| 8. „ Do. A. Ramayya Punja. | 24. Mr. M. R. Seturathnam Ayyar. |
| 9. Mr. W. P. A. Saundara Pandia Nadar. | 25. „ T. Sivasankaram Pillai. |
| 10. „ K. Sitarama Reddi. | 26. „ R. Srinivasa Ayyangar. |
| 11. Dr. P. Subbarayan. | 27. „ T. C. Srinivasa Ayyangar. |
| 12. Diwan Bahadur K. Suryanarayana-murti Nayudu. | 28. „ S. Arpudaswami Udayar. |
| 13. Mr. A. Tangavelu Nayakar. | 29. „ T. Arumainatha Pillai. |
| 14. „ V. C. Vellingiri Goundar. | 30. „ A. T. Palmer. |
| 15. Rao Bahadur A. S. Krishna Rao Pantulu. | 31. Sri Meka V. Apparao Bahadur. |
| 16. Mr. C. V. Venkataramana Ayyangar. | 32. Mr. K. Prabhakaran Tampar. |
| | 33. Saiyid Diwan Abdul-Razaak Sahib. |
| | 34. Khan Bahadur Muhammad Usman Sahib Bahadur. |

Noes.

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|---|--|
| 1. The hon. Sir Charles Todhunter. | 13. Dr. M. Appalarasayya Nayudu. |
| 2. The hon. Khan Bahadur Sir Muhammad Habib-ul-Jah Sahib Bahadur. | 14. Mr. B. P. Devarajulu Nayudu. |
| 3. The hon. Mr. K. Srinivasa Ayyangar. | 15. „ S. T. Shanmukham Pillai. |
| 4. „ the Raja of Panagal. | 16. „ V. P. Pakkiriswami Pillai. |
| 5. „ Rai Bahadur K. Venkatareddi Nayudu. | 17. „ S. Somasundaram Pillai. |
| 6. „ Rao Bahadur A. P. Patro. | 18. Diwan Bahadur D. Seshagiri Rao Pantulu. |
| 7. „ Mr. A. R. Knapp. | 19. Rai Sahib E. C. M. Mascarenhas. |
| 8. Mr. F. J. Richards. | 20. Mr. M. Ratnaswami. |
| 9. „ C. W. E. Cotton. | 21. Khan Bahadur Muhammad Sadullah Badsha Sahib Bahadur. |
| 10. „ B. Littlehales. | 22. Rao Sahib M. C. Madurai Pillai. |
| 11. „ E. Periyasayagam. | 23. Mr. G. Vandanam. |
| 12. „ A. Ramaswami Mudaliyar. | 24. „ A. M. MacDougall. |

The resolution was carried, 34 voting for and 24 against.

The following resolution standing in the name of Rao Bahadur C. Natesa Mudaliyar was not moved and was therefore deemed to have been withdrawn :—

Rao Bahadur C. NATESA MUDALIYAR :—

16. That this Council recommends to the Government that, in view of the fact that the Government of India have decided to address Local Governments on the necessity for 'more vigilance' in the detection and prevention of corruption in Government departments, a standing committee of non-officials and officials be appointed to make inquiries regarding such corruption, either on their own initiative or on reports made to them, with powers to examine witnesses and record evidence; and to suggest methods for making successful detections and for the prevention of corruption, necessary protection and assurances being given to the witnesses that their evidence will be treated as confidential if so desired.

The following resolution standing in the name of Mr. K. Sarabha Reddi was not moved as the Member was absent and was therefore deemed to have been withdrawn.

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Mr. K. SARABHA REDDI :—

17. That this Council recommends to the Government that, in view of the pressing need for giving vocational training in the Kurnool district, a sufficient allotment may be placed at the disposal of the District Board for starting such classes in at least the Board Adi-Dravida schools of this district.

Committee for the separation of the judicial from the executive functions.

Mr. C. V. VENKATARAMANA AYYANGAR :—“ Sir, I beg to move the following resolution :—

18. That this Council recommends to the Government that a committee be appointed to report on the best way of effecting the separation of judicial from executive functions at an early date.

“ This is a very old subject even for this Council. I brought a proposition last year, but that was opposed on the ground that the wording was not satisfactory, and it referred to the whole judicial administration being placed under the control of the High Court. Whatever that might be, no amendment was brought then and the proposition as it was worded was unfortunately lost. But things have improved since then and various bodies have been pressing for the separation of the judicial from executive functions. It has been more or less the unanimous opinion of people, both inside and outside the Council, that the best way would be to appoint a committee to go into this question and then make a report. I believe, Sir, that as many as eight or nine resolutions on the subject have been tabled. And so far as the wording is concerned, there may be a little variation here and there. But the principle and object are the same. We cannot, of course, say that the wording of any resolution will be perfect if it is to be subjected to the criticism of the able Members on the Government side. We have, however, tried our best to make the wording as satisfactory as possible. At the same time, I wish to point out that resolutions being merely recommendations, it is for the Government only to accept the spirit of the proposition. They are not to be tied down by every word, by every punctuation, or, shall I say, by every pronunciation of any word in every resolution. A suggestion has been privately made that it will probably be better to include within the cognizance of this committee the question as to the desirability of the separation. I think, Sir, that it will be quite unnecessary to go into that question. The subject has been discussed threadbare for half a century past both by the Government and by the people at large. It has been recognized that it is absolutely necessary in the interests of justice that there should be a separation of judicial from executive functions. I know there have been one or two members of bureaucratic governments who may not agree in this view, but I am speaking generally. If you go into the whole history of the last 50 years, the governments of the various provinces have been saying that it is desirable generally, but that the cost would be prohibitive. That has been more or less the objection raised by various governments. Of course, there is the question of prestige. But it is generally understood, at least in these days, that no good reform ought to be postponed on account of that word 'prestige.' There is no doubt whatever that in the good old days there were some Members of Government and their supporters who were saying that the prestige of the revenue officers and the executive officers would diminish, if not vanish, if they are deprived of

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their magisterial functions. So the word 'prestige' and the objection as to cost were the big monsters that had been devouring this important question of separation of judicial from executive functions. On the other hand, statesmen have been showing by figures and reports that if the question is carefully studied and some trouble is taken to put forth a practical solution of the question, there may not be any necessity for additional cost. I believe it was Sir Romesh Chandra Dutt who stated that, as far as his presidency of Bengal was concerned, the separation of judicial from executive functions could be effected without the addition of one copper pie by way of expenses. So that, Sir, it is generally believed—I do not say it is necessarily correct—that in some form or other, if we are able to go into the question thoroughly by means of an impartial committee, it may be possible to bring up a scheme by which the separation might be effected without any additional cost. We have now to deal with the various ways in which that can be effected. I was only saying that we might take it as an admitted fact that the desirability of separating the judicial from executive functions has been established. We shall now examine whether the cost will be prohibitive. There may be very good reforms hanging fire, but they cannot be given effect to on account of prohibitive cost. If it is proved by a committee that may be appointed by the Government that in whatever way this reform is effected it would not be possible to do it without additional expenditure and without additional burden to the tax-payer, even the ardent supporters of the scheme might probably yield to the postponement of the scheme. But we generally believe that this scheme would not involve any additional cost, or, even if there be any cost, it cannot at all be prohibitive.

"The idea is that either the present criminal administration of the country may be amalgamated with the civil administration by munsifs exercising second-class magistrates' powers and all sub-judges first-class powers with powers of appellate jurisdiction over the munsifs both in civil and criminal work. Or it may be said that the deputy collectors now exercising revenue powers and the criminal jurisdiction may be put into two classes, one of them from the bottom to the top exercising criminal jurisdiction and the other purely revenue and executive functions. If this is done, probably there will only be a division of the present deputy collectors under two headings—deputy magistrates and deputy collectors—and the jurisdiction of the various divisions may be enlarged, and the present number of deputy collectors would be quite sufficient for that purpose as many of us consider that the number, even as it is, is unnecessarily large. Probably this will give an opportunity for those who think that there are too many revenue divisions, to show that it is exactly as they think, and in the re-shuffling of these divisions it may be possible even to reduce the number from what it is now. So that, in some way or other, this separation of judicial and executive functions can be effected without any expense whatever.

"I do not think it is necessary at this stage of the history of this question to go into the various abuses which have been occasioned by the amalgamation of the judicial and executive functions in the same person which practically means that the prosecutor and the judge are the same person. Most of us have attended congresses and conferences in those pre-reform days and various stories as to how injustice was being done were heard of in those conferences."

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The hon. Mr. A. R. KNAPP:—"May I ask, Sir, if those conferences and stories related to Madras?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"Yes, to Madras, chiefly among other provinces, because when I spoke of congresses and conferences, I meant of course the Indian National Congress and the Madras Provincial Conference. Therefore, my reference was chiefly to the Madras Provincial Conference, so far as conferences are concerned. I do not think there was any session of the conference without a resolution and a number of speeches about the separation of the judicial and executive functions, and I appeal to the gentlemen who attended those conferences, some of whom are on the Government Benches. (A voice 'Not all'). I never named anybody, but I simply said 'some of them' and I am sure all of them cannot say 'no'. There is no doubt whatever, so far as this province and this country are concerned, that this is a common grievance everywhere. There is no difference in that matter between this and other provinces, and I suppose human nature being the same for all Indians and judicial and executive functions being combined everywhere in all the provinces, there is no difference of opinion so far as the abuses are concerned. Therefore, Sir, I may repeat that stories were told—of course there was no Publicity Board at that time to challenge them. I simply want to say that most of us having been acquainted with the literature on the subject and having attended those or at least having read the proceedings of those meetings, conferences and congresses, we are acquainted with the various stories or, shall I say, facts connected with the various grievances referred to in those conferences. I suppose every lawyer and probably every one who has the fortune or misfortune of attending or being a party in criminal courts—I suppose there are not many such here—can very well remember such instances. I will give only one instance. One deputy magistrate whose jurisdiction was very wide—it comprised four taluks and Coimbatore had ten taluks on the whole—had to do his work in remote corners. He could have a camp one day in one corner and then shift it to another remote corner soon afterwards. If any officer wanted to punish anybody, he need not at all sentence one to imprisonment. He would post one case in a town in the Bhavani taluk and the next day he would shift the camp to Dharapuram taluk which is at the other end of the district."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"It will only prove the need for more divisions."

Mr. C. V. VENKATARAMANA AYYANGAR:—"What I said was ancient history. That is divided into two divisions now. I believe, Sir, a compromise may be made now and we can have three taluks in a division, but still there would be saving. If in the capacity of a revenue deputy collector or revenue divisional officer an officer is to be given a jurisdiction, there might be reasons for some arrangement like that. I know of a magistrate who convicted a man, got into his bandy at once and went off to camp. The poor man that was sentenced to imprisonment could not apply for copy of the judgment. He had to run to obtain copy stamps, etc., but before he could make the application ready the magistrate was gone. In that particular case the party was a very rich man who was convicted for some technical forest offence. As soon as the judgment was delivered, the magistrate got into his bullock cart and went away into camp, nobody knew where. By the time the copy application was made ready, the magistrate disappeared and the tour

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programme of the magistrate was arranged by him within three or four minutes, and was not known to anybody. This poor man consequently had to rot in jail. Of course, bail applications were made later on and granted too, but the fact remains that the party had to suffer. I can give instances and they can be multiplied by hundreds if not by thousands. I do not know if it would be fair for me to refer to your own experience, Sir. I know that many members will speak about these things. So, there is absolutely no doubt that this system of combination of judicial and executive functions has been creating a good deal of inconvenience and difficulty and many of the acts of these subordinate officers will bring on public dislike—I will not say hatred—against the Government. This change is also desirable on political grounds in these days of non-co-operation and otherwise. Even if it involves some additional cost or some loss of prestige, I think it is better that such changes are effected as early as possible. I think it is not a question of any great cost, and I also think that many members have solved this problem so far as it affected their own districts. The change can be effected without costing even a pie to the exchequer. But supposing it costs a few rupees—I am only taking it hypothetically—that does not affect the question of the desirability of the change. I was only referring to the necessity of having the word desirability in this resolution, and the question of cost is altogether different from that of desirability. I think it may be granted, excepting the question of prestige—and I hope the hon. the Law Member will not press the question of prestige—that all people are agreed on this question. So far as the cost is concerned, that does not come in the way of desirability, but we all admit the fact that this reform is already overdue, that it is very desirable, and if it can be effected at moderate cost, it is necessary that we should give effect to this scheme. To proceed to the merits, Sir, I am afraid that there may be a double attack on this proposition, one from the Law Member and the other from the Finance Member. So far as the Finance Member is concerned, all that we say is this. He is a civilian of large experience and he may probably be under the impression that this scheme will cost more, but he should not presume that he is correct. Even if the opinion of the Finance Member is correct, all that we say is that the scheme need not be given effect to at once; but that a committee may go into the whole question now and come out with schemes, and, if possible, to see that this change is effected without any additional cost. That would, of course, answer one principal objection of the Government.

“The next point is, as I said, the question of prestige. Our own opinion is that it is a wrong idea to say that this separation of functions, the taking away of magisterial powers from revenue officers will in any way reduce the prestige of those officers. But supposing it will so reduce, is it necessary to inflict a grievance upon the public for we all know that it is a grievance and say that it is desirable to remove it? Is it fair in the interests of Government which claims to be democratic in these days,—it is not called bureaucratic, and at least the Government pretends to be democratic in these days—is it fair for a democratic Government to say: ‘We consider this desirable and probably we are prepared to go into the question of the desirability of the change but there is the technical obstacle of prestige’. The same thing was said when a very small attempt was made in this direction when the magisterial powers were taken away from tahsildars. It was said by many a civilian officer that the skies would fall once the magisterial powers were taken away from the tahsildars. It is more than two decades since

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those powers were taken away and the tahsildars are still existing and the Government revenue is increasing. Their fear was that if the power was taken away from the tahsildars nobody would honour them and consequently the kists would not be collected. The revenue collected by the Government in the early years of this reform, if compared with the present revenue, would be found to be less than one-third, or the present revenue would be found to be more than three times what it was at that time. Therefore I say that this idea of prestige is a false one and I am of opinion that this suggested separation would not in any way affect the prestige. I submit there is no question of prestige involved in this case. In a democratic Government the word prestige should disappear completely from the lexicon. If there is to be any prestige at all, that prestige will not be reduced but will, on the other hand, be enhanced very much, because people will think that the Government being democratic, having been convinced of the desirability of the separation of these functions, effected it in spite of the little sacrifice of prestige and of a little sum of money. After all, Sir, what is this resolution? None of the members who have given notices of these eight or nine resolutions want that effect should be given at once to the scheme. Our request is a very humble and modest one. We have had experience of over a year and we know we have to be very careful about our wording and to be very modest in our requests. This is a very modest request and after all it is for a committee which would be only advisory, the members of which can be chosen by the Government. They may put on the committee persons in whom they have confidence, persons who will not at all play to the gallery and persons who are statesmen and who will go into the whole question of prestige, cost and everything and say when and how the separation can be effected.

“If this committee reports that the cost would be prohibitive and that the scheme should not be given effect to on the ground of its prohibitive nature and would add to the burdens of the tax-payer, we may not give immediate effect to it. But if the committee says that the prestige of the Government would be affected in any way and therefore the proposed change would not be desirable from the general administrative point of view, then also the Government have got a chance of saying that under those circumstances they would not give effect to the proposed separation.

“Therefore, Sir, so far as we are now concerned, all that this resolution aims at is a modest request for the appointment of a committee to report fully as to how this can be given effect

4-45 p.m.
to at an early stage—although early stage for the Government would be 25 years hence. Further, the committee could say at what cost, how, and when this can be done. The Government can then take its own time over the correspondence with the Secretary of State or the Government of India. Even if the committee should proceed with the investigations quickly, it will take a long time for the Government to give effect to it. In view of these considerations, in view of the fact that a large number of resolutions have been tabled to this effect, and in view of the number of conferences by various parties that have even recently expressed their opinion in favour of this, in view of all these things, I appeal to the Government to accept this resolution and if they do not do so then I appeal to the members of this House to give their vote in its favour so that the Government might at least feel bound morally in the matter. With these few words, Sir, I move the resolution.”

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Mr. R. SRINIVASA AYYANGAR:—"Mr. President, I rise to second the proposition before the House. For many years past the country has been demanding a separation in the right direction and the question is as old as the hills. It is impossible for anybody to shut his eyes to the evils resulting from the combination of the two functions. I do not think that up till now this question has been tackled by the Government in right earnest; but it fills me with hope, for a ray of a hope I gather from the proceedings of the Finance Committee. From that I gather that the Government are in a mood to tackle the question and that this is seriously engaging their attention. In their proceedings of the 6th instant, at page 5 under Law and order, we find: 'Another inquiry deals with the possibility of the separation of judicial and executive functions in connexion with the rearrangement of the jurisdictions of revenue officers by substituting first-class stationary officers and a large increase in the number of honorary magistrates for the present arrangement.' Then at page 8, we find the following: 'Again out of the proposals under consideration, the following are already under examination in this Presidency . . . the separation of the judicial and the executive.' That shows whatever might have been the attitude of the Government in the past it seems to have committed itself in a way to accept the principle underlying this resolution—as I understand them and as I interpret them. Although a storm of opposition was raised when a similar resolution was brought before the Council in February last year—I do not think in view of what has since taken place—since then much water appears to have flowed under the bridge—in view of the fact that eight hon. Members have tabled a similar resolution, and in view of the encouragement which the proceedings of the Finance Committee of the 6th instant inspired in us, there is any need for elaborate discussion. I venture to submit with confidence that so far as the Government is concerned there will not be any difficulty on their part in accepting the principle of this resolution, and I hope the Government will give effect to the terms of the resolution. With these words, I second the resolution."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, I beg leave to move an amendment to the resolution now before the Council. The amendment that I suggest is—

The words beginning with 'that' to the end be struck off and the following be inserted instead: 'that a committee be appointed to investigate and report on the steps to be taken to separate the judicial and executive functions now exercised by some of the officers, the cost involved in the taking of such steps, the different stages in which the separation may be given effect to, if it cannot be completely carried out at once, the administrative changes necessary for the purpose and any legislation that may have to be undertaken.'

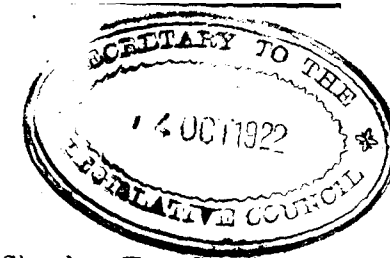
The Council having granted the permission Rao Bahadur T. A. RAMALINGA CHETTIYAR proceeded:—"Sir, the resolution that I just now read is the amendment to the resolution and I make the amendment with the intention of making the matter quite clear. About the principle of the resolution, i.e., the separation of the judicial and the executive functions, I need say nothing. The separation obtains already with regard to some cases. So far as the sessions cases are concerned the separation is already there. It is only with reference to the less serious crimes this separation has yet to take place. So it is only a question of considering how to give effect to a portion of the subject involved in the principle itself. So

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far the main objection that has been raised in regard to this has reference to the cost that the separation would involve and also certain inconveniences in the administrative field. I want that the real difficulties ought to be grappled with by a committee that will be appointed. If an ideal separation should be given effect to at once, or altogether at one time, probably it may be difficult both on the financial ground and also on the administrative ground. I know that on the administrative ground some difficulties will be urged at present on the ground of non-co-operation. They may say certain things cannot be taken away from the cognisance of executive officers so long as non-co-operation obtains in the country and it may be that with reference to certain matters for some time to come the administrative officers ought to have control of the judicial aspect also. For instance, with regard to the security sections it may be urged that the administrative officers should continue to exercise jurisdiction for some time. It is to meet all such objections that I have proposed that the committee should enquire not only into the ways in which this principle could be given effect to but also the different stages in which it can be given effect to. If for any reason, administrative or financial, the separation cannot be given effect to at once in its entirety, the different stages in which it may be given effect to may be considered. In that way we may start the separation and we may complete it afterwards. Also, Sir, my objection to Mr. Venkataramana Ayyangar's resolution is that it deals only with the reporting of the best way of doing this. One may be the best way with regard to the principle itself. In view of financial considerations another may be the best way. It is necessary that we should specify the conditions which will have to be taken into account. In considering which is the best way, we will have to see on what account we consider a particular method is the best. For instance, one or two methods are mentioned by Mr. Venkataramana Ayyangar. He suggests that certain munsifs may have second-class powers. I think it should be first-class powers, for the deputy collectors and munsifs are of the same grade. And the district judge can act as the appellate authority. For this the number of cases in each place and the number of additional courts necessary may have to be ascertained. There was another suggestion that the deputy collectors themselves should be divided into two cadres—judicial and revenue. So far as that is concerned there is the financial objection. And then a third suggestion is that honorary services might be utilized to a greater extent. Only the first-class cases and some serious second-class cases may be given to the judges and even with reference to those cases the system of jury may be tried. There are therefore various proposals and the cost of the separation will vary with each proposal that is accepted. So, Sir, it is necessary to say exactly what we want the committee to do and that is why I have brought this amendment and request the House to accept it. I consider the amendment is necessary because we have to recognize not only that the principle has to be given effect to but also that we accept that it may be possible that certain proposals can be given effect to now and others only later on, when our finances improve or the administration that may now exist vanish."

The Council adjourned at 5 p.m. to meet again at 11 a.m. on 14th September 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 Thursday, the 14th day of September 1922, M.R.Ry. Diwan Bahadur P. KESAVA PILLAI Avargal, Deputy 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.]

Reconstitution of the Northern Circars.

201 Q.—S. R. Y. ANKINEDU PRASAD Bahadur: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is under contemplation to reconstitute the existing three districts of Gōdāvari, Kistna and Guntūr into two new districts as they stood before the bifurcation of the old Kistna district; and

(b) whether there is any proposal for shifting of the capital of the Kistna district from Masulipatam to Bezwada?

A.—(a) There is a proposal to reconstitute the Gōdāvari, Kistna and Vizagapatam districts, but not necessarily on the lines of demarcation existing prior to the bifurcation.

(b) The Government have no information.

Kurumbranad taluk board.

202 Q.—Mr. A. D. M. BAVOTRI SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) why Kurumbranad taluk board in Malabar district was not given the power of electing its own president while all other taluk boards in the district have been given that power;

(b) whether the Government are aware that Wynad has been given that power;

(c) (i) whether the president, district board, Malabar, was consulted on the matter;

(ii) if not, whether the Government have any special reason for denying the Kurumbranad taluk board the privilege;

(iii) if the president was consulted, whether he recommended this denial;

(iv) if so, for what reasons; and

(d) whether the said taluk board was heard in its defence as to why the privilege should not be denied?

A.—The Government have since allowed the Kurumbranad taluk board to elect its president.

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Compensations to families of victims of the Malabar train tragedy.

203 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Home Member be pleased to state whether all the families of the Mappilla prisoners who lost their lives in the train tragedy in November 1921 were given the compensation sanctioned for them in G.O. No. 290, dated 1st April 1922?

A.—Yes.

Pattani Mussalmans of Malabar.

204 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether the Pattani Mussalmans of Malabar are given the same facilities and concessions in the matter of education as their Mappilla brethren;

(b) if not, why a distinction is being observed; and

(c) whether it is not a fact that their position in Malabar is quite the same as, or even worse than, that of the Mappillas?

A.—(a) & (b) If the hon. Member will be good enough to specify the educational facilities and concessions to which he refers Government will be pleased to furnish him with an answer.
(c) Government have no information.

Mappilla elementary schools.

205 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether the Mappilla elementary schools in Malabar are paid grants according to the new scale;

(b) whether the Director of Public Instruction received petitions in 1920 about the smallness of grants paid to the Mappilla schools;

(c) what steps were taken by the department to redress their grievances; and

(d) whether they were actually paid additional grants or refused the same?

A.—(a) The grants are paid by the District Educational Council.
(b) The answer is in the negative.
(c) & (d) Do not arise.

Agricultural needs of the Cuddapah district.

206 Q.—Mr. B. P. DEVARAJULU NAYUDU: Will the hon. the Minister for Development be pleased to state—

(i) whether any Deputy or Assistant Director of Agriculture has been deputed since October 1921 to study the agricultural needs of the district of Cuddapah and to suggest lines of demonstration work;

(ii) whether any reports have been received as a result of the study of the agricultural needs of the district of Cuddapah suggesting lines of demonstration work since October 1921, and, if so, whether the Government will be pleased to place such reports on the table;

(iii) whether any steps have been taken to open depots in any of the centres of the district of Cuddapah for selling tried varieties of seeds and artificial and chemical manures suitable to the district up till now;

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(iv) whether the Government propose to open such depots in the near future; and

(v) whether the Government contemplate any demonstration work in the near future, and, if so, when?

A.—The Government have no information but will call for it.

Petitions against the elections to local bodies.

207 Q.—Rao Bahadur K. GOPALAKRISHNAYYA: Will the hon. the Minister for Local Self-Government be pleased to state the number of election petitions or suits filed in civil courts in the various districts in 1921 and 1922 contesting elections for seats in—

(a) unions, (b) taluk boards, (c) district boards, and (d) municipalities?

A.—The Government have no information.

Representation of the depressed classes in the Cuddalore taluk board.

208 Q.—Mr. L. C. GURUSWAMI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that there is no member of the depressed classes on the Cuddalore taluk board;

(b) whether it is a fact that there were a number of applicants for that seat from among the communities themselves;

(c) whether it is a fact that Mr. Padmanabha Reddiyar has been nominated a member of that board;

(d) whether it is a fact that Mr. Padmanabha Reddiyar was defeated when he stood for election for that board; and

(e) whether the Government will be pleased to state the number of elected members and the number of nominated members belonging to the Reddi community in that board?

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

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

(e) Six Reddis have been elected and one has been nominated.

Lease of tamarind trees by the Salem taluk board president.

209 Q.—Mr. K. A. KANDASWAMI KANDAR: Will the hon. the Minister for Local Self-Government be pleased to state whether the President of the Salem Taluk Board excused the payment for 1921-22 of Rs. 30,000 which was not collected from the lessees of tamarind trees planted along the Salem-Attur road and Salem-Namakkal road?

A.—The Government have no information.

Possession of revolvers by the officers in Salt, etc., Department.

210 Q.—Mr. K. A. KANDASWAMI KANDAR: Will the hon. the Member for Finance be pleased to state—

(a) whether officers of the Salt, Abkari and Customs Department are allowed by the Government to have revolvers in their possession without licence;

(b) if so, whether Salt Sub-Inspectors can have them; and

(c) whether it is a fact that Salt Sub-Inspectors are expected to arrest even during nights armed men infringing the Abkari Acts?

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- A.—(a) & (b) An order has been issued declaring that in the case of Deputy Commissioners, Assistant Commissioners, Inspectors and Assistant Inspectors of the Salt, Abkari and Customs Department one revolver will be considered as forming part of the equipment of each officer, and under section 1 (b) of the Indian Arms Act, 1878, the officers in question are exempt from taking out licences in respect of revolvers which form portions of their equipment.
- (c) Salt Sub-Inspectors are expected to do their duty at all times.

The Russelkonda Saw Mills.

211 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Home Member be pleased to state—

- (a) when the Russelkonda Saw Mills were started;
- (b) what is the work turned out by the contractors Messrs. Parry & Co.;
- (c) what the opinion of the departmental experts is regarding the working of the abovesaid saw mills;
- (d) whether the Government will be pleased to lay on the table the profit and loss accounts prepared from the date of opening up to date; and
- (e) what is the value of the logs of timber left uncared for?

- A.—(a) The mills commenced working from 1st April 1922 and regular sales of timber commenced in July 1922.
- (b) Messrs. Parry & Co. are not contractors; their work consists in managing the mills and marketing the sawn products.
- (c) They are of opinion that the work has made a satisfactory start and that the prospects are promising.
- (d) Sales commenced only in July 1922. It is too early to prepare a profit and loss statement.
- (e) The Government have no reason to believe that any logs are left uncared for.

The Madras Medical College.

212 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) when the Madras Medical College was started;
- (b) what is the number of students reading for (i) M.B. and B.S. course, (ii) L.M. and S. course;
- (c) how many of them are Muhammadans and how many are non-Muhammadans including Brahmans, non-Brahmans and Christians;
- (d) whether there is a hostel attached to the Medical College;
- (e) if not, how the students are accommodated and looked after; and
- (f) why no hostel was constructed when all other medical schools have hostels attached to them?

A.—The information desired has been called for.

The Victoria Hostel.

213 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education be pleased to state—

- (a) when the Victoria hostel was started;

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- (b) whether the Government have got any hand in the management of this hostel; and
- (c) whether it is a fact that certain changes made in the rules regarding the stay of students in Victoria Hostel for more than three years are causing great inconvenience to students, particularly those coming from mufassals since the course of Medical students and Arts students runs beyond three years?

- A.—(a) The Victoria Hostel was started at the beginning of the year 1900.
- (b) The Government have no hand in the management of the hostel. The Director of Public Instruction is, however, President of the Governing Body of the Association which controls the hostel, an Association registered under the Indian Companies Act.
- (c) The Government are not aware of any such inconvenience.

Admission into medical colleges and schools.

214 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) how many Muhammadans and non-Muhammadans including Brahmans, non-Brahmans and Christians were granted seats in the following medical schools and colleges in 1922:—

- (i) Medical College, Madras,
- (ii) Medical school at Vizagapatam,
- (iii) Do. at Rayapuram,
- (iv) Do. at Tanjore,
- (v) Do. at Calicut; and

- (b) whether it is a fact that students of Northern Circars applying for seats in medical schools were selected for Tanjore and other remote places without being given seats in Vizagapatam or Rayapuram medical schools?

A.—The information desired has been called for.

Headmaster, Madrasa-i-Azam.

215 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education be pleased to state—

- (a) the service and qualifications of Janab Muhammad Sahib Bahadur, Headmaster, Government Madrasa-i-Azam College, Madras; and
- (b) whether he is a trained graduate?

- A.—(a) Muhammad Sahib Bahadur has put in a service of about two years and five months in the Madras Educational Department. He is an M.A. and LL.B. and has a knowledge of Persian, Arabic, Urdu, Bengali and Punjabi.
- (b) No, but prior to joining the Madras Educational Department he had served for seven years as a lecturer and assistant at Patna and Aligarh.

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Muhammadan inspectors in the Co-operative department in Ganjam, etc.

216 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Minister for Development be pleased to state how many Muhammadan inspectors there are in the Co-operative department in Ganjam, Vizagapatam, Kistna, Guntur, Godavari and Nellore districts?

A.—There is one Muhammadan inspector and he is employed in the Nellore district.

Sub-Assistant Inspectors of Schools for Muhammadan ranges.

217 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Minister for Education be pleased to state—

(a) the number of applications received in 1921–22 from Muhammadan graduates for appointment as Sub-Assistant Inspectors of Schools for Muhammadan ranges; and

(b) how many of them have been appointed as such?

A.—(a) Seven.

(b) Four were appointed as Sub-Assistant Inspectors; two were appointed school assistants one of whom subsequently resigned, the seventh was offered a Sub-Assistant Inspector's post but did not accept it.

Imperial Forest Service.

218 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Home Member be pleased to state—

(a) the number of applications received in this Presidency for posts in the Imperial Forest Service in 1921–22;

(b) how many of the applications have been rejected; and

(c) the names of the applicants selected with their qualifications?

A.—The hon. Member is referred to the answer given to question No. 826 at the meeting of the Legislative Council in November 1921.

Introduction of Danish Seine net for deep sea fishing.

219 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Minister for Development be pleased to state—

(a) whether the Government are contemplating any developments in deep sea fishing by the introduction of a Danish Seine net; and

(b) whether they have made any experiments by these nets and with what result?

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

(b) The answer is in the negative.

Forest panchayats.

220 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Home Member be pleased to state when the Government intend introducing the new organization of forest panchayats?

A.—A special officer has been appointed to supervise the work of forest panchayats. He is now engaged on preliminary work in connexion with the introduction of the scheme.

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Ebony logs from the Godavari forests.

221 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Home Member be pleased to lay on the table a statement showing—

(a) the amount of ebony logs of wood carried from Godavari forests for buildings at Delhi; and

(b) what the loss and profit account of this item was?

A.—The Government have no information.

The Excise revenue.

222 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Minister for Education be pleased to lay on the table—

(a) a statement showing the revenue derived from country spirits and toddy in 1922 as compared with the figures in 1921; and

(b) whether the increased duty on foreign liquor, opium and hemp drugs has had any effect towards reduction in the consumption of the said articles?

A.—(a) The revenue derived from country spirits and toddy for 1920–21 is given in G.O. No. 2557, Revenue, dated 21st November 1921, which has been placed on Editors' Table.

Figures for 1921–22 are not available.

(b) The Government have no information.

The Advisory Board of Industries.

223 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Minister for Development be pleased to state—

(a) who the members of the Advisory Board of Industries are; and

(b) whether any Muhammadan was appointed to the said Board?

A.—Sir P. Tyagaraya Chetti Garu, M.L.C.

H. M. Ibrahim Sait Sahib Bahadur.

M.R.Ry. Rao Bahadur T. Ranga Achariyar Avargal, M.L.A.

Jamal Muhammad Sahib Bahadur.

The Bishop of Dornakal.

M.R.Ry. V. Tirumalai Pillai Avargal.

Lieut.-Col. Magniac, Agent, Madras and Southern Mahratta Railway.

Mr. A. F. Buchanan.

" W. J. Turner.

" N. M. Murray.

Sir J. F. Simpson, Kt., M.L.C.

Agricultural credit societies.

224 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB : Will the hon. the Minister for Development be pleased to lay on the table a statement showing—

(a) the number of agricultural co-operative credit societies working in the Presidency;

(b) the amount of loans given to agriculturists;

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(c) the classes of agriculturists that are benefited by the societies; and
(d) whether any such societies have been started for the use of Muhammadans only; if so, where and when?

A.—(a) The number of agricultural credit societies on 30th June 1921 was 5,207.

(b) & (c) Information is not available.

(d) The Government have no information but will call for it.

Vaccination.

225 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state whether it is a fact that primary vaccination and re-vaccination showed a decline in the percentage of success during the year?

A.—The answer is in the negative. The success rate of primary vaccination rose from 61.5 per cent in 1920-21 to 78.6 per cent in 1921-22. The success rate of re-vaccinations fell slightly from 45 per cent to 43.5 per cent. The success rate of primary vaccination and re-vaccination taken together rose from 59.6 per cent in 1920-21 to 74.6 per cent in 1921-22.

Appointment of honorary Presidency Magistrates as Justices of the Peace.

226 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Law Member be pleased to state whether the Government have taken action on the request of the honorary Presidency Magistrates' Association, Madras, to appoint some at least of them as Justices of the Peace as in other Presidencies; if so, to state the nature of the action taken?

A.—No action was taken.

Exemption of honorary Presidency Magistrates from the rules under the Arms Act.

227 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Home Member be pleased to state—

(a) whether the Government have received any resolution from the honorary Presidency Magistrates' Association, Madras, requesting that the honorary Presidency Magistrates should be exempted from the rule requiring that licences should be taken out under the Arms Act; and

(b) whether any action has been taken thereon, and, if so, when?

A.—(a) Yes.

(b) The Government were unable to comply with the request.

Batta and conveyance allowances to jurors in Madras.

228 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Law Member be pleased to state whether there is any proposal to frame a scale of batta or conveyance allowance, or both, to special and common jurors in the Madras City, similar to the one obtaining in the mufassal in view of the long distance to be covered by jurors from the utmost corners of the City?

A.—The answer is in the negative.

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Muhammadan representation in the Secretariat.

229 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Member for Finance be pleased to state—

(a) whether in reply to an application made by a Muhammadan graduate in November 1921 for employment in the Chief Secretariat it was stated that his services were not required;

(b) whether there are at present any Muhammadan graduates in any of the departments of the Secretariat; and

(c) whether any of the Muhammadan graduates employed in the mufassal have expressed their willingness to be employed in the Secretariat?

A.—The answer to all the three clauses of the question is in the affirmative.

Engineering School at Vizagapatam.

230 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Minister for Education be pleased to state when the results of the various classes of the Engineering School at Vizagapatam were published in the present year?

A.—The results for the three classes were announced on the 28th of July, the 5th of August and the 29th of August respectively.

Rao Bahadur C. V. S. NARASIMHA RAJU:—“Will the Government be pleased to explain the reason for the delay in publishing the results?”

The hon. Rao Bahadur A. P. PATRO:—“It will be inquired into.”

Mappilla prisoners in jails.

231 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Home Member be pleased to state the number of Mappilla prisoners confined in jails and how they are employed at present?

A.—The total number of Mappilla convicts confined in jails on the 31st August 1922 was 3,185. They are employed on the usual jail industries.

Provincialization of district board engineers.

232 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Minister for Local Self-Government be pleased to state when orders will be issued regarding the provincialization of district board engineers?

A.—The question is still under consideration. The Government have not been able to find money to give effect to the proposal.

Vizagapatam Medical School.

233 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Minister for Local Self-Government be pleased to state what progress has been made regarding the proposal for the conversion of the Vizagapatam Medical School into a college?

A.—The Surgeon-General's detailed proposals are awaited.

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Flag-station at Cherlopalli Mandapam.

234 Q.—Mr. M. NARAYANASWAMI REDDI: Will the hon. the Home Member be pleased to state whether it is a fact that the Madras and Southern Mahratta Railway authorities are postponing indefinitely the opening of a flag-station at Cherlopalli Mandapam between Chendragiri and Tirupati West stations in spite of the promise made to the memorialists of Pudidipatti and Cherlopalli villages of Chendragiri taluk, Chittoor district, and, if so, whether the Government would ascertain from the Railway authorities when they will be able to open the flag-station as promised?

A.—The Government have no information. They are not aware of any memorial on the subject.

Election of the municipal chairman, Negapatam.

235 Q.—Mr. V. P. PAKKIRISWAMI PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the election to the office of Chairman, Municipal Council, Negapatam, was set aside by the Subordinate Judge, Negapatam, in May last;

(b) whether it is a fact that in spite of that order the old chairman continues in that office contrary to the rules and the Act; and

(c) what action Government took for carrying on the duties of the chairman till a fresh chairman is elected?

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

(b) & (c) The Government do not consider any action necessary as the Chairman's action in continuing in his office pending the orders of the High Court is correct.

Telugu Indian Christian graduates in Government service.

236 Q.—Mr. A. T. PALMER: Will the hon. the Member for Finance be pleased to furnish a statement showing the names of Telugu Indian Christian graduates in the Government service drawing a salary of Rs. 100 and above—

- (a) in the Revenue Department;
- (b) in the Police Department;
- (c) in the Salt Department;
- (d) in the Forest Department; and
- (e) in the Education Department?

A.—The hon. Member will be referred to the departmental establishment lists which have been made available for the use of Members of the Council.

Spinning facilities for non-co-operator prisoners.

237 Q.—Rao Bahadur M. C. RAJA: Will the hon. the Home Member be pleased to state whether any facilities are given to non-co-operator prisoners in jail for practising spinning and weaving?

A.—None. But if any prisoner sentenced to simple imprisonment expresses a desire to practise spinning he is allowed to do so.

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Expenditure on the committee on indigenous systems of medicine.

238 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased—

(a) to state the total actual expenditure incurred in connexion with the committee on indigenous systems of medicine in Madras from the date of its appointment up to date; and

(b) to furnish detailed figures relating to the above committee, showing the salary and allowances drawn by the Secretary, the allowances drawn by each of the committee members including the President, contingencies and other expenses incurred during the said period?

A.—The hon. Member is referred to the Secretary of the Committee referred to, of which he is himself a member.

Director of Office Systems.

239 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Finance be pleased—

(a) to furnish a statement showing the expenditure incurred and savings effected by the Director of Office Systems so far; and

(b) to state how long this special officer is likely to continue and the probable cost of such retention?

A.—(a) The expenditure incurred by the Director of Office Systems up to the 31st August 1922 was Rupees 7,815-9-2. Excluding the savings on items such as printing, which cannot be assessed, the economies already effected or under examination by the Director are expected to result in a saving of Rs. 54,554 per annum under recurring heads and Rs. 2,400 under non-recurring heads.

(b) The post has at present been sanctioned up to the 10th January 1923 and the question of its retention after that date will be considered in December next. The probable expenditure from 1st September 1922 to 10th January 1923 is estimated at about Rs. 5,384.

The pay of village munsifs.

240 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether effect has been given to the resolution of the Legislative Council to increase the pay of village munsifs to Rs. 15 per mensem from 1st July as promised and as provided for in the budget; and

(b) if not, the reasons for the delay?

A.—(a) & (b) The hon. Member is referred to G.O. No. 1482, Revenue, dated 15th August 1922, which has been placed on the Editors' Table.

The Madras Excise Licensing Board.

241 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education (Excise) be pleased to state—

(1) how many officials and non-officials respectively constitute the Madras Excise Licensing Board and how many of the non-officials represent the Temperance Association in the town; and

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(2) whether the Government would afford facilities to Temperance Associations to send more representatives to the Board, as prayed for by the Temperance Conference at its meeting in Madras on 12th August 1922?

- A.—(1) The Board consists of three officials and five non-officials of whom one is a temperance representative.
 (2) The Government do not at present consider it necessary to have more representatives of temperance associations on the Board.

Peons in the offices of the sub-assistant inspectors of schools.

242 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Minister for Education and the hon. Member for Revenue be pleased to state—

(a) whether it is a fact that peons in the offices of sub-assistant inspectors of schools are not paid daily allowance when they encamp with their officers within five miles from headquarters, notwithstanding the fact that sub-assistant inspectors have to encamp within that distance to make up their touring minimum;

(b) whether he is aware that peons attached to revenue inspectors do draw such daily allowance when they encamp within five miles from headquarters; and

(c) whether the grant of daily allowances under similar circumstances is contemplated in the case of peons attached to sub-assistant inspectors of schools?

A.—(a) Yes.

(b) The concession has been withdrawn (by the revised travelling allowance rules promulgated in G.O. No. 739, Finance, dated 1st September 1922.

(c) No.

Grant of land to the daffadar, Berhampur Taluk office.

243 Q.—Sriman SASIBHUSHAN RATH Mahasayo: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that 6.05 acres of land in S.O. No. 112, Tottadapalli, Berhampur taluk, has been granted to the late daffadar of the Berhampur Taluk office;

(b) whether the said grant was duly published in the village as required by Board's Standing Order No. 15-23 (1) and (b);

(c) whether it is a fact that the said land was granted to the village as a grazing ground in 1914; and

(d) if so, whether its transfer to assessed waste and subsequent grant to the daffadar are justifiable?

A.—(a) Yes.

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

The Director of Office Systems.

244 Q.—Mr. M. R. SETUBATNAM AYYAR: Will the hon. the Member for Finance be pleased to state—

(a) the period for which the Director of Office Systems was appointed;

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(b) the expenditure incurred in connexion with his special duty in the Secretariat till now;

(c) the amount of retrenchment (in money value) shown by his work;

(d) whether it is proposed to continue him, and if so, for what period;

and

(e) whether his activities are to be extended beyond the Secretariat?

A.—(a) The appointment of the Director of Office Systems has been sanctioned for the present for a period of one year from the 10th January 1922.

(b), (c) & (d) The hon. Member is referred to the answer to question No. 239.

(e) The answer is in the affirmative.

The pay of village headmen.

245 Q.—Mr. M. R. SETUBATNAM AYYAR: Will the hon. the Member for Revenue be pleased to state—

(1) when the Government propose to pay the increased rate of salary to village headmen in ryotwari villages; and

(2) whether, and, if so, when, they propose to consider the claims of similar village headmen in proprietary villages so as to place them on an equal basis with the headmen of ryotwari villages?

A.—(1) & (2) The hon. Member is referred to G.O. No. 1482, Revenue, dated 15th August 1922, which has been placed on the Editors' Table.

Panruti-Trichinopoly-Ramnad Railway line.

246 Q.—Mr. K. SITARAMA REDDIYAR: Will the hon. the Home Member be pleased to state—

(1) whether any decision has been arrived at as regards the station at which the projected Panruti-Trichinopoly-Ramnad chord line should branch—whether at Villupuram or at Panruti;

(2) whether any decision has been arrived at on the question of the gauge to be adopted for the said chord line;

(3) whether any orders of the Railway Board have been received on the report of Mr. Izat who recently investigated into the question of railway requirements in Southern India; and

(4) whether the said chord line will receive any allotment out of the present loan that is being floated by the Secretary of State for railway development in India?

A.—(3) The answer is in the negative.

(1), (2) & (4) The Government have no information.

Elected president for the district board of South Arcot.

247 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state whether there is a proposal to confer on the district board of South Arcot the privilege of electing its president in the near future?

A.—The answer is in the negative.

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Pennar causeway at Tirukkōyilūr.

248 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state whether the revised estimate of Rs. 1,51,000 as against the original estimate of Rs. 1,19,000 for the Pennar causeway in Tirukkōyilūr mentioned in answer to my question No. 53, dated 14th February 1921, has undergone any further revision, and, if so, to what extent and the reasons therefor?

A.—The Government have no information.

Mr. R. SRINIVASA AYYANGAR:—“Will the Government be pleased to call for the information?”

Mr. F. J. RICHARDS:—“The matter is one which rests with the district board.”

Mr. R. SRINIVASA AYYANGAR:—“I want to know what special difficulty there is for the Government to get the information from the district board and supply it to the members.”

Mr. F. J. RICHARDS:—“It is open to the hon. Member to move for an interpellation in the district board.”

Mr. R. SRINIVASA AYYANGAR:—“I am unable to do so, because I am not a member of the district board myself.”

Travelling allowance drawn by non-official presidents of district boards.

249 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(i) the travelling allowances drawn by the non-official presidents of district boards within the past six months, namely, January to June 1922, both inclusive; and

(ii) the number of miles travelled by each of them and the number of days each was absent from the headquarters during the said period?

A.—The Government have no information. The information is called for.

Muslim burial-ground at Trichinopoly.

250 Q.—Mr. T. C. TANGAVELO PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that on 13th February 1922 the Hindu residents of Trichinopoly municipality sent in a petition protesting against the proposed Muslim burial-ground;

(b) whether it is a fact that the said burial-ground is on the eastern bank of a channel and that there are over 500 Hindu houses there;

(c) whether it is a fact that the Sanitary Commissioner has condemned the said site for the use of a burial-ground; and

(d) what steps were taken on the said petition?

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

(b) The Government have no definite information.

(c) The answer is in the affirmative.

(d) The petitioners were asked to address the local authorities responsible for such matters.

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Taluk boards in Guntūr.

251 Q.—Mr. P. VENKATASUBBA RAO: Will the hon. the Minister for Local Self-Government be pleased to state whether the term of the taluk boards in the Guntūr district has been extended, and the elections consequently postponed for a period of six months; and what the justification is for such action?

A.—The date for the reconstitution of taluk boards in Guntūr was first fixed as 1st April 1922 and subsequently as 1st October 1922. These orders were issued in February last and no further extension has been granted.

II

COMMUNICATIONS TO THE COUNCIL.

The SECRETARY laid on the table copies of the proceedings of the meetings of the Standing Finance Committee of the Madras Legislative Council held on the 24th, 25th and 26th August and the 6th and 11th September 1922.*

III

HOUSE COMMITTEE.

The DEPUTY PRESIDENT:—“On behalf of the hon. the President, I have to make the following announcement to the Council:—

“With reference to the election of members to the House Committee, I have to announce that only three nominations of members were received.

The names are:—

Khan Bahadur Muhammad Sadulla Badsha Sahib.

The Raja of Ramnad.

Mr. W. Vijayaraghava Mudaliyar.

Rao Bahadur P. O. Ethirajulu Nayudu.

Mr. P. T. Rajan.

Mr. B. N. Shanmukham Chettiyar.

“As the number of candidates nominated is equal to the number of vacancies, I hereby declare, under Regulation II, clause (4) of the regulations for the holding of elections by means of the single transferable vote, that all these have been duly elected. Under Standing Order 80, I have appointed Rao Bahadur Dr. C. B. Rama Rao and Rao Sahib U. Rama Rao as two additional members to serve on the Committee.”

Rao Sahib U. Rama Rao:—“I cannot serve on the Committee, Sir.”

The DEPUTY PRESIDENT:—“Your unwillingness will be communicated to the President, and somebody else will be appointed.”

IV

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

The hon. Rai Bahadur M. VENKATAREDDI NAYUDU:—“With reference to this, I beg leave to move that this resolution be taken up to-morrow.”

The hon. Rao Bahadur A. P. PATIL:—“I second it.”

The motion was put and carried.

* Vide Appendices I to V at pages 273 to 290 infra.

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V

RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

*Committee for the separation of the judicial from the executive
functions—cont.*

The DEPUTY PRESIDENT :—“The Council will resume its discussion of the amendment proposed by Mr. T. A. Ramalingam Chettiyar to resolution No. 18 moved by Mr. Venkataramana Ayyangar. The amendment was proposed, but before it was seconded, the Council adjourned, it being 5 o'clock. Does anybody second it?”

Dr. P. SUBBARAYAN :—“I second it.”

Mr. S. ARPUDASWAMI UDAYAR :—“I have great pleasure in supporting the amendment moved by Mr. T. A. Ramalingam Chettiyar. My reason is that this amendment provides for the question of the separation of judicial and executive functions being considered very carefully; first of all, the question whether such separation is absolutely necessary, the further question whether effect should be given to the separation immediately or gradually, whether it should be extended to all grades or confined only to a few posts, whether the introduction should be made all at once and in all districts or as a result of a careful study of experiments made in one or two districts. Again, Sir, there is the question of cost; whether the cost entailed will be so very prohibitive as to outweigh all the advantages which might be supposed to result from this separation, or whether it can be done with a little additional cost, which will afford justification for the introduction of this separation of the two functions combined in one officer. Because it provides for all these questions being gone into and investigated by a committee, I think this amendment is not open to any objection, and then, Sir, it is possible for the members of this committee to go into the question with an open mind. I remember one speaker spoke of certain delays and inconveniences which are occasioned by the present system of one and the same officer having to attend to executive functions or revenue duties and also to his magisterial duties. A specific instance was mentioned of a revenue officer who had to go to a different corner of the district immediately after a case was disposed of with the result that the party was not in a position to apply for bail and had to go to jail. As a special magistrate, I am aware of certain instructions sent out from time to time by the district magistrates requiring that witnesses should not be unnecessarily called for and kept waiting, that cases should not be unnecessarily adjourned, that witnesses should be examined at the very first hearing or the second hearing at the most and so on. Well, the committee will certainly decide whether they should issue such instructions to officers, that instead of the parties looking for them and running after them, they may very well go to the parties or judiciously post cases in such centres as are accessible to parties, or that they should attend to magisterial work for two or three days while camping in a station and remain there for one or two more days attending to other work so as to allow ample opportunities for all parties to apply for bail and other things. I do not think, Sir, that any hon. Member spoke of any miscarriage of justice due to bias, bias which may be the result of some previous information which the magistrate might have received or the character or behaviour or the political attitude of a certain party, and I do not think there is much scope for any miscarriage of justice. Even should there be

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any such bias, every decision rests on an examination and consideration, the weighing very carefully and the sifting of the evidence of the various parties, and the parties have the privilege of having the evidence read out to them to see that what is recorded is exactly what was deposed by them. However, this question will receive careful attention, apart from these circumstances, the question, namely whether it should be found necessary to bring about the separation of the two functions in order to inspire the fullest confidence. I think these and other questions will certainly be investigated by the committee.

“There is one other question, Sir, which will also be carefully gone into by the committee, namely, the question whether the separation is necessary as a matter of principle or as a matter of expediency—as a matter of expediency, in consequence, as somebody stated the other day, of a readjustment or redistribution of the territorial jurisdiction of revenue officers. Because there is ample scope in this amendment for these questions being fully gone into and the very principles being discussed and the matter, if necessary, being slowly introduced after experiment, I heartily support the amendment.”

The hon. Mr. K. SRINIVASA AYYANGAR :—“Mr. President, as I propose to accept this amendment, I do not make a long speech. All 11-15 a.m. the same, the House may like to know what exactly the Government have been doing in this direction. To start first with the last class of magistrates, the ordinary bench magistrates or panchayat courts, it has been the anxiety of the Government as far as possible to develop these panchayat or village courts principally for the relief of the stipendiary magistrates, and also as a lesson in self-government. I found one difficulty with regard to these panchayat courts. In many of them we could not start work and in others it was reported that there was no possibility of their starting work owing to various causes with the result that I had to abolish a considerable number of these courts which had been established by proclamation. When I say established, I do not mean to say that they started work. In these circumstances I was considering the question, viz., whether it would not be possible to impose on the ordinary village panchayats the duty of deciding cases, i.e., judicial work. I know there is a resolution to that effect tabled by Mr. Ranganatha Mudaliyar. I was afraid of two things; one was whether I should combine in then judicial and executive functions and the other was, whether I can impose upon the village panchayats which are established under the Village Panchayat Act which is a transferred subject, the duty of deciding cases relating to reserved subjects. I have not yet come to a conclusion on the subject and I hope the House will not say that the Government went back upon this principle of the separation of the judiciary from the executive, by combining the functions of both in a single body. In the meantime, I may ask my friend Mr. Ranganatha Mudaliyar to tell me what he thinks of this combination, whether it is in any way against the spirit of the principle of this doctrine of the separation of the executive and judicial functions.

“Now, going a step further, this House knows that we have the system of stipendiary magistrates and I believe I am right in saying that there are very few Tahsildar-magistrates who now exercise magisterial functions either second or third class. There has been in fact a separation of judicial and executive functions in this case. The Government have gone further.

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Last year an attempt was made to establish two special first-class magistrates as an experiment in order that they may do only magisterial work within certain jurisdictions. They would have afforded much relief to the parties by their not having to go to the camp along with the magistrates. For this purpose a sum of Rs. 10,400 was included in the last budget, but which the Legislative Council did not grant on the principle of economy and we could not therefore establish these two courts as an experiment."

The RAJA OF RAMNAD:—"May I point out, Sir, that at that time it was not announced that that amount was required with a view to create new courts for the purpose of separating the judicial from the executive functions? At that time it was stated that it was required for the purpose of doing away with second-class stipendiary magistrates and introducing first-class magistrates in their places. I say this from my recollection."

The hon. Mr. K. SRINIVASA AYYANGAR:—"I am merely stating the fact, Sir, and not what was stated or what was not stated then. Now, what we are doing is this. We want to utilize unpaid agencies as far as possible for the trial of criminal cases, leaving to stipendiary magistrates only heavy or serious cases. With this idea we want to increase the number of special magistrates under the Criminal Procedure Code and if the people will assist us, we will be economising in expenditure on Courts of Justice. But there is an essential or a fundamental condition for the successful working of such special magistrates. They must command the confidence of the litigant public; otherwise no Court of Justice whether paid or unpaid will be worth having. We are therefore trying the experiment in two districts, Madura and Tanjore. There are a considerable number of retired officers there who have held high appointments in Government service and who, we hope, will undertake this work and we hope they will be in a position to command the confidence of the litigant public. If the experiment proves a success, in course of time it may be possible to relegate practically the whole of the work now done by second and third-class magistrates to the special magistrates and confer upon them first-class powers also. As an experiment we are going to try this and we have called for proposals for these two districts. Besides this, we propose to relieve the Divisional Officers of their magisterial work and appoint a magistrate of the first class to do purely magisterial work and he will also undertake the duty of supervising the work of the special magistrates. We expect in this way to lessen the number of deputy collectors who are doing division work and effect economy also. If the experiment in these two districts succeeds, it will be possible to extend it to the rest of the province also. If this becomes an accomplished fact, then excepting the district magistrate, there will be no other criminal court or magistrate who will have above the district magistrates we have a separation of the judicial and executive functions, in the case of the sessions judges and so on. At present, therefore, there are these subdivisional magistrates or deputy collectors who are doing a certain amount of criminal work. We expect to relieve the ordinary divisional officer of that work and separate the judicial from the executive function, if the experiment succeeds. I do not want to take any more time of the House. I accept the amendment of Mr. Ramalingam Chettiyar."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, we have been informed about the various steps taken in the way of carrying out the

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separation of judicial and executive functions. We have been told that the number of unpaid magistrates is going to be increased and that other first-class magistrates will be brought into existence when the divisional magistrates will be relieved of criminal duties and that the district magistrate will be the only officer who will have combined executive and judicial functions. Sir, I am glad that by the acceptance of this resolution the hon. the Law Member has brought the state of reform in this direction at least one step higher than it has hitherto been. But the most difficult question in dealing with this longfelt reform has been not as to the increasing of the number of agencies at work in the matter of the administration of criminal justice, but as to whether, under the scheme, those exercising these functions will be placed under the control of the executive or under the control of the judiciary, that is, the High Court. That is the one question regarding which there has been considerable discussion and sometimes difference of opinion. I hope the committee to be appointed will tackle that question in the manner which it deserves. I am glad my friend Mr. Arpudaswami Udayar also gave his blessing to this resolution, though he threw some doubt as to the efficacy of the proposed reform. I believe that, if this resolution is accepted, the committee to be appointed will devise measures for the purpose of effecting a separation of judicial and executive functions and that they will not begin to consider whether it is necessary to effect that reform at all. I have always taken it that the principle of the separation of judicial and executive functions has been recognized as a very desirable principle to be introduced and that the Government have also admitted the desirability of doing it, though in matters of detail, though in the matter of the various stages to be gone through and though in the matter of the control to be exercised over the magistrate there has been difference of opinion. It will be, I believe, going behind what has been done for so many years, if we still treat that question as an open question.

"The hon. the Law Member in the course of his remarks referred to a vote of this House taking away a provision of Rs. 10,400 made for establishing two (special) first-class magistrates and suggested that in the interest of economy the Council did not grant that amount though it was intended to give effect to the separation of judicial and executive functions. May I point out, Sir, that it was not for the purpose of effecting economy to the extent of this Rs. 10,400 that the provision was disallowed, but it was because the Council felt that the proposal then made by the Government was not acceptable and was not intended to achieve the object which everyone had in view. It was on a motion of my friend Mr. Ramalinga Chettiyar that the provision made for two stipendiary first-class magistrates and establishments for Thiruppur and Paramagudi was struck out. It was clearly pointed out in the course of the discussion that the Government only intended that these two magistrates should try first-class cases transferred to them by the divisional magistrates, but should not exercise either appellate powers or other powers conferred upon the divisional magistrates. And it was very well pointed out by the hon. mover of that motion who happens to be the hon. mover of this amendment that it would not serve any useful purpose if their powers are to be curtailed in that manner. It was when that aspect of the case was placed before the House that this House consented to delete that provision of Rs. 10,400 from the budget.

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11-30 a.m. "Let me point out that the question at issue is so important that the question of economy of a few thousands of rupees should not stand in the way of this Council giving its assent to the proposals which might be brought forward. What was really made clear in the course of the discussion was that the Government did not make up their minds as to the desirability of taking away the control over these first-class magistrates from the district magistrate. It was that position that created some difficulty. I find, Sir, that the hon. the Law Member's view is now different from the view expressed on that occasion and I hope that there has been a change of policy in that direction. I at least hope that the Government will not adopt the same course, or the same policy which they enunciated in dealing with that question, but will at least leave it as an open question to be considered by the committee to be appointed."

"The hon. the Home Member, in replying to that motion of my friend Mr. Ramalingam Chettiyar, stated:

It is all very well to talk of not interfering with judicial independence and of the statutory discretion of sub-magistrates; but speaking as a practical man I may tell the House that I regard much of such talk as nonsense."

"Then he stated:

A sub-magistrate must learn to find his footing when he first takes up office, and it is quite proper that he should receive advice on general matters, though not in regard to the disposal of particular cases."

"He stated later on that the district magistrates must have discretion to give such advice. That was the trend of the argument adopted on behalf of the Government in dealing with the question of appointing two stipendiary first-class magistrates as a step for carrying out the long-needed reform of the separation of judicial and executive functions. I am sure that the hon. the Law Member will realise the feeling in the country regarding this question and will not adopt such arguments in defence of the position of Government. I hope, Sir, that though the Government may not be in a position to state definitely to-day that they will adopt a policy of placing the new first-class magistrates exercising these functions under the control of the High Court, still if the committee that is proposed to be appointed is to serve any useful purpose, we could at least treat it as an open question, and I trust that the Government has nothing to say against that view. Unless we approach it from that standpoint, I feel, Sir, that much good will not result from the labours of that committee, and I hope that in working out the details, they would view it with full regard to the volume of opinion in the country regarding this question."

"My hon. friend Mr. Arpudaswami Udayar stated, while dealing with this question, that no one had spoken of any miscarriage of justice and suggested that the committee to be appointed might give instructions to the special magistrates or to other magistrates saying 'You should not post your cases except at headquarters; you should not give long adjournments; you should take up the cases at the first hearing', and so forth. I do not think that the committee is expected to deal with all those things. It is expected to deal with the broader question as to how the separation is to be effected. If instances of miscarriage of justice are to be cited, I can give any number of them. I believe hon. Members of this House must have experience of a number of cases, either as officials or as persons having intimate knowledge

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various cases, and they can detain this Council for days together if they are to go on giving their experience of cases in which there has been miscarriage of justice. Therefore, if we really feel that there is even a possibility of miscarriage of justice, it is our duty to give effect to this motion. With these remarks, Sir, I support the motion."

Mr. P. SIVA RAO:—"Sir, as one who has tabled a similar resolution, I shall say a few words on the amendment that has been accepted by the hon. the Law Member. It was mentioned to us that in the highest branches of the judicial service, e.g., in the case of sessions judges and the presidency magistrates, there has already been effected a separation of judicial and executive functions. It was also mentioned to us that the Government had appointed stationary sub-magistrates all over the presidency and that most of the tahsildars had long ago ceased to exercise magisterial functions. It was also pointed out to us by the hon. the Law Member that vigorous attempts had been made by the Government to multiply the class of honorary magistrates throughout the presidency. The hon. the Law Member, I thought, was taking credit for the Government already taking the initiative in the matter."

The hon. Mr. K. SRINIVASA AYYANGAR:—"I have not taken any credit in the matter, Sir. I have merely stated the fact, whether creditable or discreditable."

Mr. P. SIVA RAO:—"Well, Sir, I am not going to give any credit to the Government then. The hon. Member was also referring to the case of the special magistrates of the first class. I remember the connexion in which they were appointed. It was in pursuance of a resolution moved by me that the hon. Mr. Knapp who was then in charge of the judicial portfolio was kind enough to try stationary magistrates of the first class as an experiment in two select districts in this presidency. I may assure the hon. the Law Member that these measures which they have hitherto adopted do not even touch the fringe of the question. The real question is not who has been exercising these functions, whether a stipendiary magistrate or a non-stipendiary magistrate, whether a stationary magistrate or a touring one. Again, the question is not whether one officer is solely and exclusively devoting himself to criminal work without his attention being diverted by the revenue divisional work. The crux of the scheme is this. Who should control the subordinate magistracy in the land? In other words, Sir, the essence of the scheme is whether the Collector should continue as the controlling head of the subordinate magistracy, the sub-magistrates and deputy magistrates, as heretofore. Sir Abdur Rahim, who was for a long time Judge of the Madras High Court, who is now a Member of the Bengal Executive Council, and who you all remember was also a Member of the Public Service Commission, recommended as follows:

My recommendation is that there should be a complete separation of the judicial and executive functions. This already exists in the presidency towns and the arrangements which obtain there could easily be adjusted to the district conditions."

"These words should be noted:

The Collector should have no control over the magistracy, and should have no magisterial powers greater than those possessed, for instance, by the Commissioners of Police in the Presidency towns."

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"Now, Sir, that is the essence of the scheme which we propose to be investigated thoroughly and it should be introduced, never mind the little cost it might involve. I quote in this connexion from the speech of Sir Harvey-Adamson who stated in the Indian Legislative Council in 1908:

"The inevitable result of the present system is that criminal trials affecting the general peace of the district are not always conducted in the atmosphere of cool impartiality which should pervade a court of justice. It lies not so much in what is done, as in what may be suspected to be done; for, it is not enough that the administration of justice should be pure; it can never be the bed-rock of our rule unless it is above suspicion.

"Then he further said:

The exercise of control over the subordinate magistrates by whom the great bulk of criminal cases are tried is the point where the present system is defective.

"Well, Sir, I may implore the hon. the Law Member and the future committee which may be appointed to apply themselves seriously to this aspect of the question of the separation of executive and judicial functions. There is also the problem of the best mode of recruitment of the subordinate magistrates, whether these magistrates should continue to be recruited as hitherto, or whether they should be separately recruited as the District Munsifs now are, and whether the exchange of officers from the executive to the judicial service should continue as it is now prevailing. All these kindred questions have to be considered. It is not merely a question of division of labour and of functions. The question is much more serious and I hope and trust that the future committee will view it from this broader outlook."

The RAJA OF RAMNAD:—"Sir, when the hon. the Law Member referred to the motion of this Council regarding the appointment of two stipendiary magistrates for trial of cases, he remarked that the Council in their anxiety to effect economy forgot to take into consideration"

The hon. Mr. K. SRINIVASA AYYANGAR:—"I said 'apparently forgot'."

The RAJA OF RAMNAD:—"The Council forgot to take into consideration the higher question involved, namely, the separation of executive and judicial functions. From memory I pointed out to him that that question never came up before the Council, but that the demand then was for the purpose of raising the status of those stipendiary magistrates from second class to first class. That was the object of the motion at that time. Of course the hon. the Law Member quite readily said that he was stating facts. I have since referred to the proceedings and I shall content myself with reading just a few lines. This was what Mr. Ramalinga Chettiyar said on motion No. 455:

There were two motions made in this House with reference to this. I believe there was a resolution passed or accepted by the Government in the old Council under which it was proposed to try stationary magistrates in place of the subdivisional magistrates who are touring, to avoid the inconvenience to the clients who had to go about in search of the magistrate. The second motion was by my friend Mr. Venkataramana Ayyangar for the separation of executive and judicial functions. It is possible that this arrangement is suggested by the Government to try an experiment to give effect to the separation. If it is the latter, I am in full sympathy with the object itself.

"Sir Lionel Davidson said:

"Surely, Sir, the hon. Member is rather confusing 'his wishes' with the wishes of the Council when he speaks of 'our wishes' being to try development in the direction of the separation of judicial and executive functions by a system dependent on supervision by the district courts."

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"Later on he says:

These two appointments are the direct outcome, as he has told us, of a resolution moved in this Council in November 1919 by Mr. Siva Rao, I think, who made proposals to extend the system of stationary magistrates by divesting revenue divisional officers of their magisterial functions and appointing stationary magistrates of the first class in each district with exclusive powers to try criminal cases.

"All that I wish to say, Sir, is that my memory has not betrayed me."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, it would, I think, be no breach of confidence if I say that the hon. the Law Member told me last evening that he would accept the amendment and I did not want to bring the proceedings on this proposition to an end at once, because, I desired to have a long speech from the hon. the Law Member giving out what has been done and my expectations have been fully realized by the proposition not being passed yesterday. So far as the amendment is concerned, I have absolutely no objection to accept it. But one or two words are necessary on the proposition before us. Mr. Arpudaswami Udayar in spite of his qualifications to be a teacher of young men has stated that in this proposition the question is left open still as to whether the separation is desirable or not. I protest against that completely. I went over the eight propositions notice of which has been given and on this point, none of them raises the question as to the desirability of the separation. That this proposition does not involve the question of desirability is clear from the fact that there was an attempt made, a little privately, to introduce the word desirability both in my resolution and in the amendment. Neither myself nor Mr. Ramalingam Chettiyar would agree to that suggestion. Therefore one step we have clearly gained. By passing the resolution as it is amended in spite of the speech of Mr. Arpudaswami Udayar, the desirability of the separation is accepted by the Government as well as the Council. The only thing that the committee has to do is to advise as to the best way of doing it as early as possible, either altogether or by stages. Before I sent my notice, I considered, Sir, over some such wording as Mr. Ramalinga Chettiyar's amendment, but I thought the best way would be to leave the resolution as it was and give ample provision for the Government to give the various items under which they wanted the committee to report. I am glad that they have accepted the amendment for the amendment restricts the qualifications under which the committee has to meet.

"One other thing that I wish to say is this. The hon. the Law Member is confusing, if I may be excused to say so, between the distinct and separate reforms. One is the separation of the judicial and executive functions completely and the other is making the moving magistrates stationary. Mr. Siva Rao's motion in the year 1919 was to examine the question of the appointment of stationary first-class magistrates also on the lines of stationary sub-magistrates. That has nothing to do with the present proposal. It is a well-known fact that all stationary sub-magistrates are also deputy tahsildars. Only they do not exercise the functions of a deputy tahsildar, but a tahsildar may refer any paper of his to the stationary sub-magistrate."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Stationary sub-magistrates are not as a rule deputy tahsildars."

Mr. C. V. VENKATARAMANA AYYANGAR:—"They are considered to be deputy tahsildars, but do not exercise the functions of the latter. But

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whenever a paper is referred to them, they become at once deputy tahsildars and exercise their functions. They are second-class magistrates, but they are still executive officers and they practically wait upon the Collectors almost every morning. The appointment of more deputy magistrates as stationary first-class magistrates is not separation of the two functions contained in the present proposal before the House. That is after all not a new change. Some years ago, Mr. Gharpurey, I.C.S., was exercising the same functions in Coimbatore. He was a stationary first-class magistrate. For the time being he was appointed to exercise magisterial powers as stationary officer exercising jurisdiction over several taluks. The two things are quite different. The hon. the Law Member, I request he will permit me to say so, thinks that the separation is done by the appointment of stationary magistrates. We have got stationary sub-magistrates, and we have got stationary sessions courts. Therefore, that reform of appointing intermediate stationary first-class magistrates has not been effected on the lines that we want. We want a complete separation from the bottom to the top of judicial and executive functions. We need not go into the details as to how it can be done. I have made some suggestions; Mr. Ramalinga Chettiyar and other speakers have given some more. It is for the committee to go further. I have great pleasure in accepting the amendment of my friend Mr. Ramalingam Chettiyar."

Mr. SAHYID MUHAMMAD PADSHA SAHIB :—"Sir, though it is the desire on the part of some of hon. Members of this House that the question be put without further discussion, I may be permitted to say a few words on the motion before us. I am not going to inflict a speech of any length upon the hon. Members of this House at this stage. My object in rising up to speak now is merely to request the Government to attempt to give effect to at least one aspect of the question, namely, that to which special attention was drawn by my hon. friend Mr. Siva Rao. My hon. friend in his speech made out how necessary and indispensable it was, alongside the measures taken for dealing out impartial and due justice to the people, to see that our institutions for the dispensing of justice inspire confidence on the part of the people. Our subordinate magistracy is under the control of the district magistrate who is the head of the revenue administration of the district as well. As such a lot of cases on the Abkari, Forest and other special Acts, technical cases, come before the subordinate magistrates and so long as the subordinate magistrates are under their control, we would not be able to disabuse the mind of the public of their suspicion that after all most of the criminal trials are not conducted in an atmosphere of cool impartiality. Just one word more as to how it is very necessary for the committee not to give itself the trouble to try and find out any justification for this change. This is a reform which is long overdue. If there is any demand which has been persistently made for nearly forty or fifty years in this country, and if there is any question on which every section, every shade of opinion has been unanimous, it is this. This is a vexed question of which the pros and cons have been well considered and the time has come for giving effect to it in practice without further delay."

The resolution moved by Mr. C. V. Venkataramana Ayyangar as amended by Rao Bahadur T. A. Ramalinga Chettiyar was then put and carried unanimously.

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The following resolutions were deemed to have been withdrawn as the movers were absent :—

Rao Bahadur M. C. RAJA :—

19. That this Council recommends to the Government that returns showing the amount and nature of ameliorative work done by the Government on behalf of the depressed classes in this Presidency be published every half year and laid on the table.

Mr. R. APPASWAMI NAYUDU :—

20. (a) That this Council recommends to the Government that, for the repairs of tanks and tank-bunds, a portion of the irrigation tax levied on lands under such tanks should be set apart for each tank and the amount should be spent on the same tank without transferring the funds for the repair of other tanks on any account.

(b) And that when repairs are wanted for such tanks, the contract should be given only to persons who have interest in those tanks.

Number of Government audit certificate-holders.

Mr. T. C. TANGAVELU PILLAI :—"Sir, I beg to move the following resolution :—

21. That this Council recommends to the Government to increase the number of Government audit certificate-holders by granting certificates as hitherto done to men of experience in auditing accounts of firms.

"Sir, the necessity for a greater number of auditors than we have at present has arisen owing to the increased work under the Income-tax Act and the increased joint stock companies in this presidency. People are assessed by the income-tax authorities without any proper account being submitted to them and when they are called upon to show cause why they should not be assessed on a particular income or when they go on appeal against the income-tax order, they have not properly maintained accounts to support their case. These people have not been able to get the services of efficient auditors to maintain their accounts and this has been going on for a very long time. In an answer to a question of Mr. Saundara Pandia Nadar, the Government have said that at present there are only 34 men for the whole presidency who hold certificates in auditing. The number is not sufficient for the whole presidency. Even of these 34 men, fifteen are engaged in certain firms and banks and the remaining men available are not at all sufficient to cope with the increasing work. In Tanjore, Trichinopoly, Tuticorin, Bangalore, Kurnool, Ramnad, Tinnevely, Northern Circars and other places there is not even one auditor. Auditors have to be got from Madras and it takes nearly six or seven months before one could be got. This necessity has been felt over and over again. The rules provide that it is not necessary that they should have diploma in Accountancy. The rule has been so relaxed and this procedure has been followed for some years, of giving certificates to men who had some years experience and training in the audit of accounts. There are people holding temporary certificates and there are also others holding permanent certificates. If it is insisted that only diploma-holders could audit accounts, it would take at least some ten years before we could have sufficient number of auditors, for, for the last two or three years, only two or three men every year get the diploma. It is

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therefore essential that the Government should see their way to increase the number of certificate-holders. It is because the demand is widely felt that I move this resolution."

Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Sir, I have great pleasure in seconding the motion before the House. As has been pointed out by the hon. mover, at present under the Indian Companies Act, only persons holding Government certificates are entitled to audit accounts, and there are only 33 men who are so qualified at the present time. Only 13 even out of these 33 are public auditors, and the number is not at all sufficient to cope with the increasing work. It would be impossible for these 13 men to audit the accounts of joint stock companies for purposes of income-tax assessment. The only remedy for the difficulty is to give a certificate to those who have been engaged in this work for a number of years, men who have had experience in the line. Sir, even in England such certificates were given to people who have had sufficient training in the profession, when the Institute of Chartered Accountants was instituted. Such a course should be adopted here by the Government to meet the public demand for more auditors. I feel very strongly with the mover of the resolution which I heartily second."

Mr. T. SIVASANKARAM PILLAI:—"I propose, Sir, that the two words at the end of the resolution, viz., 'of firms' be omitted. There are other channels in which people do get experience in auditing the accounts. For instance there are auditors in the Collectorates. Many of them retire on paltry pensions. In fairness it is they that ought to be given preference when these certificates are being granted. Then there are any number of joint stock companies that are rising in the country and flourishing also. Many members connected with these joint stock companies are acquiring experience in auditing the accounts and otherwise also by being members of it. If the words 'of firms' were to be retained in the resolution the effect will be only very restrictive. It will only entitle people who have had any experience in firms in a metropolis like this for the certificates and others however capable they may be in the matter of auditing the accounts will be left alone. That is my reason for proposing the amendment by way of omitting those words."

Mr. M. R. SETHURATNAM AYYAR:—"I second the amendment."

Mr. T. C. TANGAVELU PILLAI:—"I do not accept the amendment as it would give greater latitude and is liable to a greater danger than at present."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Mr. President, my experience is restricted to the Coimbatore district. But when I narrate that experience in this Council it will at once make every member of this Council vote in favour of this proposition. There are about 300 companies in the Coimbatore district. I can only give an approximate number. And yet only three people have certificates and one of them is now in Madras practically. So that we have two certified auditors to check the accounts of over three hundred companies and may take it that the Coimbatore district is one of the districts which have got a very large number of income-tax payers also. To avoid all difficulties from the income-tax department—I do not say anything about the troubles—people are having recourse to the getting of auditor certificates as these are accepted by the Government. So it comes to this practically that there are two auditors there to do the whole work. I do not

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want to say how this auditing takes place. But the difficulty is that we have got to pay any sum wanted by them just to get their certificate. Mr. Tangavelu Pillai was saying that it sometimes cost a good deal to get men from Madras and that was to the benefit of the local auditors because you have to pay the travelling allowance to the men coming from Madras. Therefore, as a matter of necessity and as a matter of selecting the lesser evil, we have to pay the amount demanded by the local auditors. The object of auditing is that the account should be scrutinised. According to the old method the option of appointing auditors was left to the companies themselves as it is now given to the privately registered companies. Any good local man might go into the accounts; he will have plenty of time and he will go into details and then give the certificates. But as a matter of fact at present the registered companies have to get their balance-sheets audited by certified auditors. So that even when the income-tax work is to be taken up by the two auditors, the taking up of more than three hundred companies means that they will have to check one company in two days. Many companies have to celebrate their annual functions almost the same time. In Coimbatore from March to July there will be a number of annual meetings and every balance-sheet will have to be signed by the auditor. That means the fee is large and the work is little. Therefore it is necessary to have additional auditors. Of course I am not saying that auditor's certificates should be given to any person. Even now there are persons who were doing this auditing work before the new Act came into force. Therefore, it may be said, they should also be given certificates. No doubt I am sure the Government will look into the matter very sympathetically. It may be said that according to the new rules, "you may get into a commercial school in Madras, pass the Bombay examination for which students are coached here and then get a certificate". The rules are very strict. You have to study three years and then pass the Bombay examination. After passing the examination you are to work under the rules as an apprentice under some recognised auditor for about three years and then we have to pay another fee to the auditors. Thus the rule is very strict. Unless the rules are changed the companies will be put to very great difficulty and very probably the accounts will not be properly checked and the signing of the balance-sheet will be only nominal. So the matter should be carefully considered by the Government. The new draft rules may have to be referred to the departmental officers and let us hope they might come to a favourable conclusion. With these few words, Sir, I hope the Government will accept the resolution. But the Government seems to oppose resolutions more vehemently now than in the last session and that leads me to have some fear about the result of this resolution."

The hon. Mr. K. SRINIVASA AYYANGAR:—"Mr. President, so far as I have noticed I have not been able to appreciate the statement made that there has been more opposition or more vigorous opposition this session. I rather think that we are getting less cantankerous, if I may use that expression, and more freely place ourselves in the hands of the Council. I, Sir, do not want to stand in the way of giving any benefit which the public requires. But in this matter it is solely the anxiety of the Government to protect the public interests that made them frame these rules. As there is likely to be some misapprehension in regard to this matter from the speeches which were delivered that the number of auditors who are now doing the work of auditing is not sufficient for the needs of the public, I have to trace a little of the

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history of this question. I may say at once that except in the case of the auditing of the companies' books no statutory qualification is required from any person who chooses to audit the accounts. If any private person wants to have his books audited, if any merchant or firm of partners want to have their books audited they are at perfect liberty to deliver the book to those in whom they have got confidence. But when you come to the question of auditing the books of a public company different considerations arise and this auditing of the companies' books is intended to protect the public. It is for that purpose that when the new Act of 1913 came into existence a specific provision was inserted as regards the auditors auditing the books of the companies. So far as I am aware there is no statutory requirement in any other case. Companies must have their accounts audited and a particular provision has been made in the new Act that these auditors have to be certified by the Local Government except in cases where the Governor-General in Council accepts certain accountants or chartered accountants as persons who are entitled to audit companies' accounts. So that except for the purpose of auditing the companies' accounts you do not want a certified auditor. As soon as this new Act came into force the Government in view of the above provision insisted upon definite qualifications, before granting certificates and in order to create a profession of auditors technically qualified and scientifically trained, with purpose of giving certificates to certain qualified accountants. Those who are acquainted with the original rules know that when the rules were framed in 1915 there was really no provision for permanent certificates being given to any particular person. The rules were intended to be tentative and therefore the rules provided for the giving of certificates for a limited period of two years subject of course to the Government renewing it. So from the very beginning, that is from 1915, Government were anxious to have a set of qualified auditors whose qualifications will be beyond cavil, not for the protection of the companies or even their shareholders but for the protection of the public. Those who have read cases of disastrous failures of companies in this country and elsewhere will see the importance of having qualified auditors. From that time forwards proposals have been made not merely in this province but in other provinces also for a common set of rules prescribing qualifications of auditors entitled to audit the accounts of the companies with the result that we have now a central examination board at Bombay for issuing the diplomas. The diplomas, I believe, are issued by the Government of Bombay and endorsed by an officer of the Government of India. There are training centres or schools where these auditors get their commercial training. The examination is conducted locally if necessary if there are a sufficient number of candidates. So that for the whole of India you have a common system of training and examination and on the result of the examinations the local Governments issue certificates. Those rules came into force here in August 1920 after a considerable amount of discussion and consideration on the initiation of the Government of India. Similar rules have been framed in the other provinces and I want the House to remember this. There are two kinds of certificates: restricted and unrestricted. Unrestricted certificate holders are entitled to practise their profession throughout the whole of India. This resolution recommends our granting certificates to men of experience. Under the law unless it is restricted, the certificated auditors are generally entitled to practise their profession throughout India. You must therefore adopt your rules to the rules framed in the other provinces also; a uniform

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regulation of qualifications is therefore essential. There is the other class, that is the restricted certificate holders who can only practise their profession in a particular province. But the idea is that sooner or later as soon as the requirements of the public are satisfied that class should be abolished when there will be one general class. With that view we have framed the rules and the latest rules are of August 1920. Under those rules the holders of Government diploma awarded by the Sydenham College of Commerce will be granted unrestricted certificates. There is really no difficulty in students here getting the diploma as stated by one of the speakers. The tuition or training can be in any college or in any institution. The examinations can be held not merely at Bombay but in any local centre which is chosen if there are sufficient number of candidates. There is no difficulty with regard to the apprenticeship again because that can be had in any auditor's office. At present we have, as I said, another class. The holders of temporary restricted and temporary unrestricted certificates may be granted restricted certificates. So it is not merely by passing an examination that you get qualified for getting this certificate but Government issues restricted certificates to persons who have been holding temporary restricted and temporary unrestricted certificates before.

"The idea is not to prevent the public from having as many auditors as they want, or require or to embarrass companies or to create a monopoly. As to what my friend Mr. Venkataramana Ayyangar said, the moment a company finds any trouble in getting a competent man to audit its accounts, I for one would be prepared to consider such cases and act."

MR. C. V. VENKATARAMANA AYYANGAR :—"This assurance was given last year but nothing was done."

THE HON. MR. K. SRINIVASA AYYANGAR :—"But we heard no complaints from any company that it found any difficulty in getting a competent auditor. No complaint whatsoever was made."

"There is one other rule to which I wish to draw the attention of the House. It is this. In exceptional cases the local Government may grant a certificate to a person, who under the rules is ineligible for auditing the accounts of companies, to audit the accounts of any particular company for any particular year. A report of any such case must be made to the Government of India. So this is not purely a local question. It is a question which affects all the provinces equally. These general rules have been made practically under instructions from the Government of India, so that there may be uniformity in all the provinces. There can therefore be no difficulty whatsoever in any company getting a qualified auditor to audit its accounts. If in any particular case any company is not able to find a qualified man, then if it applies to the Government to get its accounts audited by any other competent man, the Government will certainly grant the necessary permission. The Government will not allow a set of people to monopolize and raise the fees. So far as other people are concerned, if they want to have their accounts audited either for their own benefit or for the benefit of others, they are at perfect liberty to employ any person they like. I want the House to realize what the effect of this resolution will be if accepted. I have been constantly asked to accept the principle. I have absolutely no quarrel with the principle. Provided there are not sufficient number of qualified auditors to cater for the needs of

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all the companies, I shall be glad to do anything I can to increase the number. The resolution asks us 'to increase the number of Government audit certificate holders by granting certificates as hitherto done'. Again, the certificates are to be issued 'to men of experience in auditing accounts of firms'. This is very vague; there is no standard. If we go on issuing certificates to all and sundry, then the very object of the law would be defeated and it will be impossible to give unrestricted certificates to those persons whom we call men of experience, for it will not be fair to other provinces which insist upon a particular qualification for granting an unrestricted certificate. Again, there will be conflict between two jurisdictions. Suppose we issue an unrestricted certificate to one who is not qualified under the rules. The other provinces won't recognize it. But under the law as soon as we issue an unrestricted certificate to a person, he is entitled to audit the accounts of other provinces also. Therefore, in a matter of this sort which affects all the provinces equally, uniformity of rules is necessary and that uniformity is obtained by prescribing a general qualification for the issue of unrestricted certificates and by giving power to Local Governments to issue restricted certificates in certain exceptional cases. I, therefore, submit to the House that this resolution in its terms is objectionable and cannot be accepted."

Mr. V. P. PAKKIRISWAMI PILLAI:—"Sir, it is well known that many objections are raised in the matter of keeping accounts at the time of assessment of income-tax. In many places people keep accounts in their own way, but the Government seem to require them to keep accounts in a different way. Unless we have more auditors than we have at present, these persons will not be able to understand the way in which Government want them to keep the accounts. We must have more auditors to help these persons. Unless the number of auditors is increased by many times, our merchants will not be able to understand the way in which the Government want them to maintain their accounts. At least for this purpose, I hope the Government would be more lenient in the issue of these certificates. With these words I support the resolution."

Mr. S. SOMASUNDARAM PILLAI:—"Mr. President, Sir, I am in charge of a firm and as far as my accounts are concerned, they are not submitted to any auditor. But absolutely no objection is raised to it. Everything depends upon the honesty of the person. If we are thoroughly honest no auditor is necessary. I submit accounts to the High Court and to the Income-tax office, and whatever I submit is readily accepted. Of course even the cleverest auditor cannot find out any mistake if one writes his accounts in a clever way. Once I appeared before the Collector in an income-tax case. There was an item in the books—*voorukadai varavu*—Rs. 40,000 and interest Rs. 10,000. The Collector asked me whether I knew what it meant. I said I did not know what it meant. The gumasta was asked what it meant and he said he did not know. But the Collector who seemed to have been familiar with this explained that it meant money received from the head office. In this way they deceive the income-tax officers, as if they borrowed from strangers. Is it possible to find out such a deceit even by the cleverest auditor? So it is better to depend on the honesty of the firm instead of entrusting the work to qualified auditors. Of course there must be also these auditors who are qualified."

The amendment was put and lost.

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The resolution was put and carried. A poll was taken with the following result:—

Ayes.

- | | |
|-------------------------------------|---|
| 1. Mr. K. Gopalakrishnayya. | 14. Mr. A. Ranganatha Mudaliyar. |
| 2. " J. Kuppuswami. | 15. " V. Appa Rao Bahadur. |
| 3. " P. C. Muttu Chettiyar. | 16. " K. Prabhakaran Tampan. |
| 4. " M. Narayanaswami Reddi. | 17. " V. Hamid Sultan Marakkayar. |
| 5. " C. Natesa Mudaliyar. | 18. " A. P. I. Saiyid Ibrahim Ravuttar. |
| 6. " V. Pakkiriswami Pillai. | 19. Saiyid Diwan Abdul-Razzak Sahib. |
| 7. " A. Ramayya Panja. | 20. Khan Bahadur Muhammad Sadullah |
| 8. " K. Suryanarayanamurti Nayudu. | Badsba Sahib Bahadur. |
| 9. " T. C. Tangavelu Pillai. | 21. Khan Bahadur Muhammad Usman Sahib |
| 10. " V. G. Vellingiri Goundar. | Bahadur. |
| 11. " C. Venkata Ranga Reddi. | 22. Mr. M. C. Madurai Pillai. |
| 12. " C. V. Venkataramana Ayyangar. | 23. " Govindoes Chathurbujados. |
| 13. " S. Muttumanickachari. | |

Noes.

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|--|---------------------------------|
| 1. The hon. Sir Charles Todhunter. | 9. Mr. C. W. E. Cotton. |
| 2. The hon. Khan Bahadur Sir Muhammad | 10. " R. Littlehales. |
| Habib-ul-lah Sahib Bahadur. | 11. " S. Somasundaram Pillai. |
| 3. The hon. Mr. K. Srinivasa Ayyangar. | 12. " M. Krishnan Nayar. |
| 4. The hon. the Raja of Panagal. | 13. " T. M. Narasimhaachari. |
| 5. The hon. Rai Bahadur K. Venkatarreddi | 14. " K. Sadasiva Bhat. |
| Nayudu. | 15. " R. Srinivasa Ayyangar. |
| 6. The hon. Rao Bahadur A. P. Patro. | 16. " T. C. Srinivasa Ayyangar. |
| 7. The hon. Mr. A. R. Knapp. | 17. " M. Suryanarayana. |
| 8. Mr. F. J. Richards. | |

The resolution was declared carried, 23 voting for and 17 against.

The following resolutions were not moved and were therefore deemed to have been withdrawn:—

Mr. G. VANDANAM:—

22. That this Council recommends to the Government that under the direction of the district collector a special tahsildar, preferably one who has come from the depressed classes, be appointed in every district, to be in charge of the work of amelioration of the condition of the depressed classes.

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—

23. That this Council recommends to the Government that a Committee be appointed to investigate and report on the steps to be taken to separate the judicial and executive functions now exercised by some of the officers, the cost involved in the taking of such steps, the different stages in which the separation may be given effect to, if it cannot be completely carried out at once, the administrative changes necessary for the purpose and any legislation that may have to be undertaken.

Abolition of Selection committees.

Mr. P. SIVA RAO:—"Sir, I had a conversation with the hon. the Minister for Education on this matter and I therefore do not intend to move the resolution at present."

The following resolution and the amendment were not moved:—

Mr. P. SIVA RAO:—

24. That this Council recommends to the Government that the Selection Committees appointed in connexion with the Government Arts and Professional colleges in the Presidency be abolished.

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Amendment.

Mr. B. MUNISWAMI NAYUDU :—

Omit all the words after the word 'Government' in line 1, and substitute the words 'that in the light of experience gained by the appointment of Selection committees in connexion with the Government Arts and Professional colleges, the whole question of admission of students into such colleges be examined by the Government as to the suitable agency to be employed for attaining the object in view.'

Direct election of the members of district boards.

Rao Bahadur K. GOPALAKRISHNAYYA moved, with the permission of the Council, the following resolution standing in the name of Mr. B. Muniswami Nayudu :—

25. *That this Council is of opinion that it is high time that members of the district board should be elected directly and not indirectly by the taluk boards and recommends to the Government to take steps to give effect to this opinion, if necessary by suitably modifying the law.*

In doing so, he said :—“The effect of this resolution if carried would be that the members of the district boards would be elected directly by the ratepayers and the inhabitants of the districts concerned. Now as the Act stands at present, the members of the district board are appointed under section 47. This section reads :

The members of a district board, other than ex-officio members and members appointed by the Local Government under section 9, shall be elected by taluk boards in the prescribed manner :

Provided that, where there are no taluk boards in a district, the election may be by the tax-payers and inhabitants of the district in such manner as may be prescribed.

“Sir, this section authorizes the taluk boards to elect certain members of their own to be members of the district boards. There is a proviso providing for direct election in cases where no taluk boards exist in any particular district. This has reference only to backward districts such as the Nilgiris and the Koraput division of the Agency tracts. It seems that direct election has been conceded in the backward districts merely for the reason that no taluk boards are existing in such districts. After the experience of nearly two years in the working of this Act, there is a strong opinion prevailing in the districts that the members of the district boards should be elected directly by the tax-payers and the inhabitants and not indirectly by the members of the taluk boards. When the Local Boards Bill was on the legislative anvil in 1920, a similar discussion took place in the Council with regard to the amending of the Bill by the introduction of the principle of direct election in the case of members of the district boards. It will be observed that when the original draft of the Bill was introduced in the Legislative Council, there was also that element of direct election conceded to a certain extent. But it was subsequently altered by the select committee. The select committee knocked the principle of direct election on the head and this particular section was adopted by the then legislative council. The chief argument that was advanced on behalf of the Government was that because the functions of the district boards and the taluk boards were correlative, their functions could not be divided and as members of taluk boards happened to be members of district boards by indirect election, the functions of the district board were discharged without any friction more or

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less on a parallel with those of the taluk boards. But as to the separate functions the hon. Sir P. Rajagopala Achariyar, the Member in charge of the Bill, at that time said :

In these ways it is true that we have separated their functions, but it is absolutely necessary that the district board administration and the taluk board administration should fit in completely.

“Of course he meant that the administration of the main roads and the secondary schools and such other functions have been separated and also that the funds of the taluk boards and the district boards have been separated and as such he conceded that it was true that there was separation of those functions, but yet he differed from the members who brought forward that motion for direct election because he believed that there were other co-ordinate functions common to the district and taluk boards. It will be observed that points similar to those of mine were raised by the hon. Mr. Venkata-pathi Raju and the hon. Mr. Devadoss and others who took part in the debate. They felt that direct election would be necessary. It will also be observed, Sir, that in the Joint Report of Montagu-Chelmsford the principle of indirect election has been condemned with regard to the legislative councils. In paragraph 26 of the Report they refer to the Provincial Legislative Councils as follows :

We consider in the first instance that the system of indirect elections should be swept away. It is one main cause of the unreality that characterizes the existing councils because it effectively prevents the representative feeling that it stands in any genuine relation to the original voter.

“The same principle could be applied to district boards as well. Another argument that was advanced on behalf of the Government was that ‘it would be a most unwise step just then, at a time when everything was going into the melting pot’. At that time the Reformed Legislative Councils were about to be formed. The system of direct election was conceded to the Legislative Assembly and also to the Council of State. The system of direct election was also prevalent in municipal elections and also in the elections to union boards and other bodies. It was only the district board that was neglected in regard to this matter. At the time of the consideration of the Bill the hon. Sir P. Rajagopala Achariyar stated it was his personal opinion that the system of direct election should be knocked on the head and it was only in the Select Committee that he pressed his view and allowed the Act to stand as it is now. It is a well-known fact, Sir, that the Legislative Council which adopted that principle was not a Council that was formed by the system of direct election, because on the old basis the members that constituted the Council were drawn by indirect election, and as such it was not constituted on a democratic basis. Now we all feel that the system of direct election should be introduced in recruiting members to the district boards. Probably objection might be taken with regard to the distribution of the electoral areas, with regard to the qualifications of the voters and with regard to the qualifications of the members that might stand for election. But all these things could be easily settled, because the present circles which form the taluk board areas may be grouped into two or three. There may also be some 12 or 13 circles in a particular taluk board area for each of which a member now stands for election to the taluk board.

“Four or five of these may be grouped together to form an electoral area for the district board. The qualification of the candidates may be fixed and the scheme of electoral

12-45 p.m.

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areas may be adopted in virtue of the powers vested in the Government with regard to the conduct of elections and distribution of areas. There will not be any particular inconvenience except what is felt with regard to the elections by the present taluk board circles. From whatever point the question is viewed direct election seems to be the best. The opinion in the districts is more or less in favour of direct elections. The functions of both the taluk and the district boards have also been divided. The railway administration of the district—if there is any railway under the control of the local bodies—is assigned to the district board, and in this function there is no concern of the taluk board. So also with regard to secondary education, main roads in the district, and the administration of tolls, the district board has the chief control. These functions are quite separate from the functions of taluk boards. Such being the case direct election is the most desirable system, and I beg to commend this resolution for the acceptance of the House."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I have great pleasure in seconding this resolution. There are now three classes of members in the district boards. First, there are *ex-officio* members: for instance, all the presidents of taluk boards are *ex-officio* members of the district board. Secondly, there are the nominated members, members nominated or appointed by the Government. Power is given—and, in my opinion, rightly given—to the Government to nominate members to represent unrepresented minorities communities which fail to get elected representatives from their own members in a district board, that is, members who are actually elected by the taluk boards. It is very sound in principle that the elected members should form the majority in the district boards; but, according to the existing Act, the power of election is vested in the members of the taluk boards only. What the present resolution requires is that this power of election should be taken away from the members of the taluk boards who form only a very small part of the tax-payers in general. I submit, Sir, that the principle on which this resolution proceeds is a very sound one. There are, to my mind, very serious defects in allowing the existing system to continue for any length of time. According to the existing practice, the members of a taluk board, about twenty or so in number, elect representatives to the district board for the whole taluk which contains a very large number of tax-payers who are qualified to be voters. This resolution seeks to give the power of election to the tax-payers. If the present system is continued, it will perpetuate a defect by which the will of a very small minority of about 20 or 22 persons is substituted for the will of a very large majority of about 800 or 900 persons. That is a very sound reason why this proposition should be accepted."

"Then, again, very often, conflicts arise between the interests of the district as a whole and the interests of the taluk boards. When such conflicts arise, naturally members elected by the taluk boards are apt to disregard the interests of the district and take into consideration only the interests of the taluk boards. This is an evil which should be got rid of, and it could be done by having recourse to direct election."

"This system of indirect election was the system under which representatives to the Legislative Council were formerly elected. That had been in force ever since Lord Cross' Act of 1892 was passed. That had been in the whole of the time when that Act was in force and also when the Minto-Morley Reforms were in operation. The only difference between the system

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under Lord Cross' Act and that under the Minto-Morley Reforms was that in the latter case the number of those indirectly elected to the Legislative Council was much larger than the number under the former system. Under the older system there were only four representatives for the whole Presidency: two for the Southern group of ten districts, and two for the Northern group of the remaining districts; under the Minto-Morley scheme the number was considerably increased, but the principle of indirect election, namely, election by the members of the municipalities and district and taluk boards, was continued till the new Councils came into existence. It was found by all those who had anything to do with the system of indirect election that it was absolutely indefensible. That is another reason—I submit a very important reason—why the present resolution should be accepted."

"I believe that in the Local and Municipal Conference held at Trichinopoly last year, the president of that conference, the President of the Tanjore District Board, referred in his address to this aspect of the question and said that conflicts often arose in his district board on account of the system of indirect election through the taluk board. When questions involving conflicts of interest between the district board and the taluk board came up for discussion, there was always the danger of the members considering the interests of the taluk board before they considered the interests of the district board. At the Local and Municipal Conference held at Tinnevely this year, over which I had the honour of presiding, this question was considered and formed the subject of a resolution. I believe the decision arrived at by the conference was that a proportion of members should be elected directly by the tax-payers, and another proportion, a smaller one, should be elected by the taluk boards as at present. That was the conclusion arrived at by that conference. It seems to me that the better method will be to have all the members elected directly. I believe that my friend, the hon. the Minister for Local Self-Government, has some scheme under consideration by which the present system will be altered. I believe that his idea is that a portion should be chosen by direct election, and the other by the members of the taluk boards. I beg to second the resolution."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, the amendment which, with your kind permission, I move is—

In place of 'that it is high time that members of the district board should be elected directly and not indirectly by the taluk boards' substitute 'that a portion of the members of the district boards should be elected directly and a portion by the members of the taluk boards.'

"The resolution, as it stands, seeks to have all the members of the district boards chosen by direct election. There are certain apparent objections to have that course adopted. Hence I suggest that we might introduce the principle of direct election without at the same time altering the existing arrangement. That is the effect of the amendment that I beg to move."

"So far as this question of direct election is concerned it has been under consideration for several years; and owing to various difficulties in giving effect to it, it was not allowed to become part of the law of the land. The question was raised by me as early as 1916 or 1917. It was then found that it was inconvenient to introduce a new machinery for the purpose of electing members to district boards, and it was also thought that for the purpose of co-ordinating the work of the various local boards it was preferable to

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preserve the system of indirect election. Subsequently, when the Local Boards Bill came up for discussion, attempts were made to introduce direct election; but, as was pointed out by the mover, these attempts were not also successful.

"After the passing of this Bill, there have been several changes in this country. We have recognized the principle of direct election in the case of elections to all the public bodies (except district boards). We have ourselves been returned to this Council on the principle of direct election. Therefore it is too late in the day to urge any reasons against the principle of direct elections. The question for consideration is whether we should immediately do away completely with elections to district boards through taluk boards or whether the old agency for the co-ordination of the work of the taluk and district boards secured by indirect election should be partly retained.

"I think, Sir, there are several objections for adopting the former course. Apart from the scheme of the present Local Boards Act, there has been a definite connexion established between union boards and taluk boards and similarly between the taluk boards on the one hand and the district boards on the other. So long as these elections subsist and so long as they are to work together as part of one system guided by a central agency, it is desirable that there should be for a long time to come a definite portion of the members of the taluk board. Therefore, it is necessary that we should provide for the election of a portion of the members by direct election and another portion of the members by the taluk board. Difficulty will, however, arise in fixing the proportion to be got from taluk board or by direct election. It is too early for anyone to speculate as to the possible conclusion which can be arrived at in a matter of this description.

"Even if this resolution is accepted by the hon. the Minister for Local Self-Government and accepted also by this House, I believe it is necessary that a referendum should be made to the district boards and taluk boards concerned before the percentage can be fixed. They will be in a position to make definite suggestions as to whether the proportion is to be one-half or one-third. So, this amendment, if accepted, would only indicate that a portion of the members should be got by one process, and another portion by the other process, leaving the details to be worked out after further deliberation. I would, however, urge on the hon. the Minister for Local Self-Government, if this resolution is accepted, the necessity of making a referendum to all the local bodies concerned and ascertaining their views on this important question and then deciding as to the proportion to be fixed between one set of representatives and another set of representatives. With these remarks I place this amendment before the House."

Rai Bahadur T. M. NARASIMHACHARLU :—"Sir, I beg to second the amendment, and my reason is this: Taluk boards have long been accustomed to elect members to the district boards. It is not fair that they should be deprived all at once of that privilege of electing the members to the district boards. The district boards and taluk boards are not separate entities; they are not different and distinct bodies. They are intimately connected, one with the other, in every branch of administration pertaining to Local Self-Government, for instance, sanitation, education, and all those matters connected with the well-being of the people in the district. Consequently, it is desirable that the taluk boards should be allowed to exercise the privilege of sending certain members to the district board. But at the same time it must

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be said that there is no logic in this kind of indirect representation. The union boards have their direct election; they do not send any representatives to the taluk boards. The taluk boards exercise the franchise of direct election; members are directly sent to the taluk boards by the tax-payers. But to the district board that logic has not been extended. It is rather unfortunate that this question of direct election has not been introduced in the last Act. Therefore I submit that there should be a certain percentage of seats fixed for election by the taluk boards and the rest should be thrown open for direct election. At the same time, I cannot agree with the suggestion of the hon. Mr. Krishna Rao that there should be a referendum to the local bodies. So far as the district boards are concerned, it is absolutely immaterial whether the members coming to them come directly from the tax-payers or come indirectly through the taluk boards. So far as the taluk boards are concerned, they will be rather unwilling to part with this long established privilege. Therefore, whom are we to consult? The one is indifferent and the other is interested. Therefore, in a case like this, when the principle is once recognized that there should be a direct election, it is but fair that we should retain a certain percentage in the taluk boards, not because it is logically sound, but because we ought not to deprive them all at once of the long existing privilege. It is only on that account that we are going to retain a certain percentage for the taluk boards for election. Therefore, I submit I do not at all agree with the hon. Mr. Krishna Rao in saying that this matter should be referred to the opinions of the taluk boards and district boards. As I said, the district boards are quite indifferent in the matter, whether their members come directly or through the taluk boards. So far as the taluk boards are concerned, they are absolutely interested in the matter and, therefore, we cannot expect any sound judgment from them. They will not be willing to part with their long existing privilege. I do heartily second this resolution, as amended."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Sir, I was much grieved to hear the sentiments expressed by the hon. Member for Cuddapah, when he said that the members of the district boards would be indifferent in giving their opinion on such important questions and that the members of the taluk boards would be interested. That is a very serious allegation, more especially so, when it comes from a gentleman who occupies the position of president of a district board. Sir, this question had been well discussed when the new Act was passing through the legislative anvil. The old Act provided also for the direct election of district board members which was never given effect to, but that was replaced by the then proposed Bill. Somehow, on account of certain strong personal views of certain individuals, the Bill was so altered, that the idea of either a wholly direct or a partially direct election to the district boards was entirely abandoned. And now the Act, as it stands, only provides for indirect election.

"Now, Sir, in connexion with this question of direct election, we have got, first of all, the newly constituted district boards that came into existence under the new constitution only in the month of April or May. I do not think it is right and reasonable that the newly constituted district boards should at once be dissolved and the principle of direct election introduced. We have got various questions to consider in this connexion. One is whether we should keep the district board as a completely separate unit and as different from the taluk boards. Now we have got a rule that a member of

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this Council cannot be a member of the Imperial Council. Whether the same rule is to prevail in the case of taluk boards and district boards is therefore my question; and that has to be taken into consideration if we want to keep these two bodies distinct from each other. My personal view is that the functions of these two bodies are completely different. They have not what we call overlapping functions under the existing Act. Their powers of taxation are quite different. And it is always a wholesome principle that persons responsible to the tax-payer must represent directly the interests of the tax-payer.

"Now, there is a peculiar feature in the matter of taxation. As regards land cess, some portion of it is by statute divided between the two local bodies, and the two local bodies are given clear and separate powers of additional taxation under the same source and to devote the additional tax for separate purposes. So far as the additional taxation goes, the additional tax raised for district purposes is quite different from the tax raised by the taluk boards. Under these circumstances, I think the best way to deal with the question will be to make a referendum to all the taluk boards and district boards and call for their opinion as to whether they prefer direct election to indirect election and whether direct election shall be wholly direct or partially direct and whether members of the taluk boards shall be allowed to stand for election in case of direct election to the district board or given the option of continuing in one or the other. Unless these things are ascertained beforehand, we shall not be justified in coming to any definite conclusion."

The hon. the RAJA OF PANAGAL:—"Sir, according to section 47 (1) of the Local Boards Act, election of members to the district boards is indirect except in the case of those boards which have no taluk boards within the area of their jurisdiction. This question of direct and indirect election to the district boards was discussed at considerable length in the Legislative Council when the Act of 1920 was on the legislative anvil. The Select Committee appointed to consider the Bill came, after protracted discussion, to the conclusion that the election should be indirect. The main reason for coming to that conclusion was that the interests of the taluk boards and the district boards are practically identical, and that the election of the elected district board. Now, Sir, since the Act came into force, opinion seems to be gaining strength in favour of direct election. And recently at the informal meeting of some of the presidents of the district boards, the presidents who attended the meeting were of opinion that it is desirable to have at least a proportion of members of district boards elected by direct election. I have also discussed this question with the Advisory Committee, but that Committee was not able to arrive at any definite conclusion. Besides, the question is one that concerns not only the district boards, but also taluk boards. In these circumstances, I think it would be premature to commit the Government to any definite policy without those interested being consulted. I am in sympathy with the principle underlying the resolution so strongly supported by the members who have taken part in this discussion."

"Sir, the question is just now engaging the attention of the Government, and in fact this particular question is being considered in connexion with the proposed general amendments of the Local Boards Act. I shall, however, take time and refer the

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question to the parties concerned for opinion, and in the light of that opinion the Government will be in a position to come to a definite conclusion. I hope, with this assurance, my hon. friend will withdraw his resolution."

The RAJA OF RAMNAD:—"May I ask the hon. the Minister for Local Self-Government whether the reference to the district boards will be only as to the proportion of members elected directly and by taluk boards, or as to the very system of direct election?"

The hon. the RAJA OF PANAGAL:—"The reference will be whether in the district board elections, direct election should be introduced, and if it should be introduced, in what proportion."

MR. R. SRINIVASA AYYANGAR:—"Mr. President, though I am inclined to agree with the mover of the resolution with respect to the principle underlying this proposition, yet viewing the matter practically and from a business point of view, it seems to me that there are various considerations which incline me to give my support in favour of the amendment now before the House. I do not mean to say that the time has not come, or that the time is a long way off, when we should see our way to recognize the principle underlying the motion before the House, but it seems to me that we can afford to wait. The original motion seems to me to be in the nature of a large demand upon the House and that we are called upon to move a little too fast not caring for those bodies who have been exercising their privileges for a long time. But the amendment proposed by my hon. friend Mr. Krishna Rao furnishes a half-way house, if I may say so, between these two extremes and therefore that impels me to give my assent to the amendment before the House. For, once this principle is recognized, it enables us not only to recognize the principle of direct election, but also to prescribe a certain percentage by means of which we may be enabled to carry out that principle. Now, as it is, the wider electorate is not given any voice in the matter of sending its representatives directly to the district boards. Now, let us take one particular district which contains about 108 taluk board members. They have a right and the privilege of returning 27 members directly so far as they are concerned—I use the term in quite a different sense. These 108 members, and no more, are given the right of returning 27 of them to the district board, and there is absolutely no reason why a different electorate or constituency should not be erected or constituted for the purpose of sending to the district board as their representatives a certain percentage of men. Now let us take the South Arcot district. The taluk boards, in their turn, return 27 members to the district board and there is absolutely no reason as to why at least 50 per cent of that number or ten at least among them should not be returned directly by the people themselves, and therefore there is a principle underlying the amendment of my hon. friend Mr. Krishna Rao, and on the question of principle and practicability as well, I deem it necessary to give my assent to the amendment before the House."

"MR. P. C. MUTTU CHETTIYAR:—ஐயா, டிஸ்ட்ரிக்ட் போர்டு மெம்பர்கள் தாலுகா போர்டுகிலிருந்து எலக்ஷன் செய்யவேண்டுமென்பது புதிதாக லோகல் போர்ட்டு ஆக்ட்டு உண்டு பண்ணும்போது (நேராக) அவ்வது டைரக்ட்டு எலக்ஷன் இருக்கப்படாது என்பதை உத்தேசித்தே, தாலுகா போர்டு மூலமாக இருக்கவேண்டுமென்று தீர்மானிக்கப்பட்டது.

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“அது சரிதானவென்று இப்பவும் யோசித்தால், முக்கியமாக தாலுகா போர்டுகளின் அவசியமே, டிஸ்ட்ரிக்ட் போர்டாக இருக்கிறது. அதற்கு நேராக வர விரும்பும் கனவான்கள் தாலுகா போர்டின் விஷயத்தை எப்படி அறிவார்கள்.

“தாலுகா போர்டுகளை கௌரவமாய் பாவிக்கப்பட்டாலொழிய தாலுகா போர்டின் கேஷமத்துக்கு வேறு காரணமில்லை. தாலுகா போர்டு மெம்பர்களும் அந்தந்த சர்க்கில்களில் ஜனங்களால் தேர்த்தெடுக்கப்பட்டதே.

“ஆகையால், தாலுகா போர்டு மூலமாக எலக்ஷன்களேண்டியது தான் நியாயம். ஆனால் சில டிஸ்ட்ரிக்ட் குரூப் கான்பரன்ஸில் இந்த சமாசாரம் வருவதை உத்தேசித்து நான் கொஞ்சம் இணங்க நினைக்கிறேன்.

“முன்னடி ஒவ்வொரு டிஸ்ட்ரிக்ட் போர்டு, தாலுகா போர்டு அபிப்பிராயங்களையும் கேட்கவேண்டியது. என்னுடைய அபிப்பிராயம் தாலுகா போர்டு மூலமாக மேஜர் பாகம் அதாவது சில் 2 பாகமும டிஸ்ட்ரிக்ட் போர்டுக்கு நேராக சொல்ப பாகமுமாக எலக்ஷன் இருக்க வேண்டுமென்றும் அவ்விதமாய் யோசிக்க வேண்டுமென்று என் அபிப்பிராயம்.”

The DEPUTY PRESIDENT:—“Does the hon. Member Mr. Gopalakrishnaya accept the amendment?”

Rao Bahadur K. GOPALAKRISHNAYYA:—“In regard to the speech of the hon. the Minister for Local Self-Government, I should like to make a few remarks.”

The DEPUTY PRESIDENT:—“Does the hon. Member wish to reply?”

Rao Bahadur K. GOPALAKRISHNAYYA:—“Yes, Sir, I am the mover of the resolution. It will be seen, Sir, that the amendment that is proposed by Mr. Krishna Rao rather complicates matters, but anyhow, as the hon. the Minister is disposed rather favourably towards conceding the principle involved in this resolution, I feel very strongly, Sir, that the matter need not be referred to the district boards as the majority of the members of this Council are composed of gentlemen chosen directly by the electorates which under the consideration of the Advisory Committee, and if he is really anxious about it I do not want to stand in the way of making a reference to the district or taluk boards, though personally I do not think it would serve any good or useful purpose. But if he concedes the principle that is involved in this resolution, I do not want to stand in his way as regards details. He may refer the matter to the district boards or the Advisory Committee; and how best the principle would be translated into action is a thing which I would certainly leave to the hon. the Minister. But I should like to know beforehand whether the principle is conceded by the hon. the Minister.”

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—“Entirely?”

Rao Bahadur K. GOPALAKRISHNAYYA:—“Whether entirely or partly I do not mind at present.”

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The hon. the RAJA OF PANAGAL:—“Mr. President, there seems to be a misconception on one point. My friend the hon. mover seems to have understood me to say that I had given an absolute reply sympathising with the object of the resolution. What I said was that I had no objection to incorporate it in the amendments proposed by myself. After the Amendment Bill is introduced into this Council, there will be different stages through which it will have to pass. There is the Select Committee stage, and when the Bill is referred to it, it has to consider all amendments, and if the Select Committee of this House is in favour of this amendment, then of course there will be no trouble and the amendment will be on a fair way of being passed.”

Rao Bahadur K. GOPALAKRISHNAYYA:—“Sir, the position is now cleared and I therefore do not want to press this resolution.”

The resolution was by leave withdrawn.

Exemption of depressed classes from payment of tree value on lands.

Rao Bahadur M. O. RAJA:—“Sir, the resolution which stands against my name runs as follows:—

26. That this Council recommends to the Government that for the coming five years, in the case of the depressed classes, the payment of the value of the trees on the lands assigned to the members of these communities be exempted.

“Sir, my resolution is a very modest one. Hon. Members of this Council know very well that the communities referred to here and represented by me are very poor and at the time when they start life, it is not possible for them to pay the value of the trees on these lands. One reason why I move the resolution is to get an assurance from the Government that the poverty of my people and their inability to pay the value of the trees on these lands will not stand as a bar to their getting such lands assigned to them. The number of cases that have come to my notice in which my men were not able to pay the value of trees on these lands are many, and in such cases the lands were given to some other people. I want to prevent such a thing, and that is the reason why I move this resolution. I have no objection to the Government themselves taking these trees, and if the Government want to cut these trees and take them to the fuel market, by all means they can do so. But what I say is that the inability of my people to pay the value of the trees should not stand in the way of assigning these lands to them.”

Mr. B. T. KESAVALU:—“I second this resolution, Sir.”

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—“Sir, I am sure the hon. the mover of this resolution whose unabated interest on behalf of the depressed classes is unquestionable, does not in the least intend to detract from the privileges which his community in common with other poverty-stricken communities is already enjoying. The existing orders of the Board of Revenue relating to the recovery of the value of trees on lands which are assigned to applicants are contained in the orders of the Board of Revenue. It was felt that some poor people might not be in a position to apply for lands on which there were trees on account of the value of the trees forming part of the assignment. The question was very carefully considered and as a result of it the Government have modified the rules to the extent of authorising the tahsildars, revenue divisional officers and Collectors to grant exemptions from the payment of tree value in all

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deserving cases of poverty. The tahsildar is given the power to exempt up to Rs. 50; the divisional officer is given power to exempt up to Rs. 200; and the Collector is given large power. The power is not for the purpose of exempting for a fixed period, but it is for exempting indefinitely the poor from the payment of the value of trees. So, if I should be inclined to accept the resolution of the hon. mover, I will be doing a piece of injustice to the depressed classes, for in their case only will it mean that the exemption will apply only for a fixed period of five years after which it will lapse; whereas in the case of other poor communities it will last as long as the Standing Orders last. I do not at all imagine that the hon. mover of the resolution has had that intention in his mind at all. I may at once draw his attention to clause 14 of Standing Order No. 15. This Order was revised very recently and published for information. Presumably, the hon. Member was not in possession of the revised Standing Order, for if he was, I do not think he would have tabled this resolution at all. To make myself absolutely sure and certain as to whether I would be doing any injustice to the cause of the depressed classes, whose interests let me assure the hon. Member I have always at heart, I consulted the Labour Commissioner as to whether in the light of the resolution that has been tabled he has got any specific recommendations to make. The Labour Commissioner distinctly and definitely gave the opinion that the present rules on the subject are sufficient to meet such cases. Therefore, Sir, this is not only the interpretation which I have put on the rules, but the Labour Commissioner is also of the same opinion, namely, that the rules as they stand are decidedly favourable, and if they are subjected to the modification suggested in this resolution, they will be, I am afraid, operative in the opposite direction, and I hope my hon. friend will not press this resolution."

Mr. S. T. SHANMUKHAM PILLAI:—"Will the hon. the Revenue Member enlighten me as to whether by depressed classes is meant only the community to which the mover belongs, because there are depressed classes in almost all communities?"

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"The rule, as I told you, is not confined to depressed classes. The rule is applicable in the case of all individuals who come under the category of poverty, whether they happen to belong to the depressed classes or the elevated classes."

Rai Bahadur T. M. NARASIMHACHARLU:—"Including Brahmans?"

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"If they can bring themselves under the definition, yes. These rules do not recognise Brahmans or non-Brahmans. If one is poor, one can, as a matter of right, claim it."

At this stage the Council adjourned for lunch and re-assembled at 2-30 p.m.

Rao Bahadur M. C. RAJA:—"Sir, I thank the hon. Member in charge for the sympathetic speech he has delivered this morning. But I should like to impress upon his mind that these rules are merely in the Board's Standing Orders and the rules are not given effect to by the officials concerned. I know a good many cases where these rules have been honoured more in the breach than in the observance. My request to him

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therefore is that he should once again send an official reminder or a circular to the heads of the various districts so that they may give effect to the rules. I understand that the rules have been revised but I am not in possession of them. I do not know if that is my mistake. As long as the subject is in the hands of the hon. Sir Muhammad Habib-ul-lah I have no doubt he will do all that he can.

"I therefore beg to withdraw my resolution."

The resolution was by leave withdrawn.

The following amendment to resolution No. 26 was not moved and was therefore deemed to have been withdrawn:—

Mr. B. MUNISWAMI NAYUDU:—

After the words 'depressed classes' insert the words 'and other landless labouring classes such as Pallis, Yenadis, Woddars, etc.'

The following resolutions were not moved and were therefore deemed to have been withdrawn:—

Mr. C. RAMALINGA REDDI:—

27. That this Council recommends to the Government that a special tribunal consisting of one or more High Court Judges be appointed to examine into the legality or otherwise of the sentences passed in this Presidency in criminal cases instituted against non-co-operators in which the accused did not defend.

Mr. A. P. I. SAIYID IBRAHIM RAVUTTAR:—

28. That this Council recommends to the Government that the already existing cadre of Supervisors and Sub-Assistants need not be altered either by the suppression of one or by the increase of another.

Powers of the Agency Commissioner to deport individuals.

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Sir, I beg to move the following resolution:—

29. That this Council recommends to the Government to take steps for taking away from the Agency Commissioner the special powers under section 2 of the Madras Regulation II of 1819 and under section 7 of Madras Act No. XXIV of 1839 now possessed by him to deport individuals from the Agency districts.

"Sir, the question of repealing some of the repressive laws of the country is under examination by the Government of India. A committee has been appointed and I believe they have already submitted a report and the general question as to how far repressive laws have to continue is being examined and I believe very soon necessary action will be taken by the Government of India and instructions will be issued to the Local Governments to effect changes in the direction. Of course that covers the general question of continuing the repressive laws in the country. There is one particular aspect of the question as far as the Agency districts are concerned. In all other places it is the Government that deals with the application of the various Acts. Formerly the Agent to the Governor was given powers under the Act to deal with individuals and for all practical purposes he has got the same powers as the Local Government have got to deport. That particular aspect has to be dealt with in this resolution. The reason why I have

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confined myself to this particular aspect of the question I have already explained. I am not quite sure whether that particular aspect is being dealt with by the Government of India. And therefore I feel it is necessary that this Council should express our opinion regarding the desirability of continuing certain provisions. This question was taken into consideration first in the year 1908 or so by Mr. V. Krishnaswami Ayyar when he was a member of the old Council. Then one Mr. Mohana Santio of Nowrangapur was deported and there was much feeling expressed against the reasonableness of the deportation. Then again in about the year 1913 one Mr. Appanna Dhora of Parlakimedi was deported. His case was a curious one and proceedings were first taken against him under the Criminal Procedure Code for security and those proceedings failed entirely. Even after the failure of those proceedings the then Agent took action under these special provisions and deported him. Now the main question for consideration is whether such powers should be given to the Agent. Of course now the term Agent to the Governor has become obsolete after the formation of the Agency district and the corresponding name is Agency Commissioner. I am not perfectly sure whether there is any legal enactment allowing such terms. I know that the question was once raised by Mr. S. Srinivasa Ayyangar when he was a member of the Council and the question was proposed to be examined and if necessary a legislation also be introduced regarding the application of these powers by the Agency Commissioner. Now the Agency is well developed as compared with the conditions in the year 1839. Whatever be the reasons then for delegating these powers to the Agent I believe they do not exist at present. Apart from the question whether repressive laws ought to be continued in the country or not this question requires special examination by the Local Government. To deprive the liberty of an individual by a subordinate authority like the District Magistrate or Agency Commissioner is the most undesirable thing. This person that is generally concerned with the area has his personal likes and dislikes and it is therefore necessary that a higher authority should use the discretion. With these words I move the resolution."

Mr. M. SURYANARAYANA:—"I beg to second this resolution moved by my friend Mr. Narasimha Raju. The resolution simply recommends to the Government to take steps for taking away from the Agency Commissioner the special powers under section 2 of the Madras Regulation II of 1819 and under section 7 of the Madras Act No. XXIV of 1839 now possessed by him to deport individuals from the Agency districts. I was wondering as to why my hon. friend has not worded this resolution for a repeal of the two regulations altogether, to take away the powers of deportation from the Governor and not merely from the Agency Commissioner exercising the powers of the Governor in the Agency tracts. But I now understand from his speech that he thought that as these repressive measures are now being considered by the Government of India it is quite possible that these things also might be considered by them and therefore that it might be premature for him to ask for a repeal of these laws at present. Although it might be that in the early part of last century it was necessary to invest the Government with such powers and special jurisdiction for the purpose of deporting men without enquiry and in this century, in the year 1922, when Swaraj is almost in sight that that regulation should be in existence which authorizes His Excellency to deport any person without recording any evidence, without being brought before an

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ordinary tribunal and undergo a trial is certainly too much. And to say that these powers of His Excellency should be delegated to a district official is certainly much worse. Instances of this sort, as pointed out by the hon. the mover, do not frequently occur; but it is certainly unreasonable that there should be even one single instance in which His Majesty's subjects should be deported without recording any evidence. It is therefore high time that these provisions of law should be abrogated and this authorizing of the Governor's Agent should be taken away. We are not now discussing the major question of repealing the Acts, but we are only dealing with the question whether the powers delegated by the Governor should continue. I hope and request the Government will accept the resolution."

The hon. Mr. A. R. KNAPP:—"I am glad to be able to tell my hon. friend sitting opposite to me that I am not going to oppose this resolution. I am glad also that the mover has told us what he means by the wording of the resolution, to be taken literally. When I read the resolution, I was not quite certain that he did not mean to discuss the whole question of the powers of Government under Regulation II of 1819. However, as he is restricting himself to the strict terms of the resolution, I shall do so too. I am glad to be able to tell my hon. friend that in certain legislation which the Government are proposing to bring forward, and which was referred to by the hon. the Law Member the day before yesterday, viz., the Agency Bill, it is proposed to take away the powers hitherto exercised by the Agency Commissioner. I do not think I need detain the House any further. The hon. the mover of the resolution may accept my assurance that what he wants is going to be provided for by legislation."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I should like to know from the hon. Mr. Knapp one or two matters relating to this vital question of the powers of the Governor to deport men from the Agency tracts. It is true that the resolution, as worded, is strictly confined to the question of the powers of the Agency Commissioner to deport persons from the Agency tracts. But it has been pointed out by my hon. friend Mr. Suryanarayana Pantulu that the wider question whether the Governor should continue to exercise this power still remains, and I may say that when the hon. the Law Member brings forward his Agency Bill, we hope to have an opportunity of either opposing it or supporting it just as he proposes a continuance of those powers or not. Sir, if the Local Government have considered this question and, so far as I know, a reference was made to the Repressive Laws Committee on this question of deporting, and if the hon. Member has no objection, we should like to know the exact position taken up by the Government in reference to the recommendation made to the Repressive Laws Committee on this question of deportation. This question has been agitated in this Council for a good long time, and I think we are entitled to ask for this information. If the hon. Member would have no objection, we should be glad to know what course the Government has taken or is taking."

The hon. Mr. A. R. KNAPP:—"I am afraid, Sir, that it is hardly possible for me to comply with the suggestion of my hon. friend at the present moment and disclose the contents of this proposed Bill. It is now under correspondence with the Government of India, and we are not entirely agreed as to the terms of the draft. But I can say that when the Bill comes up the hon. Member will have a full opportunity of discussing the whole

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question as to the special powers of Government in the matter of Agency State prisoners."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I think it is accepted by the Government."

The hon. Mr. A. R. KNAPP:—"I accept the resolution."

The resolution was put and carried.

Appointment of Indians to the Board of Revenue, etc.

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I beg to move the following resolution:—

30. That this Council recommends to the Government that at least one Conservator of Forests, one Deputy Inspector-General of Police and one Member of the Board of Revenue be Indians.

"A new departure has been made by the Government accepting the proposition that was moved previously to this, and I hope that will not be the only example. I find the resolution as it is worded may probably excite discussion on three subjects. But the principle underlying the whole is the same. This is as it were a test to find out the opinion of the Government on that principle, as a very mild and modest example towards the Indianization of the services. I do not want to deal with the appointments according to the order given in the resolution. But I will just say a few words upon two of them.

"I will first take the Conservator of Forests. The fact that I am proposing this resolution does not mean that I entirely approve of the necessity of having these intermediate appointments or of the necessity of having six appointments where it was only four till recently. But what I am now aiming at is that even if the Government thinks it necessary to have six, one at least of these should be an Indian. I am sorry, Sir, Mr. Cox is not just now here to advise the Member in charge. But if the previous correspondence in this matter when that number was increased to six is looked into, there will be no doubt whatever that it was clearly understood at that time that one at least of the two additional appointments should go to an Indian. So far as this matter is concerned, I may say this is also not a new question. Last year, Mr. Mascarenhas, whose experience in the Forest Department is very great, raised this question, but unfortunately that was at the very end of the session, and for some reason or other he withdrew it at that stage with a view to bring it later on. The Member in charge, Sir Lionel Davidson, went so far as to say then that there was not even one man in this 300 millions of population in India that was fit to hold the office of Conservator of Forests."

The hon. Mr. A. R. KNAPP:—"May I ask the date when this discussion exactly took place?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"The resolution was discussed in March 1921. If it had been in last March, we would be debarred from

"I do say, Sir, that Lionel Davidson speaking from his responsible position in this House said, when the proposition of Mr. Mascarenhas was moved, that the reason why they could not accept that resolution was that they were obsessed by two things. One of them was that if the appointment was given to an Indian it will have to be given only to an unfit person. To paraphrase

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clearly, it means that there was no Indian fit to hold this important post of Conservator of Forests. I raised that question again, Sir, after giving due notice to Sir Lionel Davidson at the time of the budget debate—thanks for small mercies. Then Sir Lionel Davidson gave up the theory of the unfitness of Indians, but blamed the education that was given in India."

The hon. Sir CHARLES TODHUNTER:—"May I ask the hon. Member to refer us to the actual words of Sir Lionel Davidson. I have the report of the debate here, but I find no such statement."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I am sure if the hon. Member will read it he will agree with my paraphrase."

The hon. Sir CHARLES TODHUNTER:—"I venture to say that there is nothing in it that bears out the hon. Member's statement."

Mr. C. V. VENKATARAMANA AYYANGAR:—"If there is nothing like it, then I will certainly withdraw my statement. I am sure he said to this effect, 'if you adopt it you will have to appoint unfit people.' The paraphrase of it is, I say, that no Indian is fit to hold that post."

The hon. Sir CHARLES TODHUNTER:—"Might I remind the House that the debate on that occasion was on the question of the reservation of posts for officers of the Provincial Forest Service, and that the matter now in issue was not then under discussion."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Thank God! The hon. Member admits practically the correctness of my statement. Now, the difference is only in the wording of this resolution, the other was a little different from this. That was Provincial Forest Service as against Imperial Service. I take it that most of the Provincial Service officers are Indians. The word 'Indians', so far as the Forest department is concerned, also includes the word 'Anglo-Indians.' It was said then that to appoint one Indian will be to appoint one from the Provincial Service men which will be giving the appointment to an unfit person."

The hon. Mr. A. R. KNAPP:—"May I explain it, Sir? What was said was that to give the appointment to any other man outside the Provincial Service would be to give it to a man who was not fit for promotion to the Imperial Service. That was the idea. There seems to be a certain amount of confusion about it."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Absolutely no confusion so far as I am concerned, because if the hon. Member had waited for some time I would have come to the stage of Provincial Service. I was only dealing with the Imperial Service stage. Let me proceed, Sir."

"What I want to say is this: at the time of the budget debate that plea of fitness and unfitness was given up so far as the personalities were concerned. The other thing that was blamed was that the education that was given in India was not such as to make the Indian fit to hold the place of Conservator of Forests. All I can say is we have had recently the help of the discussion on this point and the defeat of the Government in the Imperial Legislative Assembly as to whether these people should be given education here or in England. Apart from past history, we will go into the merits of this question. I might briefly deal with the so-called promotion of the Provincial Forest Service men to the Imperial Service. When this question

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was gone into, a certain number was fixed for these Provincial men in the Imperial Service, and for some reason or other there was a large number of posts in the Imperial Service left vacant. But at that time they thought the best way of pleasing the Indianization people was to promote some people from the Provincial Forest Service to the Imperial Service. What was the result? Many people who were at the top of the Provincial Service were made to come to the bottom of the Imperial Service ladder. I do not want to go into the whole question, but I may say this. To become a Conservator of Forests every Provincial Service man must live at least for 150 years. The reason is that the people who were recruited in England for the Imperial Service are very young when they come here, and the people that are recruited from the Provincial Forest Service according to seniority are 50 or 55 years old, but they would get only their then grade pay, so that a man from the Provincial Service, though he was at the top of the ladder there, will get only Rs. 750, whereas the Imperial Service people will get that Rs. 750 in three or four years. To speak more plainly, the Imperial service man coming from England draws Rs. 750 at the age of 25, and the Provincial service man gets his Rs. 750 when he is 55 years, and if you are going to promote according to seniority, is it possible in human nature that all those young men will die or go away so that they may give place to men of 55 to create seniority. It is impossible from any point of view. If they stick to this process of promoting people capable of being promoted to the Imperial Service, and if they are to be promoted to the same grade of pay which they are getting now, and if the posts of the Conservators of Forests are filled up according to seniority, then the present age of Provincial Service Indians, as I will call them, is not enough, and it will be impossible for these people to get the position of Conservator of Forests. It is only looking at that grievance that in various other departments appointments have been listed. If, for instance, a Deputy Collector who after several years service is to be promoted to the Collector's grade according to seniority, I do not know whether anybody would get in there, because the Indian Civil Service people will be certainly senior men as they come in earlier in their age, whereas the Deputy Collectors could get to that pay of the Imperial grade only when they are almost retiring. So a very good principle has been observed that if you really want to give any higher appointment to the officers of the Provincial Service in any department, not in letters, not in speeches, but in action, it must be only by this listing that has been done by almost every other department, the Revenue department, the Police department and the Judicial department, etc. Therefore, unless at least one post of Conservator of Forests is reserved for an Indian, it would be impossible to say, if we can only judge from facts, Sir, when this transformation of a Provincial Forest man into an Imperial Service man will ever take place. It was understood that the number to be promoted should be about eight, but for some mysterious reason only seven were found fit. But alas! because of the question of fitness the poor people will have to die broken-hearted or retire!!! Whereas the number appointed was seven, three of them have gone away and one was replaced—I speak, of course, subject to correction—so that eight was the number appointed, was the number appointed and the number now is five.

"I need not give instances, Sir, as to whether Indians are fit or not. 3 p.m. I may just remind the hon. Member in charge of the rule relating to this. There are what are called major districts which include not merely posts of district forest officers, but also the posts

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of conservators, and there is no special grade for conservators. Conservatorships come under the category of major districts, and if you look into the biography of many of these aggrieved Indians, you will find that they have been holding major districts for several years. Some time back the services of a gentleman from Malabar, a very good forest officer of this Presidency, were lent to Travancore as conservator of that State. He was one of those promoted to the Imperial Forest Service at a very early date. He was considered to be fit to be recommended to the Travancore Government as conservator, but he was one of those who were considered unfit to hold a conservator's place in this province. Is it a wonder, Sir, that he should have died broken-hearted? I can give very many instances more like that. There was another member of this Forest Service who was considered fit to be in charge of the Special Investigation Department and probably—I am subject to correction—he was appointed over the heads of some of the European members of the Imperial Forest Service, and I do not think he would be found wanting for a conservator's place. It is all easy for the Government to say that not now but for several years to come there will not be one Indian fit to hold a conservator's place. It may be pointed out that there is a great difference between the Imperial Forest Service and the Provincial Forest Service. I admit that. But that is a difference without distinction. It may be, there are some Indians going to England and are recruited from there. But I say we must ignore the efficacy of recruiting Indians from England. We must at least get one-sixth of the total number of posts listed for Indians. At least one Indian should be found fit to hold the appointment. As for the Education system, I would rather not say anything. It will be quite relevant, because it is said that no Indian unless he has got a training in England should hold these appointments. An officer trained in the types of wood in England such as oak, pine, etc., will not be able successfully to deal with the trees which our forests abound in, such as teak, ventak, pillamaruthu, etc.

"As regards the Board of Revenue, questions of education or fitness will not come in. Persons have been found fit to hold membership in the Board of Revenue and the highest appointment in that department is held by an Indian gentleman. Sir, this question was raised in the old Council as early as the nineties, I believe by Diwan Bahadur Raghunatha Rao, and it was practically agreed that one member of the Board of Revenue should be an Indian. But the objection came to the word 'listing.' The Government said that they did not want the word 'listed' as the Secretary of State had extraordinary powers of appointing anybody to any post. The matter was dropped there. It was revived again very recently, and under the extraordinary powers of the Secretary of State an Indian Muhammadan gentleman was appointed to the Board of Revenue. Has it been said that he has been found wanting? But unfortunately on account of his death he did not stay there as long as might have been expected. That experiment—experiment is a big word now—has proved a success. Thank God, no one will come now with the plea that that particular gentleman failed; on the other hand, if any one is allowed to look into the confidential papers, it will be admitted that that gentleman did extraordinarily good work. Therefore, Sir, we have no faith in the experiment of using the extraordinary powers of the Secretary of State. Secretaries of State are coming and going. The declared statements of His Majesty are being converted into experiments and now we have the words of the past Secretary of State being attempted to be brushed

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aside in some cases by the present Secretary of State. Therefore, unless a rule is passed that one-third of the present strength of the Board of Revenue should be listed, there is no hope. Sir, I think, I have given sufficient reasons in support of my proposition on this point also.

"There is one thing more to be said and that is about the Deputy Inspector-General. That is a big word no doubt. Having given my reasons for the above two cases, I do not think I need trouble the House on this last one. No doubt, the experiment has not been tried here. Indians are appointed as Deputy Superintendents of Police and District Superintendents and also in the Criminal Investigation Department, which is more important than the ordinary police, and they are found to be much more successful than the Europeans, especially in the latter department. Though we wish to abolish the posts of Deputy Inspectors-General of Police, so long as that appointment is there, I do not see any reason why one such post should not be listed. I am reminded that there are two Indians as District Superintendents but my impression is that there is only one. Looked at from any point of view there can be no doubt whatever that my demand is a very modest one. It would serve as a test of the real *bona fides* of the Government on this question of Indianization. With these few words, I leave the matter in the hands of the hon. Member in charge and the House if necessary."

Rai Sahib E. C. M. MASCARENHAS:—"I beg to second the resolution."

The hon. Sir CHARLES TODHUNTER:—"Sir, this is a resolution upon which it is exceedingly difficult to find anything new to say unless it be to pay a tribute to the persistence and the ingenuity with which the hon. the mover succeeds in keeping his King Charles head of a grievance upon the Council table. Whether it be by an annual resolution on the subject or by a motion on the budget or by questions skilfully introduced at the intervening meetings, he succeeds in contriving that scarcely any meeting of the Council passes without our hearing him on the subject and generally in much the same terms. Having recently read his former speeches on the case, I found much in what he has said to-day that echoed them, though I missed his description of the cedar as an indigenous English tree."

"Sir, I think we all agree in respecting the desire of Indians to take over the control of their own services, just as we respect the desire of the Muhammadans or the non-Brahmans to increase the share that they have in those services, just as we respect the desire of the Adi-Dravidas to increase the small share which they have so far taken. But, Sir, whether we are dealing with Indianization, or non-Brahmanization, or Muhammadanization or Adi-Dravidization, I think we are all agreed that, as is indicated in a Government Order that has recently been issued, the points at which the process must begin are the points at which initial recruitments are made. Now, as regards Indianization, anybody who has read Sir William Vincent's speech—and I do not think there is anybody here who has not read it—will realize that the pace of Indianization at the stage of initial recruitment is very much faster than was contemplated either by the Public Services Commission or by the authors of the reforms. And, when you have the proportion increased at the stage of initial recruitment, you must automatically arrive in course of time at the result at which the hon. the mover wishes to arrive. As the number of Indians in every grade is increased, there will arise a large number to be selected from in the higher grades and so a larger number from which to select for the highest appointments."

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"That axiom being admitted, there remains no bar of any sort to the promotion of Indians. The appointments which the hon. Member has in mind are selection appointments and selection is made solely on grounds of fitness and in no case on grounds of race. I was amazed to hear the hon. the mover say that there was no question of fitness in the case of the Board of Revenue."

MR. C. V. VENKATARAMANA AYYANGAR:—"I said 'fitness of Indians.'"

The hon. Sir CHARLES TODHUNTER:—"I made a note of the hon. gentleman's remarks at the time. But if he concedes that for the Board of Revenue members are selected on grounds of fitness and not on account of old age, or other similar reason, then so much the better."

"Lastly, Sir, I should like to refer to a technical point, and that is that the resolution takes the form of a recommendation to the Government. It is not really a matter within the power of the Government to order that a certain specific number of appointments shall be made from a particular race. The prerogative of appointment lies in the hands of His Excellency the Governor, and when I have said that I am sure that the whole Council will agree that it lies in hands from which nothing but impartial justice will be received."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I wish to say one word in support of the resolution. When my friend the hon. Sir

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Charles Todhunter rose to reply, as I have been accustomed to listen to Sir Charles' speech in the past, I naturally expected a wealth of reasoning with which we could be convinced to vote against the proposition, but I am sorry to say that I have been very much disappointed in that hope. Thus, I take it that, so far as reasons are concerned, there are none forthcoming against the resolution. Then, from the point of view of expediency, I believe it will be admitted on all hands that in these days it is desirable that there should at least be one Indian as conservator in the Forest Service and one as member in the Board of Revenue. I am not so very particular with reference to the appointment of an Indian in the ranks of the Deputy Inspectors-General, but if that also is possible, so much the better. In any case, in giving my vote upon this resolution, I am going to give it in support of all the three appointments referred to by my hon. friend."

"The hon. the Finance Member said that these appointments are really a prerogative in the hands of His Excellency the Governor and that we may naturally expect justice at his hands. I entirely agree with him. The object of this resolution is to strengthen the hands of His Excellency in whom this whole House has entire confidence, and I am confident that if this House passes this resolution unanimously, His Excellency will not be slow in acting upon it. My friend Mr. Venkataramana Ayyangar has moved the resolution in his own way and although I do not agree with him in all the sentiments that he has expressed, I agree in the conclusions that he has arrived at and which he has requested the Council to adopt. By having one Indian conservator and one member in the Board of Revenue and if possible one member in the ranks of the Deputy Inspectors-General of Police, certainly the interests of the Government are not going to suffer. I do not want to pay any compliment to anybody, but I believe that the interests of the Revenue Department did not suffer by the appointment of the late lamented Aziz-ud-din Sahib as a member of the Board of Revenue. The appointment of Indians as Cabinet Ministers and as Council Members of the present Government has not in any way either impaired the efficiency of the

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Government or injured the welfare of the country at large. At present, Sir, by the unfortunate speech of the Premier, a speech which was made by him, impelled, as was said by a Member of the House of Commons, by an evil genius, the feelings of all sections of the political parties in the country have been very keenly aroused. If at least the recommendations contained in this resolution are accepted, I am sure that it will go a long way to allay the discontent and serious alarm and apprehension that have been naturally aroused by that very unhappy speech. The arguments in support of this resolution are so plain and are so numerous that, I think, it will be an insult to the understanding of the House if I try to elaborate them. I certainly do not expect all the Members of Government to vote for this resolution. I can very well understand their position. But I hope and trust that the whole House, in any case that part of it which does not form part of the Government and which is not therefore embarrassed, will vote for this proposition."

The hon. Mr. A. R. KNAPP:—"Mr. President, as the representative of the first of the interests concerned in this composite resolution, it falls to me to say one or two words in connexion with the conservators of forests. My hon. friend opposite when I suggested that there was a good deal of confusion in regard to the matter denied it so far as he is concerned. Well, I congratulate him. Personally after reading what was said during the discussion of a similar resolution on former occasions, I am quite prepared to say that I personally find the arguments put forward very confusing, but if he is not confused, then I will only say that in some respects he is misinformed. He stated, e.g., that there were vacancies in the posts of the Imperial Service to which men from the provincial service could be appointed. That, Sir, is not correct. There are seven posts in the Imperial Service at present assigned to the men from the Provincial service and they are all filled up."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I may explain, Sir, I have got a book, called the distribution list of forest officers, corrected up to 1st April 1922. According to that list there are only five posts."

The hon. Mr. A. R. KNAPP:—"My present information is that there are 7."

Mr. C. V. VENKATARAMANA AYYANGAR:—"And it may go up to 8."

The hon. Mr. A. R. KNAPP:—"Now, Sir, the difficulty I have in dealing with this proposal is that neither the hon. the mover of this resolution, nor Mr Krishnan Nayar who supported it in strong terms, has told us exactly how they would propose to carry out the arrangement which they advocate. We are to have at least one conservator of forests an Indian. Do my hon. friends deliberately mean that we are to pick men out from their proper places in the list because they are Indians and put them over the heads of the persons who are above them in the list? If that is the position, Sir, I would like to remind the House that when a more general question of this kind came up last year—the question of communal representation—I had the privilege of distinctly stating on behalf of the Government that while we were anxious to do as much as possible in distributing appointments between the various communities we were not prepared to do an injustice to any individual. I think I may say that my hon. friends on the bench opposite entirely accepted that position. If they

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accepted it then, I cannot see why they should not accept it now. I say that to select a man low down on the list because of his race and put him over the heads of others who are above him would be an injustice which Government ought not to perpetrate. A difficulty in the particular case of the Forest Department is that we have as a matter of policy translated men from the Provincial service to the Imperial service. Whether that was to their benefit or not, I am not quite sure and I gather from the report of last year's debate that Sir Lionel Davidson, my predecessor, was not quite sure either. I do think that my hon. friend opposite is also not quite sure that it was for their benefit. If it is not for their benefit, I should be quite ready to reconsider their position, with a view if they prefer it to replacing them in the provincial service. Whether they would choose that course, I cannot say, but so long as we have these men in the Imperial service, I think Sir Lionel Davidson was quite right in saying that it was impossible to accept the proposal to list a conservatorship for the provincial service. The provincial service consists of junior men who are not thought fit for promotion to the Imperial service. Obviously a conservatorship cannot go to these men to the prejudice of their seniors and better the Indians who have been promoted to the Imperial service. On the other hand once they are there in the Imperial service it is very difficult now to see how they can be put over the head of their seniors in the list. This is the dilemma. The matter is not quite so simple as my friend Mr. Venkataramana Ayyangar imagines. So far as I am concerned, there is no question whatever of Indians being unfit for the post of conservator and I must repudiate, after a careful reading of that debate of 1921, the suggestion that Sir Lionel Davidson then declared that there was not a single man, out of the 300 million people of this country, fit for a conservator's post. On the contrary in 1922 he mentioned that the possibility of an Indian becoming a conservator had come in his opinion quite close. Even, therefore, if he intended in his speech in 1921 to say what is now attributed to him, he must have changed his mind by 1922. That, however, is not the point. If and when it can be done without injustice to others, I, as representing the Forest department, shall have no hesitation in advising His Excellency that an Indian should be appointed as conservator. The point I ask the Council to bear in mind and to support me in, is that in making such an appointment we must not deliberately do injustice to persons already in the service by superseding them on the ground of their race."

The hon. Mr. K. SRINIVASA AYYANGAR:—"Sir, I have to say only a very few words as regards the Deputy Inspector-General of Police. How long he is going to remain I cannot tell you, but in making appointments I think, the principle now enunciated by my hon. colleague Mr. Knapp will be borne in mind. I personally, Sir, would be glad if every office in India is held by an Indian (Hear, hear). But in trying to achieve that object let us not be guilty of injustice to any person, and let us not in any way disturb vested rights. We have been anxious to preserve vested rights whether it is for an Englishman, a Brahman, a non-Brahman, or other Indians. That certainly is my view and I am strongly for it."

"With regard to the Police, recently orders have been issued that 33 per cent of the total cadre of the Imperial service should be recruited from Indians, out of which 11 per cent will be by promotion from provincial service officers. The promotion normally is to be to that of

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the grade of District Superintendent of Police. There is no such thing as listed post now. For, all the 33 per cent of the officers taken into the Imperial service will have the same status as Imperial service officers. I believe the recent order is that all these gentlemen should be appointed by the Secretary of State. On this basis, not two, but four from the provincial service will be Superintendents of Police. Here again we are trying to give effect to it without injustice to the persons who are already there, who are entitled to or who expect to become Superintendents of Police in their turn. I believe it will be possible very soon to have the remaining two also from the provincial service. Apart from that, 22 per cent will be directly recruited into the Imperial service and they will take their rank along with every other person wherever recruited into that service. They will come in at as early an age as any Englishman or any other person recruited elsewhere. They have the same chances as other persons who are recruited into the Imperial service. We need not ask others to die out to give place for them and I hope they won't die of a broken heart. That would be the normal procedure. If the post lasts and I last, the House may be perfectly certain that Indians will get in."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I just wish to say a word in regard to the Board of Revenue. I think I am perfectly sure that most of the vehemence and enthusiasm with which my hon. friend opposite spoke on the resolution does not apply to the Board of Revenue. For he himself confessed in the course of his remarks that the Board of Revenue had already been successfully invaded by an Indian member and that an Indian occupied a membership with distinction and capacity. And therefore I think he will be right if he infers therefrom that Government have had no manner of objection whatsoever to recruit a member to the Board of Revenue from the ranks of the Indian officers, if one was found suitable and qualified for the place. The fact to which my hon. friend has given prominent reference—the fact I mean that the late Mr. Aziz-ud-din filled the position with remarkable intelligence, ability and integrity—a fact which is now acknowledged in this House is indeed a compliment to the great discretion which the Government bring to bear on the selection of officers for the highest ranks. Therefore, Sir, let it not be understood that Government have any racial prejudices in this matter. Let it not be understood that if a qualified Indian is available to fill the place, the Government will have any objection to do so. Let it not be understood that when the highest offices are filled, the mere consideration that the Government will bestow will be the question of race or nationality; but it will be the question, all things being considered, who is the best. If, to the good luck of the Indian community, such an Indian is forthcoming he is sure to get the place. If to their ill-luck, a competent Indian is not found, Government cannot be blamed. May I also add, Sir, that, quite recently, in connexion with a vacancy which occurred in the Board of Revenue, Government duly considered the claims of Indian members? The appointment was definitely offered to Mr. Banerji who, we were expecting, would be joining us in April last. It so happened that he could not so join as he had better offers elsewhere and he had therefore to resign the service in this province. If he had, come we should to-day have had the proud privilege of counting one Indian among the three members of the Board of Revenue. Let me assure the House with

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all the vehemence that I am capable of that, if any Indian is available to fill the place, nothing would give me greater pleasure than to submit his name for the consideration of His Excellency. And if members of this House would go through the pages of the Quarterly Civil List which is available in the Library and suggest to me the name of any Indian gentleman who could be appointed as a Member of the Board of Revenue without doing positive injustice to or without detriment to the claims of others senior to him, I shall indeed feel grateful. It has been asserted often, it has been emphasized even now by my hon. colleagues, Mr. Knapp and Mr. Srinivasa Ayyangar, that we are not carried away merely by the question of colour. Let us not add further complications to this controversy, let us not add now one more, viz., Indian versus European. Let us take it that when we come to a stage when we are able to produce from amongst ourselves men qualified to hold our own against any member of any other community, then we shall claim, secure and retain all the appointments that we feel we have qualified ourselves for. But let us not go begging the question, let us not say: give a place to us as a matter of grace or favour. So therefore if you would only convince me that there is some one amongst Indian gentlemen whose appointment to the Board of Revenue will do no injustice to the claims of others, I shall represent the case for the consideration of the Government. Let me say one word more. Let it not be understood that Mr. Aziz-ud-din was appointed to the Board of Revenue simply because he happened to be a Muhammadan. I have the best authority to say that that was not the fact. On the other hand he was appointed as a Member because he had put in sufficiently long service, he had risen almost to that grade from which it was possible for him to expect to be promoted and above all he was considered fit for the place. If he had been appointed merely for the reason that he was a Muhammadan, I should really have been sorry. Therefore, Sir, I will submit for the consideration of the House the fact that the Board of Revenue has until now not been neglected by the Government, that the question of appointing an Indian to that place has been recently considered and it will continue to be considered by the Government whenever there is a suitable Indian gentleman available for the appointment. The recent introduction of a time-scale of salaries has probably added somewhat to the complications. The House, I do not think, will assert that an officer who has not reached the top of his time-scale should be put over the head of another officer who has done so and is also fit for promotion to the higher rank. All these facts have to be kept in mind seriously before we can agree to the earmarking of any place for any class. Let there be no question of reservation or question of earmarking. I confess the House is entitled to say that membership to the Board of Revenue should not be regarded as an exclusive preserve for a particular class or community and that an Indian by reason of the fact that he is an Indian is unfit to hold a place within the *sanctum sanctorum* of the Board of Revenue. But let it not be understood at the same time that because an officer is an Indian, whatever his qualifications, whatever his service, whatever his other merits, he should get a membership of the Board of Revenue as a matter of course. Hence let me not be told that I must earmark a particular place for an Indian without other considerations which constitute fitness for the place. That, I am afraid, will be asking too much."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Sir, this debate has put on his legs every hon. Member in charge of a Government portfolio on

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the reserve side. We have heard their speeches with considerable interest, especially where they laid emphasis on the fact that it was not their intention to do any injustice to any particular member, at any rate, so far as the existing men in the services were concerned. I think I am bound to mention in this Council that at present there is, notwithstanding this assurance, considerable alarm and considerable dissatisfaction among the public services in this presidency—I, of course, exclude the Indian Civil Service. Taking other services, the general trend of opinion is that the existing claims of the members already in service are being jeopardised. Whether it is a fact or not remains to be seen in the future in view of the assurance that my hon. friends have held out in this Council. The hon. Sir Charles Todhunter made some reference to the recent order of the Government and also said that anybody who had read the speech of Sir William Vincent must be convinced that the best way of reconciling communal inequality was by stopping recruitment."

The hon. Sir CHARLES TODHUNTER :—"May I correct the hon. Member? The point that I referred to in Sir William Vincent's speech was the fact that the pace of the Indianization as laid down by the Public Services Commission and by the Reforms report had already been greatly accelerated. That is the only point on which I quoted him."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Let it be so. All that I now wish to know from the hon. Member is with reference to the Government order to which he made reference. The Government Order reads:

The Government recognize that, if the principal appointments are to be divided among the several communities, the lower appointments from which recruitment is made to them must be likewise divided, and are quite prepared to agree that, in order to give effect to this policy, other things being equal, the principle specified in the Board's Standing Order should be given effect to both at the time of initial recruitment and at every point at which men are promoted wholly by selection and not by seniority.

"I should like to know what is going to be the effect of the last words in the Government Order 'at every point at which men are promoted wholly by selection and not by seniority'. I do not wish to put any construction upon the words themselves. I should like to know the right construction from the hon. Member for Government, and I may assure him that whatever he says will either give considerable satisfaction or considerable dissatisfaction and that depends upon himself. I should like to say at once that I am not pleading for any particular community in this resolution, but I should only like to know what the attitude of the Government is towards the members already in service and whose case deserves consideration on the principle of justice if on nothing else. I wish to make a few supplementary remarks after hearing the Member for Government. I just wish to have the information."

The hon. Sir CHARLES TODHUNTER :—"I will do my very best to meet the hon. Member's desire. He wishes to know what is the attitude of the Government towards the members of the existing services. The answer, I think, is quite clear. We propose other things being equal to give effect to the principles specified in the Board's Standing Order at the time of initial recruitment and at every point at which men are promoted wholly by selection and not by seniority. I think there is nothing that needs explanation therein. If the hon. Member will

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tell me what is obscure in it, I shall be glad to clear it up. If he wishes to know the attitude of the Government, the desire of the Government is to act justly and not to make any suffer."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"In that case, Sir, I shall give concrete instances. He says that it is so clear that it needs no commentary. Supposing in the deputy collector's grade there are . . ."

The DEPUTY PRESIDENT :—"Is it to be in the form of questions and answers or of a speech?"

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I am making a speech, Sir."

The DEPUTY PRESIDENT :—"I suppose you do not expect answer every time."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"No. He may answer for the purpose of illustrating his views so that I may have an opportunity of replying to him. Supposing in the deputy collector's cadre there are men drawing Rs. 300, 400 and Rs. 500 each in different grades."

The hon. Sir CHARLES TODHUNTER :—"The hon. Member is quite wrong. The deputy collectors are on an incremental scale."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Well, supposing in the judicial service . . ."

The hon. Sir CHARLES TODHUNTER :—"The members of the judicial services are also on an incremental scale."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Is there any other service which has no incremental scale?"

The hon. Rao Bahadur A. P. PATRO :—"I rise to a point of order. The resolution before the House does not at all raise the communal representation question. If it is the hon. Member's desire to discuss that question it is better that a special resolution comes in and is debated upon."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"The hon. Member made a reference to the Government Order."

The hon. Rao Bahadur A. P. PATRO :—"May I ask the President's ruling on my point of order?"

The DEPUTY PRESIDENT :—"Much may be said on either side. However, the hon. Member had better confine himself to the resolution. We have had enough of points of order."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"The hon. Sir Charles Todhunter made some reference generally to the question of Indianization, non-Brahminization, Muhammadanization and Adi-Dravidization. All these 'izations' are, I must say, causing considerable trouble. As he is certainly aware of this ferment, I shall trust that an assurance will be held out of doing no injustice to existing members of the services, whether they are Brahmans, whether they are Muhammadans, whether they are Adi-Dravidas or whether they are Europeans. It does not matter at all. I hope the hon. Members who have spoken to-day will bear in mind that a considerable amount of dissatisfaction is prevailing in the public services in the Presidency. I am perfectly aware that the Civil Service wants more pay, more pension and more privileges. I know the

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Indian Members of the Services have their own grievances and I trust that steps will be taken to allay the discontent in the services.

"Mr. Knapp pointed out the difficulties with reference to the constitution of the services in the imperial and the provincial classes. He said (I do not know whether I understood him correctly) that at present there is one member transferred from the provincial to the imperial service. Well, whether it is two or five or seven the fact remains that these gentlemen are there. They naturally will be put at the bottom of the grade. If you are going to satisfy the legitimate desire of these gentlemen for higher appointments, you have to deviate from the rule. Certainly I am very unwilling to be a party to any injustice. I wish to say this that, the hon. Members who have spoken on this matter feel that whatever be the position of a particular member in the service he should not be expected to go out of his way in the service for getting the promotion. I believe the argument put forward by my friend Mr. Venkataramana Ayyangar is unanswerable. But in regard to the Board of Revenue the hon. Mr. Habib-ul-lah gave us the assurance that after the death of Mr. Aziz-ud-din he has not been able to find a single member of the provincial service, except Mr. Banerjee, for appointment to the Board of Revenue. Well, Sir, it is here that some of us feel the difficulty of taking these assurances on their face value. The real trouble that we feel is that when there are 150 or 100 members of the provincial service, of whom only five or six are selected for listed posts and one gentleman is a Secretary to the Government. When there are at least 11 superior appointments of district judges, district collectors and secretaries to the Government, we find it somewhat difficult to accept the assurance that it is not possible to find any one competent to succeed Mr. Aziz-ud-din in the Board of Revenue. The whole question is that the Indian Civil Service has a cadre of 170 to 180 appointments. The Provincial Service has a cadre of 150 to 160 appointments and one feels that this question of suitability seems to be used more in the case of the Provincial Service men rather than in the case of the Indian Civil Service men. Perhaps in the case of the Provincial Service the presumption is that they are not suitable. I take the assurance of my hon. friend that he is doing his best to find a competent person. Well even to-day he has been doing it. He has done it for the last three years."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I am 21 months old in the service."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"The whole question is whether it is really a question of competency and suitability that is in the mind of the Government. I should like to know definitely how long it will take for the existing members to move up. Is it till they retire? I do not know if any of these persons will become competent one or two years later. The feeling at the back of our minds is that this question of competency is being pushed and strained too far. The whole question will have to be viewed with a certain amount of sympathy. I think, Sir, that this debate has served at least one purpose and that is, as I said, to elicit an assurance from my friend who is in charge of the Finance Department that Government do not intend to do any injustice to any existing members."

The hon. Rao Bahadur A. P. PATRO:—"May I know whether the hon. Member is supporting or opposing the resolution?"

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The DEPUTY PRESIDENT:—"There is his speech and you can construe it as you please."

Mr. O. TANIKACHALA CHETTIYAR:—"Mr. President, Sir, before I proceed to offer my own remarks on the resolution now under discussion, let me begin by thanking the members of the Government, I mean of the reserved departments, who have all spoken on this resolution and who have spoken sympathetically towards the aims and ambitions to which this resolution gives expression. The hon. Sir Charles Todhunter, as the leader of the House, and as Dr. Natesa Mudaliyar pointed out yesterday, whom we look upon as the prime cause and author of G.O. No. 658, dated 15th August 1922, stated that Government is actuated by a desire to be fair and has no objection to utilize the services of Indians in all departments provided all things are equal and no injustice is caused or harm done to anybody. The hon. Sir Habib-ul-lah speaking with reference to that portion of the resolution which relates to the appointments of Indians to the Board of Revenue has pointed out that Government had no objection to the employment of Indians in the Board of Revenue so long as they find them competent. Where certain Indians have been found competent and were offered the appointments; if they have not accepted the post, it is not the fault of the Government or of the Board of Revenue. He said that all things being equal there is no objection to Indians being employed in the Board of Revenue. To that extent we are thankful. Likewise we are thankful to the hon. the Law Member for giving an assurance that when the opportunity comes, all things being equal, Indians will be employed also as Deputy Inspectors-General of Police. But the sooner effect is given to this assurance the better will it be; for, in dealing with situations which so sharply and with lightning rapidity arise in the present day in the various parts of the Presidency, not in one district only but probably in several adjacent districts, the presence of an Indian as Deputy Inspector-General of Police is a decided advantage."

As regards the Forest Department, the hon. Mr. Knapp said that 4-0 p.m. there are only seven posts and that they are all filled up.

I am not here to say 'pull out any one or two of these seven men and send him away.' But what Mr. Venkataramana Ayyangar, as I understand him, says is, the moment a vacancy arises, if you can find a suitable Indian who is already in the service, put him there; and in this request to put in Indians in these services we are not asking for a thing which is unknown in this country. We have for a long time known that in the High Court Bench a certain proportion is reserved for Indians from among the legal practitioners and a certain proportion from the provincial services. We have also a certain proportion reserved in the public service for Indians to be appointed as Collectors and District Magistrates. Likewise in departments like the police and the forest, there ought to be no difficulty in recognizing that a certain proportion should be reserved for Indians. Moreover there is one special reason why in the Forest Department there ought to be some Indians if possible. For, looking at the budget figure, looking at it from a commercial point of view, the Forest Department has been a failure. While about 50 lakhs of rupees are shown under expenditure, we have only four lakhs of rupees by way of profit. Surely if that money 50 lakhs had been lying in a bank it would have fetched the same amount four lakhs as interest. Of course we have also to take the potential value of the forest in the country; we have got the assets, the

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forest land, the trees and so on and no account is taken of them in this calculation. But I am only taking into account the debit and the credit side in the budget. In the budget it is shown that we spend as much as 50 lakhs of rupees and on the other side we have only 54 lakhs. So I think it will be an advantage to us if Indians who have a larger knowledge and larger aptitude for and desire to see that our forests are productive of profits are put in. Under these circumstances I hope that the Government will see their way to have it as a guiding principle to be adopted in future in making higher appointments that a few posts are reserved for the Indians in each one of these departments and that they are promoted more from the subordinate ranks. When Indians can be appointed to posts in the highest tribunal and to high executive offices, there is no reason why those Indians who have experience in these departments should not also be given the honour of filling the higher grades in these departments also. With these words I support the resolution."

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, Mr. President, the hon. Member Mr. Ramachandra Rao threatened the Government that they will be creating discontent in the public services if the Government Order is not interpreted properly."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I rise to a point of order—whether Mr. Natesa Mudaliyar can refer to that Government Order."

Rao Bahadur C. NATESA MUDALIYAR:—"I am speaking on the resolution and I confine myself to it."

"The Government Order is very clear. It means communal representation in all stages and in all grades."

The DEPUTY PRESIDENT:—"I do not think we have anything to do with that."

Rao Bahadur C. NATESA MUDALIYAR:—"I will explain to you. So far as the Government Order is concerned, it refers to communal interests."

The DEPUTY PRESIDENT:—"Here the only two interests are the racial interests—the Indian and the European. Kindly confine yourself to the Indian interests."

Rao Bahadur C. NATESA MUDALIYAR:—"Till now Indianization meant Brahmanization. In the name of India, a particular community was having everything for itself."

The DEPUTY PRESIDENT:—"I must beg of the hon. Member not to continue in that way. We have to speak now on quite a different matter. As the hon. Mr. Patro pointed out, the hon. Member may have a full discussion on this subject on another occasion."

Rao Bahadur C. NATESA MUDALIYAR:—"I am going to move an amendment, Sir. For the word 'Indians' substitute 'non-Brahmans' (loud cheers and laughter.) This is my amendment."

The DEPUTY PRESIDENT:—"That is, non-Brahman Indianization—all that are born in India and domiciled in India except the Brahmans? Please put in writing and let us see how it looks."

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Rao Bahadur C. NATESA MUDALIYAR:—"Non-Brahman means Muhammadans, Indian Christians, non-Brahman Hindus, Jains, Parsees, Anglo-Indians and Domiciled Europeans and others."

Mr. T. C. TANGAVELU PILLAI:—"I second the amendment."

The DEPUTY PRESIDENT:—"Under the rules the hon. Member has to give two days' notice."

Rao Bahadur C. NATESA MUDALIYAR:—"But you may permit me to move the amendment. Would you please take the sense of the Council?" (laughter.)

Mr. C. V. VENKATARAMANA AYYANGAR:—"I object to the amendment being moved."

The DEPUTY PRESIDENT:—"I have to use my discretion. Under Standing Order 60 I do not allow this amendment to be moved. The hon. Member Mr. Venkataramana Ayyangar objects to the amendment being moved. The question of Brahmans and non-Brahmans does not arise now."

Rao Bahadur C. NATESA MUDALIYAR:—"I do not press my amendment, Sir."

Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"Sir I rise to support the resolution before the House. There is a general discontent throughout the country that very few Indians are appointed to responsible posts. A certain number of appointments should be reserved for Indians in all departments and grades of public service. As a matter of fact, this principle has been accepted by Government so far as appointments to the High Court Bench and to the Executive Council are concerned, as my friend Mr. Tanikachala Chettiyar has pointed out. It was said that if an Indian is to be appointed as a member of the Board of Revenue, he will have to go over the heads of many civilians. This has occurred before and it cannot be helped, when certain appointments are reserved for Indians. Sir P. Rajagopala Achariyar was Secretary to the Government when he was appointed a Member of the Executive Council and he was put over the heads of so many civilians. When a certain number of appointments is reserved for Indians in certain departments, sometimes it may happen that they will have to be put over the heads of some others. Does this not happen in the case of members of the Indian Civil Service? So many Europeans occupying positions of equality with the Indians go over their heads and for this the Indians do not raise a great hue and cry. I think time has come when some of the highest appointments in all departments should be reserved for Indians. There is a general feeling of discontent among the Indians about this point and we cannot deny it. The Government should accept a modest request of this sort and even if this is not granted people will become hopeless and agitate for the thorough Indianization of all services. If such a modest resolution is not accepted, Government will stimulate the people to demand a thorough Indianization of all services. Of course, I am one of those who firmly believe in British connexion and who want the British officers to be in India for its good government. Yet I think it is very essential that a modest request of this sort should be granted."

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Mr. C. V. VENKATARAMANA AYYANGAR:—"When I sent this resolution I first thought that it would be better if I expressed my ideas in separate resolutions. As I contemplated, the fire has been opened by the three heads of the departments and also the hon. the Finance Member. As the same question of principle is involved in all these, I did not want to have three debates and, therefore I put all the requests in one resolution.

"I must also add my quota of thanks to the hon. Members of the executive part of the Government for their sympathetic attitude. We have had already plenty of sympathy and to-day's sympathy has been added to it. If this resolution is accepted, absolutely no injustice will be done to anybody. Of course it is admitted that in some cases some injustice may be done when a certain principle is to be followed. As the Government themselves have recognized in the case of non-Brahmans, the least qualification will be sufficient and promotions should be made on that principle.

"From the list I have got here, I find that there are now in the Imperial Forest Service a number of people above those that have come from the Provincial Service. The oldest among the Imperial Service men recruited in England is younger than the youngest man promoted from the Provincial Service. The oldest man in the Imperial Service except some on the top was born in 1880 and all the men of the Provincial Service were born before that date so that by the time a Provincial man goes to the highest grade in that service it will be time for him to retire and he will have no chance of going to the top of the Imperial Service. There are twelve such England recruited men here in the Imperial Service younger than the youngest from the Provincial Service. There is absolutely no chance of justice being done to all these people before they retire. I want to point out that there is much grievance against the way in which recruitment is made in the Forest department especially. If the appointment to those high posts is done according to age or total service, we have absolutely no objection. Then many Indians will be found qualified. The principles have been frankly admitted by the four hon. Members of the Government and I only hope they will give effect to them at a very early date."

The hon. Sir CHARLES TODHUNTER:—"Sir, I will try to reply as briefly as possible. My hon. friend, Mr. Usman Sahib, asks for a larger proportion of Indians in responsible posts. I do not want to waste the time of the Council by going into details; but I think, if he will examine the figures, he will himself find that the proportion has been increased very very largely in recent years. In fact we discussed a similar resolution in the old Council a few years ago and on the demonstration of the very large increase in the representation of Indians in responsible posts that had taken place, the House accepted the view that it was not necessary to press for Indianization of the one post that was then in question. That is all that is in issue between him and myself. He wants more Indians in responsible posts; I say he has already got them, and that it is not fair to the other people on the list to take an Indian from a long way down the list and put him over their heads simply because he is an Indian. One case has already been cited in which an Indian was offered the post of member of the Board of Revenue, but he was unable to accept it because he got something better elsewhere. That is one of our difficulties, namely, the demand that exists from outside for the most competent of our Indian officers. If hon. Members will kindly look into the Civil List, they will see how many of the ablest of

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our officers in the Provincial Service are drawing high salaries in appointments out of the regular line. The whole question is therefore one of justice and it is for this reason that I accept with gratitude the support of my hon. friend Mr. Ramachandra Rao."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"No, Sir, I did not oppose the resolution."

The hon. Sir CHARLES TODHUNTER:—"You, Sir, left it to us to decide whether he was for or against the resolution. I take it he was against."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"No, Sir, I did not speak against the resolution, but I spoke in support thereof."

The hon. Sir CHARLES TODHUNTER:—"Sir, I accept your bidding that we might interpret his speech as we liked and I interpreted it to be against the resolution."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I am also entitled to say, Sir, that his interpretation is wrong."

The hon. Sir CHARLES TODHUNTER:—"His intentions might have been hostile to us, but his arguments were in our favour. What he told us to do was to do justice to all and to keep the services contented. I do ask seriously, Sir, are we going to keep the services contented if men are going to be taken from low down in the list and put over the heads of other men who have arrived at a stage at which they feel themselves entitled to promotion? Any officer will know how galling it is for this to happen. It has happened to me and it has happened to many others. Under the old rules under which certain collectorates were reserved for members of the Provincial Civil Service, it might happen that a junior officer who had been a Deputy Collector under one might be confirmed over his head. If you look in the Civil List, you will see that there are large blocks of Provincial Service officers whose names have been inserted in the middle of the Indian Civil Service and who have thus gone over the heads of many Indian Civil Service men. I appeal therefore to the hon. Members, as Mr. Ramachandra Rao did, not to do anything, if they can help it, to increase the discontent already prevailing among the services.

"The hon. Member Mr. Ramachandra Rao seems to have had some difficulty in understanding what it was that I meant when I stated the way in which the proportion would be increased. My point was that, if any community wanted to increase its proportion in the higher posts, they must increase the proportion of the posts throughout the service and that this could only be achieved by increasing the proportion at the stages at which initial recruitment is made. And I added that it is a matter of common knowledge that the proportion of Indians recruited to the services is increasing very rapidly.

"I should also like to mention one other point which the hon. mover of the resolution has mentioned. He suggested that a policy similar to that adopted in the case of non-Brahmans, if adopted here, would result in our fixing the proportion of officers in each grade to be reserved for Indians. I might inform the hon. mover that no such policy has been adopted fixing a proportion of non-Brahmans to be posted to each grade."

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The resolution was put and carried.

On the motion of the hon. Sir Charles Todhunter, a poll was taken with the following result:—

Ayes.	
1. Mr. T. A. Ramalinga Chettiyar.	33. Mr. C. V. Venkataramana Ayyangar.
2. " K. Adinarayana Reddi.	34. Sriman Biswanath Das Mahasayo.
3. Dr. M. Appalarasayya Nayudu.	35. Mr. S. Mattamanickachari.
4. Mr. V. Appaswami Vaidyar.	36. " T. M. Narasimhaachari.
5. " B. P. Devarajulu Nayudu.	37. " C. V. S. Narasimha Raju.
6. " S. Ellappa Chettiyar.	38. Dr. C. B. Rama Rao.
7. " S. T. Shanmukham Pillai.	39. Mr. A. Ranganatha Mutaliyar.
8. " C. Ramalinga Reddi.	40. " K. Sadasiva Bhat.
9. " O. Tanikachala Chettiyar.	41. Sriman Sasibhushana Rath Mahasayo.
10. " W. Vijayaraghava Mutaliyar.	42. Mr. D. Seshagiri Rao.
11. " K. Gopalakrishnaiah.	43. " T. Sivasankaram Pillai.
12. " J. Kuppuswami.	44. " R. Srinivasa Ayyangar.
13. " P. C. Muttu Chettiyar.	45. " M. Suryanarayana.
14. " A. T. Muttukumaraswami Chettiyar.	46. " S. Arpadaswami Udayar.
15. " M. Narayanaswami Reddi.	47. " E. C. M. Mascarenhas.
16. " C. Natesa Mudaliyar.	48. " A. T. Palmer.
17. " V. P. Pakiriswami Pillai.	49. " M. Katnaswami.
18. " A. Ramayya Punja.	50. The Raja of Ramnad.
19. " K. Sarabha Reddi.	51. Mr. Appa Rao Bahadur.
20. " W. P. A. Saundara Pandiya Nadar.	52. The Zamindar of Mandasa.
21. " K. Sitarasa Reddiyar.	53. Mr. K. Prabhakaran Tampen.
22. " S. Somasundaram Pillai.	54. " Bavotti Sahib.
23. " M. Suryanarayanamurti Nayudu.	55. " Koya Sahib.
24. " A. Jangavelu Nayagar.	56. Khan Sahib Md. Abdur Rahim Khan Sahib.
25. " T. C. Tangavelu Pillai.	57. Munshi Md. Abdur Rahman Sahib.
26. " V. C. Vellingiri Gounder.	58. Saiyid Diwan Abdul Haseeq Sahib.
27. " K. C. Venkatachala Reddiyar.	59. Md. Sadulla Badsha Sahib.
28. " E. Venkataratnam Nayudu.	60. " Usman Sahib.
29. " M. Ramachandra Rao.	61. Mr. M. C. Madurai Pillai.
30. " M. Krishnan Nayar.	62. " G. Vandanaam.
31. " A. S. Krishna Rao Pantulu.	
32. " P. Siva Rao.	

Noes.	
1. The hon. Sir Charles Todhunter.	6. The hon. Rao Bahadur A. P. Patro.
2. " Khan Bahadur Sir Muhammad Habib-ullah Sahib.	7. " Mr. A. R. Knapp.
3. " Mr. K. Srinivasa Ayyangar.	8. Mr. F. J. Richards.
4. " the Raja of Panagal.	9. " C. W. E. Cotton.
5. " Rai Bahadur K. Venkatarreddi Nayudu.	10. " R. Littlehales.

The resolution was declared carried, 62 voting for and 10 against.

Raising the retiring age of non-Brahmans.

Mr. B. P. DEVARAJULU NAYUDU:—“Sir, I beg to move the following resolution:—

31. That the Council recommends to the Government that in pursuance of their admitted policy of bettering the ratio of non-Brahman representation in the Madras public services, the Government be pleased to raise the retiring age, in the case of non-Brahmans holding non-ministerial appointments, from 55 to 60 for a period of ten years from the date of the passing of this resolution, seeing that such extension, on public grounds, is quite within the competence of Provincial Governments under the Fundamental Rules, article 56 (a).

“This resolution unfortunately labours under the disadvantage of being one of a communal nature. Resolutions of this kind are not often liked for the reason that they create some sort of bitter feeling among communities

14th September 1922] [Mr. B. P. Devarajulu Nayudu]

whose interests conflict in this Presidency. This resolution concerns a very vast majority of the population, of non-Brahmans who, I daresay, constitute about 75 to 80 per cent of the whole population of this Presidency. There has been some criticism levelled against this principle elsewhere, but I am afraid they are based on misconceptions about its real objects and aims, and on misapprehensions regarding the operation of this resolution, if passed. At first sight this resolution seems to ask some new favour or some unjustifiable departure from the recognised principles of sound administration to the special benefit or advantage of the non-Brahman community which has been suffering for a very long time under grave disabilities which I need not try to dilate upon. A little thought will show that its intention is neither the one nor the other. What this resolution asks for is only the effective working of a policy which has been sympathetically adopted by this House to the benefit of the non-Brahman community, a policy of increasing as far as possible the proportion of non-Brahman representation in the public services of this Presidency, a policy on which I do not think there could be any difference of opinion at this stage. It is a matter too well-known that before the Reforms the condition of the non-Brahmans was deplorable in the extreme. Their cry was always a cry in the wilderness. In consequence of the Reforms and the return of a vast majority of non-Brahmans to this Council, the sympathy of this Council was gained towards the policy of bettering the non-Brahman representation in the public services, and in fact G.O. No. 613 promulgated this intention. No doubt it was done in a very good spirit. But with what effect? Has it realised the benefit that it was intended for by the Government? In fact I know, I think many may know, that in the working of this policy, where sympathy and co-operation would have done immense good, a sort of bitter feeling and unsympathetic attitude among the privileged class has come into existence and all sorts of new difficulties are experienced by those persons who have been age long sufferers under the dominating influence of one community so much so that these very people have begun to ask for the cancellation of the very Government Order itself though it was forged for their benefit. It may seem to be an exaggeration but it is not devoid of truth. The results, so far attained do not justify the anticipations. Even to this day there have been several difficulties in the way of a general unsympathetic attitude of indifference and misrepresentation, in the application of this Government Order so much so that it has become necessary to issue another Government Order, viz., G.O. No. 658, to remove the doubts that have arisen on account of misinterpretation of the original Government Order. The present Government Order therefore is in itself an argument to show that the policy has not been carried into effect as sympathetically as was necessary under the circumstances. Though this policy has been widely admitted on all hands every attempt is made in various departments not expressly included in the Government Order to misinterpret it as inapplicable with the purpose of throwing as many obstacles as possible in the way of the encouragement of non-Brahmans in these departments. For instance I see in this agenda notices of several resolutions regarding communal representation in the teaching service and myself have also sent a resolution to ameliorate the condition of non-Brahmans in the municipal and local board departments from which the application of Government Order is attempted to be exempted. So at every stage there are obstacles of some sort definite or indefinite, intentional or unintentional. This

[Mr. B. P. Devarajulu Nayudu] [14th September 1922]

Government Order, therefore, Sir, though conceived in a spirit of great sympathy has not done so far what it was expected to do. This resolution therefore is intended for the purpose of supplementing and extending that sort of help which the Government intended to give by means of its original policy. My submission is that so long as this sore festers in the body-politic for instance as in the case of Brahmans and non-Brahmans there will be no compromise or harmony in the country. This state of feeling must either be mended or ended, better if ended and that soon. Therefore the whole thing resolves itself to this position, viz., whether within as short a time as possible, all this could come to an end. It is with this intention, and not because I want to foster communal bitterness that I have tabled this resolution, which even if passed is not likely to revolutionize public service and cause any appreciable injustice. In its own humble way it is hoped to help to realise the effective fruition of the policy of encouraging the non-Brahmans. What I now ask in this resolution is that those persons who have reached the age of 55 should be retained and allowed to serve until the age of 60. It is not intended that there should be obstacles to those who are to be recruited or to those who are aspiring for promotion. It is only intended to keep them where they are, though it may be at their personal sacrifice to secure higher representation and corresponding influence for the community. In the present position of the services it ought to be very clear to any one who goes through the list of appointments that for every non-Brahman in public service there are at least 10 Brahmans. If a non-Brahman retires the probabilities are that a Brahman would succeed him and in the course of a few years the position will be that all non-Brahmans in higher grades will be supplanted by Brahmans below them, and barring probably a few exceptions, the representation instead of rising will be astonishingly falling. Could this state of affairs be complacently faced? Even if a non-Brahman succeeds another retiring non-Brahman, there would be no gain to the community as the proportion would be the same as before. It would be a perpetual maintaining of the present *status quo*. But if a non-Brahman is given extension at the time of retirement, and others aspiring to his position are given promotion in places where other Brahmans retire, then it will be a distinct gain to the community and will not affect the other non-Brahmans in the service. In this I have not taken into consideration the individual hardships that this policy might produce, even if it is likely to produce; but am looking into the question from the broad standpoint of view of the interests of a whole community. All these individual grievances could be set right in the near future. In several cases when ever a vacancy occurs in a higher service it is often said that there are no fit persons to fill that vacancy. In such cases it is better to keep the non-Brahman officer who is already in service, and whose efficiency is beyond question. This test of efficiency which is so elastic and elusive in its nature is always so manipulated that it allows or debars a particular aspirant according to the prejudices of the manipulator who unfortunately often happens to be one of the privileged class. It is very easy to lay down a broad policy; but it will be of no use to anybody if it is not worked in a sympathetic spirit. It is easy to take a horse to the water tub, but it is not so easy to make it drink. So also with policies. When there is a spirit of antagonism to the policy enunciated it would be certainly very difficult even for conscientious heads of departments to carry out the policy.

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"Often times we have seen people at the age of 55 applying for extension of service, and the Government in several cases grants them that request. Many Judges adorning the High Court Bench, and nearer home our own President and Secretary are above 55 years of age and they are certainly doing efficient work. They give us the benefit of their accumulated wisdom and ripe experience; such experience and wisdom should not be lightly thrown away simply on the assumption that they automatically become inefficient as soon as they reach the age of 55. If persons can satisfy the requirements of medical examination, it will not work any harm to the Government or the community in extending their period of service for another five years. After all the concession I ask is a very small one. The retiring age in certain European universities and in the United States of America is 60 or even 65. Even in our own country the High Court Judges are permitted to serve till they are 60 years of age. I dare say when persons occupying the position of High Court Judges are allowed to continue in service till they are 60 years of age, and when civilized countries like Europe and America have adopted the retiring age of 60 and 70 years without any prejudice to the work turned out I do not see any reason why the same principle should not be applied here also. There should be absolutely no objection to that. The conditions of living are certainly good here. Ultimately it would also be conducive to economy to allow older persons in service for a longer time as there would then be a saving in pensions. So, Sir, in the interests of the non-Brahman community and to secure an absolute absence of communal antagonism at an early date, I hope this House would be pleased to pass this resolution. After all as I observed before it is not going to revolutionize or seriously affect any branch of the services, but it will be a source of encouragement to non-Brahmans in higher services especially because sufficient good has not accrued from G.Os Nos. 618 and 658. So I commend this resolution to the Council."

Mr. T. C. TANGAVELU PILLAI:—"Sir, I rise to second the motion. In doing so, I may say there should be no difficulty in passing this resolution. We as a party have been agitating to see that all communities are adequately represented in the public services and that consequently greater latitude is expected to be given to non-Brahmans in the public services. The resolution only asks that if they are medically fit at the age of 55 their term of service may be extended by four or five years in the superior grade. In the lower grades the rule regarding the age of retirement is relaxed if they are found medically fit. We ask the same privilege to be extended to those members of our community in the higher grade so that there might be a large number of them in that grade. There is a desire to Indianize the higher appointments as far as possible as would be evident in the passing of the last resolution by an overwhelming majority and it is possible that non-Brahmans may be available for such posts and so we desire that those in the superior grade may be allowed to continue after their fifty-fifth year serving. I may assure the Government that we in passing the previous resolution regarding Indianization of certain posts were not actuated by any racial hatred."

The hon. Sir CHARLES TOPHENTER:—"Sir, I am afraid I must oppose this resolution on exactly the same grounds on which I opposed the last resolution (Indianization of the services). But first, I should like to clear

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away one or two misconceptions. The hon. the mover has quoted statistics regarding the age of retirement prevailing in the European countries. That has nothing to do with the present case. Again he said that we often grant extensions. That I must respectfully deny. The hon. the seconder said that exemption is granted whenever a man is found medically fit. That also is not the case. It is only when there are the most unquestionable public grounds for extension that any officer is retained. And so jealously are our actions scrutinized that there was a question tabled on the first day of our sitting asking us to explain in detail the public grounds on which exemptions had been granted and in how many cases they had been so granted. The number of cases was eight, and I hope the House is satisfied that on every one of these cases there were unquestionable public grounds for the grant of extension.

"Now, what is the present proposal? We are to grant extensions to everybody except one unfortunate community. On the ground of justice to the community, the proposal is not a fair one. Whether the hon. Mr. Ramachandra Rao supported me in the last resolution or not, I sincerely hope he will support me in this (laughter). I do not think the hon. the mover has realized what the effect of this proposal would be. He says he is not putting any obstacle and he is not doing anybody any harm, and that, on the other hand, he is only saving money. Does he realize that, if you keep a senior officer in his post beyond his proper time for five or six years, affect the pension also. You give him a better pension than he would otherwise draw. The next man who follows him cannot serve for the same period there; it goes all the way down. I can quote you many instances of officers, Brahman and non-Brahman alike, who have most bitterly complained of the loss of a part of their pension owing to the fact that we have given extensions to particular officers on grounds which they thought were insufficient. That was why in 1919 we revised the rules and laid it down in the most specific manner that we would not give extensions unless on unquestionable public grounds. During the war, we had to employ officers who were over age. In some cases, in order to avoid this injustice, we retired the officers and re-employed them solely to save ourselves from doing this injustice to the men who would otherwise fill their places. That, Sir, I think, is really all that is necessary for me to say. The proposal, if given effect to, would work the most terrible injustice. The hon. the mover says that communal bickerings should cease as soon as possible. On the contrary his proposal, if given effect to, would only start a new bickering such as we have not known before."

Rao Bahadur C. NATESA MUDALIYAR :—"Sir, Mr. President: The hon. Mr. Ramachandra Rao was threatening the hon. the Finance Member about discontentment in public service. He did not consider the other side, the discontentment among the tax-paying public whose money goes to make the machinery of the Government move. The present resolution only seeks to establish proportional representation in all the services from the lowest grade to the highest grade. Of course, we want this extension of service only in those cases where a person is medically fit. And if the hon. the Finance Member can assure us that some concession will be shown to those people who are in service and that they will not be retired if they are found

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medically fit after the age of fifty-five, I think I might ask my friend to withdraw his resolution."

Rai Bahadur T. M. NARASIMHACHARLU :—"Mr. President, I think this resolution wants to carry the non-brahmanization a little too far. Hitherto, non-Brahmans were content with debrahmanization. Now they want to retain in service people who by rule and by their age are unfit to be in the service any longer. Apart from the justice of the claims of others which the hon. the Leader of this House has emphasized, I think, Sir, in the interests of the very tax-payers whom my hon. friend Mr. Natesa Mudaliyar professes to represent, we do not want superannuated men in the service. We want efficient men, able-bodied men, mentally able men to serve the public and to serve the tax-payers. The hon. mover has quoted from the United States of America and from far off distant lands—"

Mr. O. TANIKACHALA CHETTIYAR :—"He referred also to the High Court of Madras and to cases in this country."

Rai Bahadur T. M. NARASIMHACHARLU :—"He said that the retirement age in those countries was between sixty and seventy, I once more wish to emphasize that East is East and West is West, that what applies to the western countries cannot apply to the eastern countries. Our climatic conditions and environments and our ways of living are quite different from those of the western countries. Besides, those people are materialistic in tendency, but we are spiritual. Therefore, the Government have very properly laid down fifty-five as the retiring age, both in the interests of public service and also in the interests of the public servants who are working below the retiring gentlemen. I think, Sir, that for the benefit or rather for the non-benefit of a particular community, to propose that the retiring age for the next ten years should be changed from fifty-five to sixty is, I think, the worst of injustice that can be inflicted on the tax-payers and on the services as a whole. It is immaterial so far as the Brahman is concerned, because he is neither going to get any appointment nor is he going to be retained in service after the age of fifty-five. So, my objection is not based on the ground that Brahmans are not going to have that concession, because they do not wish to have it, nor do they wish to enter service in the present state of communal chaos in this country. So what I plead is not based on any selfishness, but I plead only in the interest of the tax-payers, in the interests of the public service and in the interests of the public servants. I say as a rule, we cannot extend this age limit to sixty years. There may be good men, there may be bad men and there may be indifferent men in the services. If you extend the retiring age to sixty years that means people in service who are unable to work will still be there drawing a fat salary. This resolution applies only to non-ministerial appointments. The hon. Mr. Natesa Mudaliyar says that if they are medically fit they may be retained. But, Sir, the resolution is not worded like that. It says in effect that whether they are medically fit or whether they are medically unfit, simply because they are non-Brahmans they must be retired only at the age of sixty and not fifty-five. Can any Government frame a rule like that simply for the sake of debrahmanization?"

Mr. S. SOMASUNDARAM PILLAI :—"Sir, I do not understand the anxiety of the mover of this resolution in asking for the extension of the age of retirement of non-Brahman officers in the higher grades. I do not think

[Mr. S. Somasundaram Pillai] [14th September 1922]

he is really helping their cause. On the contrary he is doing them a disservice. For, when an officer enters service at the age of twenty-five he is already jaded, and after a service of thirty years, he will hardly be fit for work nor would he like to continue in service with his health broken down. So, my friend would do well to leave this matter to the Government who have already expressed their sympathy towards the non-Brahman community. Our cause, I know, will be safe in their hands. There is a Tamil proverb (இடுகிறவன் கமக்கு வேண்டியவனாயிருந்தால் பந்தியில் சின்னையிருந்தால் வென்ன முன்னேயிருந்தால் வென்ன) that, if the server of the meal is your friend what matters it whether you sit in the middle of the party or at the end. Besides, we should not openly show that we are unjust to the other communities. So, I think the hon. mover will be well advised in withdrawing his resolution."

Sriman BISWANATH DAS Mahasaya:—"Sir, the hon. Mr. Narasimha-charlu said that those people that are made to retire at the age of fifty-five are unfit to continue in service. However much his experience may be in the matter, and having due respect for his old age, I beg to differ from him. I do not for a moment believe that most of those people who are made to retire at fifty-five are unfit to continue in service. It is an admitted fact that the non-Brahman representation in the services is meagre. So, I quite appreciate the feeling of my non-Brahman friends that they should get more and more of the higher appointments. I quite sympathize with them in their zeal and I have no hesitation in saying that every Brahman in this House does sympathize with our non-Brahman friends in their ambition to get a greater proportion of the appointments in the higher grades of services. After they get in in large numbers then this feeling of apathy between the communities will precipitate and public discussions will be dispassionate. I have no hesitation also that the Government will fully sympathize with them in this struggle. For these reasons, I support the resolution of my friend, and I request the House just to pass this resolution and the Government to accept it and to extend the age limit to sixty years in such cases where they really deserve."

Mr. B. P. DEVARAJULU NAYUDU:—"In deference to the wishes of many of my friends here who think that the interests of the poor non-Brahmans are safe in the hands of Government, I withdraw the resolution."

The resolution was by leave withdrawn.

The Council adjourned at 5 p.m. to meet at 11 a.m. on Friday, the 15th September 1922.

I. D. SWAMIKANNU,
Secretary to the Legislative Council.

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APPENDIX I.

PROCEEDINGS OF THE THIRD MEETING FOR 1922-23
OF THE STANDING FINANCE COMMITTEE OF THE
MADRAS LEGISLATIVE COUNCIL HELD AT FORT
ST. GEORGE ON THURSDAY THE 24TH AUGUST
1922.

PRESENT:

The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I. (Chairman).
M.R.Ry. Rao Bahadur C. NATESA MUDALIYAR Avargal.
" T. A. RAMALINGA CHETTIYAR Avargal.
" O. TANIKACHALA CHETTIYAR Avargal.
" P. SUBBARAYAN Avargal.
" A. RANGANATHA MUDALIYAR Avargal.
Khan Bahadur MUHAMMAD USMAN SAHIB.
[Mr. MacDOUGALL did not attend.]

1. Read resolution tabled for the September meeting of the Legislative Council regarding circulation of proceedings of the Finance and Public Accounts committees to the Members of the Council.

Resolved to recommend to Government that the rules published in G.O. No. 615, Finance, dated the 17th June 1921, be modified so as to provide for the placing on the table of the House a brief statement of the conclusions of the Finance Committee on subjects discussed by it. In case of division of opinion, only the opinion of the majority will be recorded. This will replace the second sentence of rule 11. This change of rule will take effect from the current meeting.

2. Read scheme for the reorganization of the Public Works Department Upper Subordinate establishment.

Resolved to recommend that the scheme be accepted and that effect be given to it from 20th October 1920.

3. Read proposal to separate the two posts of Assistant Commissioner in the Madras City Police from the Provincial cadre and to constitute them separate appointments.

The majority of the Committee recommend the acceptance of the proposal, but would add a rider that it is desirable tha

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it should still be possible for the posts to be filled by the seconding of Deputy Superintendents and for Assistant Commissioners to be transferred to the mufassal, though officers with City experience should always be preferred for appointment to the City.

4. Read scheme for the conversion of the pay of Sub-Inspectors in the Madras City Police into time-scale.

The Committee recommend the acceptance of the scheme.

5. Read scheme for the reorganization of the Local Fund Audit staff.

The Committee recommend the acceptance of the scheme outlined in the draft, subject to the consideration of lower scales of pay for Inspectors and Superintendents, say, Rs. 150—10—500, and for Deputy and Assistant Examiners, say, Rs. 350—25—500.

6. Read scheme for the reorganization of the nursing service in the Presidency and the mufassal Government hospitals.

The Committee recommend that the proposals be accepted and that effect be given to the reorganization from the date of the order and that it be extended in 1922-23 to as many hospitals as the existing budget provision will permit.

7. Read proposal for the grant of a scholarship to a lady graduate for study in England.

The Committee do not regard the scheme as being of equal urgency with other demands which the Government have been unable to meet, for instance, that for the science laboratory at Queen Mary's College.

8. Supplementary demands proposed to be moved at the meeting of the 12th September 1922—

- (1) 28. Police—for Malabar special police, etc. Rs. 1,62,804

Resolution.—The Committee have no remarks to make.

- (2) Land Revenue—to meet the excess over the grant voted by the Council Rs. 1,86,250

Resolution.—The Committee are satisfied that great efforts have been made to reduce the expenditure to the required amount and recommend that a motion be made for the additional grant, but hope that, if the revised travelling allowance rules are put into force at an early date, there will be a further reduction under that head.

[14th September 1922]

- (3) 41. Civil Works—Public Works Department—Construction of an Anatomy block for the Medical School for Women at Madras Rs. 58,500

Resolution.—The Committee recommend acceptance of the demand.

- (4) 47. Miscellaneous—Compensation for loss of property to Messrs. M. C. Chandy and C. N. Seshagiri Rao Rs. 8,532-6-0

Resolution.—The Committee recommend these grants on the ground that a distinct commitment has already been made.

- (5) 47. Miscellaneous—Compensation to Mr. Karunakaran Nayar and others .. Rs. 5,840-0-0
47. Miscellaneous—Compensation to other police officers Rs. 20,851-2-0

Resolution.—The Committee would recommend that the moving of grants for the amounts set down be deferred until the Government have before them at least an approximate estimate of the total claim.

C. G. TODHUNTER.

FORT ST. GEORGE,
29th August 1922.

APPENDIX II.

PROCEEDINGS OF THE FOURTH MEETING FOR 1922-23
OF THE STANDING FINANCE COMMITTEE OF
THE MADRAS LEGISLATIVE COUNCIL HELD AT
FORT ST. GEORGE, ON FRIDAY THE 25TH AUGUST
1922.

PRESENT:

The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I. (Chairman).
Rao Bahadur C. NATESA MUDALIYAR Avargal.
T. A. RAMALINGA CHETTIYAR Avargal.
M.B. Ry. O. TANIKACHALA CHETTIYAR Avargal.
A. RANGANATHA MUDALIYAR Avargal.

[14th September 1922]

Khan Bahadur MUHAMMAD USMAN SAHIB.

Dr. P. SUBBARAYAN.

[Mr. MacDOUGALL did not attend.]

1. Read letter from the Government of India regarding a suggested change in the commencement of the financial year from 1st April to 1st January.

(1) The Committee do not consider that the arguments in favour of a change are sufficient to outweigh the disadvantages of that course.

(2) Nor have they any other changes to suggest in the budget procedure adopted in relation to the budget for 1922-23.

DRAFT TRAVELLING ALLOWANCE RULES.

MAIN RULES.

The Committee recommend the acceptance of the draft rules subject to the following amendments:—

(1) *Rule 27* should be recast so as to make the railway fare normally the amount admissible, subject to power being given to the controlling authority to allow mileage if it is shown that any public interest has been served by the journey by road.

(2) *Rule 30.*—Add 'provided that where any such person makes a journey by rail to and fro between two stations in the same day, only one and a half fares may be drawn when the rule entitles him to two fares.'

(3) *Rule 32.*—Add after the word 'available', 'in a train by which it is necessary in the public interest for him to travel.'

(4) *Rule 33.*—Second paragraph to be amended so as to provide for daily allowance in cases in which the steamer fare does not cover diet.

These rules to be applied to journeys by motor boat as well as by steamer.

(5) In rule 81 the Committee recommend the omission of the following items from the list:—

Item 8—Director of Survey.

„ 11—Director of Fisheries.

„ 12—Inspector-General of Registration.

„ 13—Presidency Port Officer.

„ 14—Harbour Engineer.

ANNEXURE I (to Draft Travelling Allowance Rules).

(6) Include in grade XV, 'all officers on a pay of Rs. 35 and not exceeding Rs. 50' and in grade XVI 'all officers drawing less than Rs. 35'; and retain the rates proposed for all grades.

14th September 1922]

In grade XVII for 'with presidency jurisdiction', substitute 'with jurisdiction extending over more than one district.'

ANNEXURE III.

(7) The Committee recommend—

(a) the adoption of the proposals of the Director of Survey for the increase of the fixed travelling allowance of officers in the Survey Department, and

(b) the increase of the fixed travelling allowance of the Inspector, Salt, Abkari and Customs Department, Madras Town Circle, to Rs. 75.

They recommend the continuance of the existing rates in the other cases, subject to further inquiry in the case of the Forest Rangers and to the making of provision in the case of the Education Department for the rates recommended for Deputy Inspectors.

ANNEXURE IV.

(8) The allowances in this annexure seem to need further examination for which materials are not immediately available. The Committee would recommend that the existing allowances should be continued for the present, as it is important that the rules should be brought in to force at once, but would suggest that Government appoint a small committee to examine the reasons which were held to justify the grant of the allowances and the question whether these reasons are still applicable.

ANNEXURE VI.

(9) The Committee are not satisfied that a higher rate of allowance is necessary for journeys to and halts at places like Coonoor and Kotagiri. They would recommend that inquiry be made as to the feasibility of limiting the application of the higher rates to journeys to the more remote parts of the district.

ANNEXURE VII.

(10) The Committee recommend the restoration of the special provision for the Deputy President.

FORT ST. GEORGE,
29th August 1922.

C. G. TODHUNTER.

[14th September 1922]

APPENDIX III.

PROCEEDINGS OF THE FIFTH MEETING FOR 1922-23
OF THE STANDING FINANCE COMMITTEE OF
THE MADRAS LEGISLATIVE COUNCIL HELD AT
THE FORT ST. GEORGE AT 12-30 P.M. ON SATUR-
DAY, THE 26TH AUGUST 1922.

P R E S E N T :

The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I. (Chairman).
M.R.Ry. Rao Bahadur C. NATESA MUDALIYAR Avargal.
" O. TANIKACHALA CHETTIYAR Avargal.
" A. RANGANATHA MUDALIYAR Avargal.
Khan Bahadur MUHAMMAD USMAN SAHIB.
Dr. P. SUBBARAYAN.

[Messrs. MACDOUGALL and RAMALINGA CHETTIYAR did not attend.]

DRAFT TRAVELLING ALLOWANCE RULES.

ANNEXURE VIII.

Recommended that Members of the Legislative Council be transferred to Annexure VII.
2. Rule 1.—Add the following to rule 1 which will be transferred to Annexure VII :—

"Council secretaries when travelling on duty will draw travelling allowance at the rates prescribed for Members of the Legislative Council, but their headquarters will be deemed to be the headquarters of the Government."

3. Rule 8.—*Madras City Police*.—Substitute for the table the following :—

Inspectors ..	Rs.
Sub-inspectors and sergeants ..	8
	6

4. Rules 15, 16, 18 (2) and 19.—Recommended that rules 15, 16, 18 (2) and 19 of Annexure VIII be omitted and that general rule 101 (b) be amended to the effect that the full powers conferred by rule 101 (a) are delegated to the Director of Public Instruction, Commissioner for Government Examinations and Commissioner of

[14th September 1922]

Labour and that in the case of other heads of departments the powers are delegated to the extent noted in rule 101 (b).

Recommended also that similar minor powers might be delegated to the Registrar of Co-operative Societies.

Recommended further that inquiry be made as to whether rule 101 (c) might not be altogether done away with.

RETRENCHMENT.

5. Read note on retrenchment by the Finance Secretary and resolutions recommending the appointment of a Retrenchment Committee tabled by Messrs. C. V. Venkataramana Ayyangar, Sriman Sasibhushan Rath, P. Siva Rao, C. Ramalinga Reddi and Muniswami Nayudu.

The Committee recommend that the Chairman, in consultation with the Members available in Madras, should draw up a memorandum (1) summarising the economies already made, (2) indicating the further inquiries that are already in hand and (3) discussing the methods of work adopted by Retrenchment Committees elsewhere and the best means of pursuing the inquiries that are still necessary in this Presidency. As the Committee will not be meeting till just before the meeting of the Legislative Council, the memorandum may be laid before the Government meanwhile.

DUTY ALLOWANCES (SPECIAL PAY).

6. Read demi-official from the Finance Secretary to the Members of the Finance Committee communicating a list of duty allowances and resolution proposed to be moved at the September meeting of the Council suggesting the withdrawal of all such allowances.

Recommended that the Government be asked to have a statement prepared by departments of the grounds on which the various votable items of special pay were granted and to direct that the heads of departments be invited to discuss the statement with the Committee. After such discussion the Committee will be prepared to make recommendations as to the cases in which they think the special pay is in excess of requirements.

SUPPLEMENTARY DEMANDS.

7. (a) The Committee recommend the following proposals for supplementary demands :—

(1) 22. General Administration—for the retention of the temporary Assistant Secretary, Law Department.	Rs. 10,260
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(2) 24. Administration of Justice—for the opening of additional sub-courts.	Rs. 7,264
(3) 24. Administration of Justice—for the preparation of a Criminal Law Manual for the use of special magistrates in the Presidency.	1,100
(4) 37. Miscellaneous Departments—for Assistant Labour Commissioners.	855
(5) 43. Famine Relief	3,00,000
(6) 45. Superannuation allowances and pensions—compassionate allowances.	12,500
(7) 47. Miscellaneous—Miscellaneous and unforeseen charges—expenses in connexion with the visit of His Royal Highness the Prince of Wales.	18,000
(8) 22. General Administration—in connexion with Mr. Strathie's special duty.	3,000
(9) 37. Miscellaneous Departments—for the employment of Tahsildars in the Labour Department.	5,850

(b) In regard to item 9, the Committee accepted the proposal subject to the remark that the Tahsildars deputed should draw their actual pay.

8. The following papers were placed on the table:—

- (1) Note on the working of the Oil and Soap Industry.
- (2) Rules and procedure of the Finance Committees in other Provinces.
- (3) Pamphlet explaining the lump provisions in the budget estimates for 1922-23.
- (4) List of Reappropriations from lump provisions in the budget for 1921-22.
- (5) Draft order regarding the reorganization of subordinate inspecting agency of the Education Department.

9. The next meeting of the Committee was fixed for the 11th September, but a special meeting of all members available in Madras will be held on the 6th September to consider the retrenchment question.

FORT ST. GEORGE,
29th August 1922.

C. G. TODHUNTER.

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APPENDIX IV.

PROCEEDINGS OF THE SIXTH MEETING FOR 1922-23 OF THE STANDING FINANCE COMMITTEE OF THE MADRAS LEGISLATIVE COUNCIL HELD AT FORT ST. GEORGE AT 3 P.M. ON WEDNESDAY, THE 6TH SEPTEMBER 1922.

PRESENT:

The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I. (Chairman).
M.R.Ry. Rao Bahadur C. NATESA MUDALIYAR Avargal.
" O. TANIKACHALA CHETTIYAR Avargal.
" A. RANGANATHA MUDALIYAR Avargal.
Khan Bahadur MUHAMMAD USMAN SAHIB.
Dr. P. SUBBARAYAN.
Mr. A. M. MACDOUGALL.

The meeting was only for members available in Madras.

RETRENCHMENT.

Read Chairman's note* on the action taken in Madras in the matter of economy and retrenchment and on the methods of work adopted by retrenchment committees elsewhere.

The Committee recommend that steps be taken to secure an inquiry on the lines indicated in the Chairman's note and that the Chairman's note (after amendment if necessary) be embodied in their proceedings and laid on the table of the House as part of the same.

FORT. ST. GEORGE,
6th September 1922.

C. G. TODHUNTER.

* Printed as Appendix IV (a) to these proceedings.

FINANCE DEPARTMENT.

APPENDIX IV (a).

NOTE FOR THE FINANCE COMMITTEE.

RETRENCHMENT.

In dealing with the question of retrenchment, the functions of the legislature and the executive must be clearly distinguished. In

this connexion the following quotation from the "Financial Administration of Great Britain" (page 134) by Willoughby, Willoughby and Lindsay may be of interest:—

"Notwithstanding the general satisfaction that exists in England with the system for the handling of estimates in the House of Commons, there is some feeling that the House should, itself, in some more direct way, concern itself with at least a scrutiny of the estimates laid before it. This feeling found expression in the provision that was made in 1902 for the appointment of a select committee 'to enquire whether any plan can be advantageously adopted for enabling the House, by select committee, or otherwise, more effectively to make an examination, not involving criticisms of policy, into the details of national expenditure.'

"It is of importance to note that, in providing for the appointment of a committee, care was taken to exclude from its province any consideration of matters of policy. It was felt that any attempt to bring into existence an organ that would share, or in any manner participate, in the responsibility for the determination of a programme of work would weaken or dissipate the complete responsibility for the direction of public affairs now vested in the Ministry, and would thus be a direct inroad on that principle of Cabinet Government and ministerial responsibility which is the keystone to the whole constitutional system of Great Britain."

2. The limitations laid down by the authors above quoted have been fairly closely followed in the instructions to the various retrenchment committees—

(a) Thus, the instructions to the *Geddes' Committee* (Committee on National Expenditure, England) run as follows:—

"To make recommendations to the Chancellor of the Exchequer for effecting forthwith all possible reductions in the National Expenditure on Supply Services, having regard especially to the present and prospective position of the revenue. In so far as questions of policy are involved in the expenditure under discussion, these will remain for the exclusive consideration of the Cabinet; but it will be open to the Committee to review the expenditure and to indicate the economies which might be effected if particular policies were either adopted, abandoned or modified."

(b) The instructions to the *Incheape Committee* run as follows:—

"To make recommendations to the Government of India for effecting forthwith all possible reductions in the expenditure of the Central Government having regard especially to the present financial position and outlook. In so far as questions of policy are involved

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in the expenditure under discussion, these will be left for the exclusive consideration of the Government, but it will be open to the Committee to review the expenditure and to indicate economies which might be effected if particular policies were either adopted, abandoned or modified."

3. The instructions to the *Bengal Retrenchment Committee* are, if anything, even more restrictive when interpreted in the light of the speech of His Excellency Lord Lytton who explained the part to be played by it in the following words (Speech on 3rd July 1922):—

"I ought, however, to put in one word of caution. A popular delusion in all countries is that Governments love spending money, and that the people equally love saving it. The fact is that economy, though loudly advocated in theory, is generally very unpopular in practice, whether in domestic or in public affairs. Economy means doing without things, and that is not pleasant. The very people who criticize a Government for spending money in one direction generally clamour that it should spend even more in another. Thus, every one wants at the same time two irreconcilable objects of reduced taxation and expenditure of public money in the direction of his own choice. Our Retrenchment Committee is not going to make that any more possible in future than it has been in the past. All that Sir Rajendra Nath Mookerjee and his colleagues can do is to tell the Government, the Council and the public that certain services are to-day costing so much, the abolition of certain posts or the alteration of certain methods would effect a saving of so much and then it will be for the Government, in consultation with this Council, to decide what they think we can bear to do without, and what they think we can afford to keep. I have only said this because it is sometimes thought that a Retrenchment Committee is a patent machine for reducing expenditure, whereas all that it can do or does do by its comments and advice is to popularise the information on which the Executive, with the help of the Legislature, have to decide what the expenditure of the country is to be. This question of finance may fairly be described as the test of the health of the State."

4. It will be seen from these quotations that there are really two separate matters to be considered, namely, (1) economy in carrying out the policy of Government and (2) alterations of policy by the Government on the ground that the policy pursued is such as the Government can no longer afford.

5. As regards economy, it is generally agreed that the Madras Government have made economies in advance of those of other local Governments in India. The charge commonly levelled at the Madras

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Governments of the past is that, owing to their undue parsimony, they have assisted in the unfair imposition upon the province of financial arrangements which gave it less than its share of the revenue. The fact that it has so suffered is freely admitted by the authors of the Reforms Report (paragraphs 206-207) and by the Government of India in their comments thereon (paragraph 61 of Government of India's First Despatch, dated 5th March 1919), while the Meston Committee (paragraph 20 of their Report) have specifically stated that in Madras economy has been strictly practised in the past and that considerable arrears of administrative progress are now due.

At the later stages of the controversy arising out of that report, the Government of India have frankly admitted that Madras has in the Reforms years gone in advance of the other provinces in the matter of economies. Thus in their letter dated 2nd February 1922 they have stated :—

“The Government of India accept without comment the exposition contained in Mr. Moir's letter (dated the 13th December 1921) of the serious position of the Madras finances. They also appreciate the great efforts which have been made by the Government of Madras to reduce expenditure. It is therefore with very great regret that they have been forced to the conclusion that it is impossible for them to provide for any reduction in the aggregate provincial contributions in the ensuing financial year.”

6. Finally in the year 1921-22 a complete scrutiny with a view to economy was made under the instructions of His Excellency the Governor; and the Budget for 1922-23 was scrutinized by the Standing Finance Committee of the Council in a degree of detail which it is believed has not been attained in any other province, with the result that the Committee placed it on record at the close of their scrutiny that no further economy could be effected without radical changes of policy. The reality of the economies effected may be seen from the list of them given in the Annexure.

The total savings effected in staff alone under the economy campaign amount to 26.82 lakhs per annum as shown below :—

			Number of posts abolished.	Savings per annum.
				LAKHS.
Gazetted officers ..	..	..	76	5.93
Non-gazetted officers ..	..	..	701	5.02
Inferior servants ..	..	..	4,742	7.02
Village staff ..	..	..	7,174	8.90
			12,693	26.87

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As regards savings effected in other directions, it is difficult to set down anything like an exact figure because it is almost impossible to pitch upon any such figure as the normal to be taken for comparison. The matter has been fully discussed in the budget speech and a scrutiny of the allotments in any department will show that the avoidable expenditure has been reduced to a minimum whether under such major items as bricks and mortar, travelling allowance or grants to local bodies, or in such minor directions as stationery, newspapers or punkah pullers. The allotments proposed by the Government were in several instances reduced by lump deductions by the Council, some of which it has been found absolutely impossible to carry into effect.

7. As has been stated above, while economies are a matter for the Council, policy is a matter for the executive, and the budget discussion for 1922-23 was no sooner over than an examination of the policy by the Cabinet was commenced. It is perhaps unnecessary to remind the members of the Finance Committee that the Cabinet itself forms a committee of five non-official Indians, three of whom are answerable to the legislature, with an addition of two official Europeans, only one of whom controls any spending department under the Provincial Government. It is difficult to explain to the Committee all the enquiries that are being made by the Cabinet without giving rise to expectations and conjectures which might lead to difficulties hereafter. It will perhaps be sufficient to set down a list of the more important enquiries which have been ordered into matters which affect the expenditure in different departments.

8. Thus under LAND REVENUE—

(i) A mixed committee has been appointed to overhaul the whole of the procedure connected with the processes of Survey and Settlement with a view to their simplification and consequent economy.

(ii) The Board of Revenue are examining the whole of the village organisation with a view to the abolition of unnecessary posts.

(iii) They are also making an enquiry into the re-arrangement of districts, divisions and taluks with a view to the enlargement of jurisdictions.

(iv) Another enquiry is connected with the village accounts in the hope that the bulk of them may be largely reduced.

(v) Another deals with the possibility of transferring the duties connected with the mutation of holdings to registration officers.

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(vi) There is also a mixed committee considering whether the differential water-rate system should be continued and whether any scheme for the levy of water-rate can be devised which is at once more simple and more equitable and so will allow more progress in expenditure on one of the services which is most important to the welfare of the country.

Under GENERAL ADMINISTRATION—

(vii) the Director of Office Systems is making enquiries with a view to the reduction of work in the Secretariat by centralizing common functions as well as with regard to possible centralization of despatch from Presidency offices at the Government Press. He is also making proposals for the reduction in the consumption of stationery and the substitution of cheaper for more expensive paper. He is also examining the question of reduction of expenditure on libraries in the Presidency offices, and reducing the supply of periodicals to Government officers. At the same time, the Members of Council and Ministers have reduced expenditure on telegrams by cutting down the number of Reuters and I.N.A. telegrams received.

(viii) Under this head may be mentioned the reduction of the rates of travelling allowance which is common to all departments. The whole of the rules has been revised from start to finish and their bulk reduced to one-fourth of what it was. The revised rules have been scrutinized in detail by the Finance Committee and took effect from the 1st September 1922, from which date it is hoped the expenditure under this head will be largely reduced.

(ix) A committee has also been appointed to examine the question of the housing of Government servants of all grades and to submit proposals for putting these on a paying basis.

Under LAW AND JUSTICE—

(x) A committee has been appointed to examine into the delays in the disposal of suits, a reduction in which must reduce the demand for increase in the judicial staff.

(xi) Other enquiries relate to the possibility of increasing the pecuniary jurisdiction of different classes of courts and to the reduction of the staff attached to some of them.

(xii) Another enquiry deals with the possibility of the separation of judicial and executive functions in connexion with the rearrangement of the jurisdictions of revenue officers by substituting first-class stationary magistrates and a large increase in the number of honorary magistrates for the present arrangements.

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Under EDUCATION—

(xiii) Orders have just issued, as the result of an elaborate enquiry, reorganizing the subordinate inspecting agency in a manner which results in a saving of over Rs. 37,000 per annum.

Under PUBLIC WORKS—

(xiv) Orders which have actually been issued for the institution of a new and more costly subordinate staff have been cancelled and the old arrangements reverted to.

(xv) A committee has been appointed to examine the causes for the large number of estimates and the allegation of undue costliness of works carried out by the Public Works Department.

Under FORESTS—

(xvi) A special officer has just been appointed to improve and extend the existing system of forest panchayats, whereby it will become possible to transfer larger areas of Class V forest (i.e., forest reserves for grazing) to village panchayats and to make some savings in the District Forest establishment.

Under EXCISE—

(xvii) There is an enquiry on foot regarding the separation of the salt and excise establishments and the reduction of the cost under each.

Under TRADE—

(xviii) The question of the total abolition of Inland Trade Statistics on the ground that the statistics are more a luxury than a necessity is again being enquired into.

Under POLICE—

(xix) The possibility of a reduction in the number of grades of officers of the Madras Police is under examination.

9. It will thus be seen, (1) that the Finance Committee of the Council have exhaustively examined the question of economies, (2) that the Cabinet are exhaustively examining the questions of policy, and (3) that special committees have been appointed to assist in these examinations of questions of policy, wherever necessary.

It might be thought that the three lines of inquiry above indicated sufficiently covered the ground. But it will undoubtedly be urged that other Governments have appointed Retrenchment Committees, and that, if they are useful to those Governments, they must be useful in Madras. It is therefore desirable to examine very briefly the circumstances which led to the appointment of these various committees and the work which they have done or are doing.

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It would further appear from the perusal of the newspaper reports that the Committee is making enquiries into large questions of policy, the settlement of which does not rest with the local Government, and examining large numbers of witnesses on these, a result which seems likely to lead to expense and not retrenchment.

15. In the case of Bombay, it will be remembered that the Bombay Committee. Meston Committee reported that Bombay had attained a scale of expenditure far in advance of any other province. There was, therefore, perhaps more room for curtailment there than elsewhere. The Bombay Committee, although appointed under a resolution of the Council, is not really a special one and consists only of the non-official members of the Public Accounts Committee, to whom a special Secretary has been attached. It has no specific terms of reference. Its function has rather been, like that of the committee in Bengal, to enable non-official members of the Legislative Council to obtain any desired information about the staff, cost and work of Government departments and so to provide themselves with the means of making their own suggestions, than itself to make a complete overhaul of the whole of the administration. The Committee realized at an early stage of the inquiry that the formulation of even tentative proposals in regard to any one department would require an amount of detailed knowledge which most of its members did not possess; while a systematic review of a field as wide as the whole administration would require continuous sittings for many months. Consequently it found it necessary to confine its attention to one department at a time and even so to act on cases prepared for it, and it is understood that at the present time it stands adjourned *sine die* after dealing with two departments.

16. In the case of the United Provinces, what is in progress is United Provinces Committee. not an inquiry by a committee of the Council at all, but one by two officials specially deputed for the purpose who have no definite terms of reference, but will examine expenditure in each department in turn and deal with questions which in most cases are peculiar to the United Provinces.

17. Assam had a committee of three members specifically Assam Committee. appointed to examine six specific sets of appointments. This Committee was given no mandate to examine retrenchment in general.

18. The Punjab Committee alone seems to be constituted on the Punjab Committee. lines suggested in the resolutions before the Council. It consists of five official members and seven non-officials, and is appointed to

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make an enquiry on the lines of the Inchcape Committee's enquiry. No information as to its progress with its enquiries is available beyond the fact that it was appointed on the 30th July 1921 and is not expected to report before October 1922, in other words that its enquiry will extend over a period of 15 months.

19. Finally, as regards the results of the enquiries, where they are available, an examination of such materials as are in the possession of the Government seems to indicate that there is little ground broken by the committees that has not been already covered in Madras. Thus, there are proposals for the abolition of divisional commissionerships, which do not exist in Madras; for the transfer of roads, dispensaries and primary schools to local self-governing bodies, who have long since controlled them in Madras; for the abolition of the inspection of boundary marks, which appears to amount to the same thing as the abolition in Madras of the department of land records; for the revision of the travelling allowance rules, in connexion with which orders in Madras have just issued; for the reorganization of district offices, a matter which was dealt with by Mr. Tottenham; for the reorganization of the Secretariat, a matter which is being dealt with by the Director of Office Systems; and for the transfer of petty repairs to departments, a change which has long since been effected here.

Again, out of the other proposals under consideration, the following are already under examination in this Presidency:—

Reduction of district charges, the separation of the judicial and the executive, the reduction of the number of grades of police officers, the reorganization of the Public Works services, the reduction in the cost of the Forest Department and the question of recovery of the cost of medical attendance at hospitals and dispensaries.

20. To sum up, it will be seen that in two provinces there are no Finance Committees and that the effect of the enquiries in progress will be to place the committees in possession of information of which the Madras Finance Committee is already in possession. In two others, official enquiries are in progress somewhat on the lines of the enquiry made by Mr. Tottenham some years ago. In a fifth the enquiry is of a very limited nature and cannot be called a general retrenchment enquiry; while in the one province that remains, in which the enquiry is being conducted more or less on the lines now proposed, it appears to have involved the constant attention of a committee of 12 members for a period of 15 months.

21. An examination of the enquiries made in other provinces suggests the following further conclusions:—

(1) that any committee appointed must be a small committee of businessmen;

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(2) that any committee that is to make any real progress requires an expert staff to prepare the ground ;

(3) that the work of a general committee must be supplemented by special committees or enquiries into questions arising in particular departments.

22. It remains to apply these conclusions to the case of Madras. As regards the first point, it will be seen that the Council have in the Finance Committee very much what seems to be required, that is to say, a committee of six non-officials elected by the Council of whom three have already served a term of one year and have acquired a detailed knowledge of the working of the budget and of such of the departments as have come under their scrutiny. To these gentlemen have been added by nomination by His Excellency the Governor two businessmen and one official. It is difficult to see how the Council could improve upon this constitution in any new committee that may be appointed.

23. The question next arises whether the Finance Committee could extend the scope of their enquiries. This is a matter largely for the members. There is no doubt that the existing work of the committee takes a large amount of their time and the experience of other provinces suggests that it would be too much to ask any non-official committee to take up a root and branch enquiry into the administration of all the departments. There is no reason, however, why if the non-official members are willing to give the time, the Finance Committee should not serve as a directing and co-ordinating agency for further enquiries, that is to say, it might take up the budgets of the departments one at a time, have such further statements prepared as it thought necessary and indicate the directions in which it thinks an enquiry is needed. The Government, if they concur in the proposals, would direct the enquiry either by an official agency or by separate committees, much in the way in which the enquiries which have already been referred to are being conducted, and the Finance Committee would sit again and co-ordinate the results.

24. If, however, any further action on these lines is to be taken, it will be necessary to follow the example of other provinces in appointing special officers to prepare materials for the Finance Committee and to assist in such enquiries as may be directed. At least one officer with financial experience and a small staff would be needed. It is quite impossible for the Finance Department of the Government to undertake any additional work in this connexion. The addition of the exhaustive enquiries of last year to the normal work of the budget resulted in something approaching a complete breakdown from which it has hardly yet recovered.

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Finally, if any such enquiry as is contemplated is to be made, it is desirable that it should be made at an early date as otherwise it may not be possible to embody any of the results in the forthcoming budget.

C. G. TODHUNTER.

5th September 1922.

ANNEXURE (vide paragraph 6).

Statement showing the reduction to be effected under the economy campaign.

Department or service.	Number of posts abolished.	Savings per annum.	Remarks.
<i>I. Gazetted officers.</i>			
Indian Civil Service..	4	0.67	One Director of Land Records, one Secretary to the Board of Revenue and two inferior posts.
Do. ..	1	0.25	One Deputy Commissioner of Labour.
Provincial Civil Service.	15	1.20*	6 temporary Deputy Collectors by posting to subdivisions Indian Civil Service Assistant Collectors who are not fully qualified.
	4	0.32	5 Land Records Superintendents. 4 Personal Assistants to Collectors + 4
			15
			* This includes savings on account of the appointment of five Assistant Registrars of Co-operative Societies on a lower rate of pay.
Do. ..	1	0.19	Joint Registrar of Co-operative Societies replaced by Personal Assistant.
Salt and Abkari Department.	3	0.31	One Deputy Commissioner and two Assistant Commissioners.
Judicial Department..	1	0.08	One Presidency Magistrate.
Police	1	0.06	Deputy Superintendent at Dhannashkodi.
Industries Department.	2	0.34†	Two Assistant Directors of Industries.
			† This takes into account the savings due to the substitution of Assistant Directors by Assistant Industrial Engineers and in the reduction in the pay of the Industrial Engineer.
Fisheries ..	1	0.08	Marine Biologist.
Public Works Department.	30 + 8	2.00 + 0.08	1 Superintending Engineer. 7 + 4 Executive Engineers. 22 + 4 Subdivisional officers.
			30 + 8
Labour Department ..	4	0.27	The post of Personal Assistant to the Commissioner of Labour and posts of three Assistant Commissioners of Labour were abolished.
Land Revenue ..	1	0.08	One Assistant Director of Survey.
Total ..	76	5.93	

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Department or service.	Number of posts abolished.	Savings per annum.	Remarks.
II. Non-Gazetted posts.			
Land Revenue ..	26	LAKHS. 0.85	Clerical staff in the Board's office abolished as a result of the amalgamation of the Land Revenue and Settlement branches.
Do. ..	88	0.51	Staff abolished in the Board's and Collector's offices as a result of the introduction of Mr. Tottenham's scheme.
Do. ..	20	0.18	Leave reserve of clerks in the North Arcot district.
Salt and Abkari ..	24	0.17	Office establishments of Assistant Commissioners abolished.
	5	0.04	One Assistant Inspector and four Sub-Inspectors in the Model Saltern and fish-curing yard.
Secretariat ..	3	0.07 †	Clerks in the Local Self-Government Secretariat.
			† Includes savings due to the transfer of five upper division posts to the lower division.
Police ..	83	0.12	Clerks in the Police subdivision offices.
	58	0.18	Reader Sub-Inspectors.
	15	0.07	Staff in Police Hospitals.
	6	0.06	Sub-Inspectors and head constables in the Criminal Investigation Department.
Education ..	26	0.18	Eight Assistant Inspectors.
Medical ..	21	0.28	Abolition of twenty-nine House Surgeons and House Physicians, one Drill Instructor, in the Medical School at Madura, and one clerk in the Headquarter hospital, Tanjore.
Public Works Department ..	200+131 (approximately)	1.90+ 0.36	Staff in Public Works Department circle, Divisional and Subdivisional offices abolished.
Miscellaneous ..	30 + 1	0.10	Establishments in Madras Record office, Presidency Magistrate's Court, etc., one attender in the office of the Agent for Government Consignments.
Registration ..	3	0.04	Three clerical posts included in the cadre of Sub-Registrars abolished.
Education ..	..	0.48	Reorganization of the Superior inspecting staff.
Revenue ..	1	0.08	Deputy Tahsildar's office, Watrap.
Total ..	701	5.02	

III. Inferior servants including police constables.

Land Revenue ..	203	LAKHS. .51	Includes 145 posts abolished in 1920 in Collector's offices.
Salt and Abkari ..	125	.20	Petty officers and peons.
Secretariat ..	2	.02*	Peons in the Local Self-Government Secretariat and in the Sanitary Board's office.
Registration ..	3	.05	* This includes savings due to 5 attendants in the Local Self-Government Secretariat being put in the peons' scale.
Police ..	28	.06	Muchis in Police Subdivision offices.
Do. ..	2,025	5.42	45 per cent vacancy reserve and magistrates' orderlies.

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Department or service.	Number of posts abolished.	Savings per annum.	Remarks.
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III. Inferior servants including police constables—cont.

Education ..	47	LAKHS. 0.28	Peons under Assistant Inspectors and in certain elementary schools for girls.
Public Works Department ..	289	0.42	Peons in the Public Works Department circle, divisional and subdivisional offices abolished and in other offices.
Miscellaneous ..	30	0.07	
Total ..	4,749	7.02	

IV. Village staff.

....	6,238	8.16	Vettis.
....	778	.10	Monigars.
....	768	.58	Village munsifs.
....	X	2.06	Talalyaris.
Total ..	7,174+X	8.90	

Grand total of savings—

Gazetted offices ..	LAKHS. 5.93
Non-gazetted offices ..	5.02
Inferior servants and constables ..	7.02
Village staff ..	8.90
Total ..	26.87

APPENDIX V.

PROCEEDINGS OF THE SEVENTH MEETING FOR 1922-23
OF THE STANDING FINANCE COMMITTEE OF THE
MADRAS LEGISLATIVE COUNCIL HELD AT FORT
ST. GEORGE, AT 3 P.M. ON MONDAY, THE 11TH
SEPTEMBER 1922.

PRESENT:

The Hon'ble Sir CHARLES TODHUNTER, K.O.S.I. (Chairman).
M.R.Ry. Rao Bahadur C. NATESA MUDALIYAR Avargal.
" O. TANIKACHALAM CHETTIYAR Avargal.
" A. RANGANATHA MUDALIYAR Avargal.
Khan Bahadur MUHAMMAD USMAN SAHIB.
Dr. P. SUBBARAYAN.

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Mr. A. M. MACDOUGALL.
" W. ALEXANDER.

M.R.Ry. Rao Bahadur T. A. RAMALINGAM CHETTIYAR Avargal

Read scheme for the reorganization of the staff of the King Institute of Preventive Medicine.

Resolved that the consideration of the scheme be postponed to Thursday, the 14th September, at 5-30 p.m.

2. Read scheme for boarding grants to Indian Orphanages.

Resolved that, before committing themselves to any opinion, the committee would like to have particulars of the number of children in orphanages of various classes, especially those under missionary management. They doubt whether the proposed grant of Rs. 15,000 would be sufficient to afford any real solution of the problem, and think that in the present state of the finances of the Presidency it would be unwise to embark on any scheme on a large scale.

3. Read the following supplementary demands proposed to be moved at the meeting of the 12th September 1922:—

- | | |
|--|------------|
| (1) "26. Police"—for police guard for Mappilla prisoners at Cannanore. | Rs. 13,578 |
| (2) "41. Civil Works—Public Works Department"—for Jail works. | 2,01,000 |
| (3) "47. Miscellaneous"—Concessions to police officers and men for work in connexion with the visit of His Royal Highness the Prince of Wales. | 10,674 |

Resolved that the committee recommend the grant of the sums in question.

FORT ST. GEORGE,
11th September 1922.

C. G. TODHUNTER.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday, the 15th day of September 1922 the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR Avargal, K.O.S.I., C.I.E., President, presiding.

I

NEW MEMBER.

Mr. ALFRED PERCIVAL SYMONDS took the prescribed oath of allegiance and then assumed his seat.

II

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.]

Irrigation projects in Ganjam, etc.

252 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Law Member be pleased—

(a) to lay on the table a statement of irrigation projects in the districts of Ganjam, Vizagapatam, Gôdâvari, Kistna and Guntur which have been previously investigated, and

(b) to state whether any of these schemes are going to be undertaken in the near future?

A.—(a) The statement asked for is laid on the table.*

(b) None of the schemes with the possible exception of the Girisola channel are likely to be taken up for execution in the near future.

Sriman BISWANATH Das Mahasayo:—"Will the hon. the Revenue Member be pleased to state what has become of his promise that he held out in accepting the resolution of Mr. Patro (now the hon. the Minister for Education) for adequate water-supply in the Ganjam district?"

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"The financial position of the province, worsened as it has been, by the action of the Legislative Assembly, prevents any promise being carried out."

Sriman BISWANATH Das Mahasayo:—"Was the conclusion arrived at yesterday, Sir? Has the misfortune occurred yesterday? In that case, I would take it to be temporary."

Grazing fees in reserved forests.

253 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Home Member be pleased to state whether there is any increase in rate in grazing fees in reserved forests during the current year and last year and, if so, in what districts and for what reasons?

A.—A statement furnishing the information is placed on the table.†

* Vide Appendix I on page 304 infra. † Vide Appendix II on page 306 infra.

[15th September 1922]

Factory Inspectors.

254 Q.—Rao Bahadur C. NATESA MUDALIYAR: Will the hon. the Home Member be pleased to state—

(a) (1) the names, (2) general educational and (3) technical qualifications and (4) the previous service and experience of the two newly appointed Factory Inspectors;

(b) (1) whether it is a fact that each Factory Inspector is allowed a camp clerk as interpreter, and (2) why there were no advertisements issued in the public press according to the directions of the Public Service Commission before selecting the new Inspector and Assistant Factory Inspector or when the present Chief Inspector, Mr. Cartledge, was appointed;

(c) whether it is not a fact that the present high salaries for the Factory Inspectors were fixed by the Royal Commissions for persons with academical and special qualifications; and

(d) whether the Engineering graduates turned out by the Madras Engineering College or the Assistant Engineers and Sub-Engineers in the Public Works Department are in any way inferior in training or attainments to the persons now selected as Factory Inspectors?

A.—(a) —

Name. (1)	General educational and technical qualifications. (2) and (3)	Previous service and experience. (4)
Mr. S. Hanumanthu, Inspector.	1. Matriculate of the Madras University. 2. Graduate (Technical) of the Victoria Jubilee Technical Institute, Bombay, with the degree of L.T.M. (Honours). 3. (Honours) Diploma holder of the 'City and Guilds' of London Institute in Textile Engineering and allied Science subjects.	Has had eleven years' experience in cotton mills of Bombay and Madras where he served in various capacities and is acquainted with the problems of ventilation, sanitation, working condition, child labour, hours of work, etc., connected with factory administration.
Mr. C. Ramamurti, Assistant Inspector.	1. Studied up to the Matriculation class in the Madras Christian College. 2. Passed in first class with Honours the final year examination in Technological, Mechanical Engineering with the complementary science subjects of the Victoria Jubilee Technical Institute, Bombay, with the degree of Licentiate in Mechanical Engineering. 3. Second class engineering examination of the Bombay Government. 4. First grade examination in Motor-car Engineering of the City and Guilds Institute, London.	Has had seven and a half years' experience in steam engines, boilers, etc., in workshops, in the Agricultural Engineering Department and in the Public Works Department.

15th September 1922]

(b) (1) Each Factory Inspector is allowed a camp clerk. These clerks are not used as interpreters by the Circle Inspectors. The Chief Inspector of Factories' camp clerk occasionally interprets for him as his jurisdiction extends over the whole Presidency and he has to deal with workers speaking different languages.

(2) Mr. Hanumanthu was already officiating as Factory Inspector when the additional Inspector's post was sanctioned. Mr. Cartledge was already serving in the Department as Inspector. He then officiated as Chief Inspector of Factories and was finally confirmed in the post. There was therefore no necessity to issue advertisements for filling up these posts. As regards the Assistant Factory Inspector there were 24 applications for the post before the appointment itself was sanctioned. The Commissioner selected, eight of the most suitable for personal interview and recommended to the Government two candidates who stood out from the rest. No advertisement was therefore made in this case also nor was any necessary.

(c) No.

(d) The Government have had no occasion to institute a general comparison of the kind indicated by the hon. Member and can offer no opinion.

Health certificates issued by selection boards attached to medical schools.

255 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased to state the total number of health certificates issued by the members of the selection board themselves to students who sought admission into the medical schools, and how many among these certificate-holders were selected and admitted?

A.—No health certificates were issued by the members of the Selection Board to students who sought admission into the medical schools.

The Town-Planning Officer.

256 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the activities of the Town-Planning Officer from the commencement of his appointment up to date; and

(b) what the expenditure incurred up to date was in respect of this department?

A.—(a) A brief note on the activities of the Director of Town-Planning is laid on the table.*

(b) Rs. 15,589 up to end of July 1922 (excluding about £400 towards expenses for the Director's voyage from England to India).

* Vide Appendix III on page 806 infra.

[15th September 1922]

Touring expenses of His Excellency and Members of the Government.

257 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Finance and the hon. the Home Member be pleased to state—

(a) the amount of touring expenses actually incurred by His Excellency the Governor during the period from January 1921 to 31st March 1922; and

(b) the travelling allowances paid to or touring expenses incurred by each of the Executive Council Members and the Ministers during the same period?

A.—(a) The total charges on account of tour expenses of His Excellency the Governor during the period from January 1921 to 31st March 1922 excluding the cost of maintaining the State saloons and of constructing a new saloon, amounted to

RS. A. P.

(b) The expenses incurred on account of the touring of the Members of Council and Ministers during the same period were as shown below:—

The hon. Sir Lionel Davidson, K.C.S.I.	6,063	1	0
The hon. Sir Charles Todhunter, K.C.S.I.	2,293	1	10
The hon. Khan Bahadur Sir Muhammad Habib-ul-lah Sahib Bahadur, Kt., C.I.E.	13,851	14	3
The hon. Mr. K. Srinivasa Ayyangar ..	9,988	2	6
The hon. Mr. A. R. Knapp, C.S.I., C.B.E.	3,248	14	0
The hon. the Raja of Panagal ..	10,753	0	0
The hon. Rai Bahadur K. Venkatareddi Nayudu Garu ..	10,842	0	9
The hon. Rao Bahadur A. P. Patro Garu ..	6,755	2	8
The hon. Mr. Subbarayulu Reddiyar ..	11,986	14	8

Transit of prisoners from one jail to another.

258 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that ordinary convicts could wear private clothing during transit from jail to jail when they are transferred;

(b) whether, when Mr. Vasudeviah was transferred from Salem to Coimbatore jail, he was compelled to be in jail dress and was further handcuffed and made to walk from Salem jail to Suramangalam station, a distance of about three miles; what the special circumstances were that necessitated these measures; and

[15th September 1922]

(c) whether he was put to work the oil mill during April and for what cause; for how long he was kept at this work; whether he was later put to the harder task of grinding ragi and, if so, for what cause and for what length of time and whether the Government will be pleased to lay the correspondence on this subject on the table?

A.—(a) No. Rigorous imprisonment convicts, when transferred to another jail, are handed over to the Police in jail clothing—vide rule 485 (1), Jail Manual.

(b) The prisoner referred to was handed over to the Police in jail clothing along with 15 other convicts. It is not known whether he was handcuffed, but it is the discretion of the Police officer in charge of prisoners to handcuff them if he considers it necessary for the purposes of security. All able-bodied prisoners transferred by road are required to walk; carts are only provided for the sick, aged and infirm—rule 490 (2), Jail Manual.

(c) He worked at the oil mill from 18th April to 11th May. This is one of the regular forms of hard labour prescribed for rigorous imprisonment convicts and was selected by the Superintendent for facility of supervision. He was transferred to ragi grinding on 12th May and continued at that work till 6th June. The change of work was made on disciplinary grounds as the prisoner was found absent from the oil mill and wandering about the jail in a suspicious manner. It was thought he could be kept under better control in the ragi grinding shed, which is kept locked during working hours. It is not clear to what correspondence the hon. Member refers.

Mr. C. RAMALINGA REDDI:—“May I ask, Mr. President, as a supplementary question, whether other political offenders too had been allotted oil mill work and ragi grinding as a matter of ordinary routine?”

The hon. Mr. A. R. KNAPP:—“My impression is, Sir, that they were, but I am not fully informed on the subject. Anyhow, I should like to have notice of this question.”

Mr. C. RAMALINGA REDDI:—“Will the hon. gentleman kindly call for and supply information as to the number of political offenders who have been put to these very severe tasks, viz., oil mill turning and ragi grinding?”

The hon. Mr. A. R. KNAPP:—“Yes, Sir.”

The Fisheries Department.

259 Q.—Mr. A. P. I. SAJJID IBRAHIM RAVUTTAR: Will the hon. the Minister for Development be pleased to state whether it is a fact that the scientific appointments in the Fisheries Department are held by men of clerical experience having no academical qualification in Zoology?

Mr. A. P. I. SAJJID IBRAHIM RAVUTTAR:—“There are no appointments that can strictly be called scientific in the Fisheries Department. If the hon. Member wishes to know the qualifications of any officers holding particular appointments, he is referred to the establishment list of the department available in the Council library.”

[15th September 1922]

Communal representation in the taluk boards of South Arcot.

260 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) the total number of seats filled up by nomination in the reconstituted taluk boards in South Arcot in 1922 and the number of non-Brahmans nominated thereto;

(2) the number of Brahmans elected to the taluk boards of Cuddalore, Chidambaram and Vriddhaachalam;

(3) whether any Adi-Dravida or Indian Christian was returned by election to any of the taluk boards in South Arcot;

(4) why no Adi-Dravida was nominated to the taluk boards of Cuddalore and Chidambaram;

(5) the total number of Indian Christians nominated to the taluk boards and whether any of them is a Protestant;

(6) the reason for not nominating (a) any member of the Chetti community to the Tindivanam and Chidambaram taluk boards, (b) a member of the Vellala community to the Cuddalore taluk board, (c) a member of the Mudali community to the Tirukkoyilur taluk board, and (d) a member of the Nayadu community to the Vriddhaachalam taluk board especially when no member of the said community had been elected to the respective boards; and

(7) the reason for not nominating a member of the Visvakarma or the Jain community to any of the taluk boards?

A.—(1) Twenty-seven. Thirteen of them were non-Brahman Hindus.

(2) Cuddalore—One.

Chidambaram—One.

Vriddhaachalam—Nil.

(3) The answer is in the negative.

(4) The Government have no information.

(5) Five. The Government have no information whether any of them is a Protestant.

(6) & (7) The Government have no information.

Mr. R. SRINIVASA AYYANGAR:—"In this question I wanted information as to the number of non-Brahmans nominated to the several taluk boards in South Arcot. I did not confine myself to non-Brahman Hindus alone. But in the answer we find that thirteen of these members are non-Brahman Hindus. I want information as to how many of the 27 members are non-Brahmans in general, including Christians, Muhammadans, etc."

The hon. the RAJA OF PANAGAL:—"The number of nominated members is 27. Out of them one is a Brahman, and the rest are all non-Brahmans, including non-Brahman Hindus, Muhammadans and depressed classes."

Mr. R. SRINIVASA AYYANGAR:—"With reference to the answer to clause (4) of the question, will the hon. the Minister be pleased to call for the information?"

The hon. the RAJA OF PANAGAL:—"I have no objection to call for the information."

[15th September 1922]

Mr. R. SRINIVASA AYYANGAR:—"With reference to the answer to clause (6), will the hon. the Minister be pleased to obtain the information?"

The hon. the RAJA OF PANAGAL:—"I have no objection."

Mr. A. T. PALMER:—"With reference to clause (5) of the answer, will the Government be pleased to get the required information?"

The hon. the RAJA OF PANAGAL:—"Yes, Sir."

Depressed classes representation in the taluk boards of South Arcot.

261 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) whether any member of the Hindu backward as opposed to depressed classes has been nominated to any of the taluk boards in South Arcot and, if so, their names specifying the taluk board; and

(2) whether the official presidents of Tirukkoyilur and Tindivanam taluk boards recommended or suggested any names for nomination to their boards, and, if so, the number of persons so recommended by them and the actual number nominated out of them?

A.—(1) The Government do not know to which communities the hon. Member of the Legislative Council refers.

(2) The Government have no information.

Repairs to the Srirangam temple.

262 Q.—Mr. T. O. TANGAYALU PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that prior to fasli 1222 the Government were paying annually Rs. 40,178 as Mohini allowance to the Srirangam Sri Ranganathaswami temple in lieu of the temple lands taken over by the Government;

(b) whether it is a fact that the Mohini allowance was reduced to Rs. 35,000 on the Government undertaking to meet the claims for the performance of such repairs as the temple might actually require;

(c) what the total amount is of revenue derived per annum from the lands of the temple taken over by Government;

(d) what the total amount is of surplus money out of the moiety of beriz derived from temple lands after paying the annual Mohini allowance in the lands of Government; and

(e) whether it is a fact that memorials were submitted for the repairs of the temple and, if so, what steps were taken thereon?

A.—Memorials have been received on the subject, and the whole matter is under the consideration of Government.

[15th September 1922]

APPENDIX I.

[Vide answer to question No. 252 asked by Khan Sahib Munshi Muhammad Abdur Rahman Sahib at the meeting of the Legislative Council held on the 15th September 1922, page 297 supra.]

Statement showing the irrigation projects in the districts of Ganjam, Visagapatam, Godavari, Kistna and Guntur, which have been investigated and not put into execution or abandoned.

Number and name of project.	Estimated cost.	Short description.
<i>Ganjam district.</i>		
1. Baguva reservoir project ..	Rs. 8.45 lakhs.	The project consists in forming a reservoir across the Baguva river, a tributary of the Rushikulya, to command an area of 9,050 acres on both sides of the river.
2. Allipar channel scheme ..	25,000	This consists in the re-excavation of an old silted channel taking off from the Mahanadi for the irrigation of about 1,900 acres.
3. Bahuda reservoir project ..	20 lakhs.	The project provides for the construction of an earthen bund across the Bahuda river for the irrigation of about 15,000 acres near Govindapur village of the Peddakimedi zamindari.
4. Girisola channel ..	2.91 ..	The proposal is to take a channel from the Budu nadi above the Goomsur aicut for an extension of irrigation of about 7,300 acres under the Rushikulya system in the Goomsur and Aska taluks.
5. Rushikulya reservoir ..	25 ..	The project consists in the formation of a reservoir on the Rushikulya river to supplement the supply to and fully develop the Rushikulya system.
6. Gaunsu Tampara reclamation ..	6.72 ..	The proposal is to drain a fresh water swamp of 4,600 acres called Gaunsu Tampara, five miles east of Berhampur, and to render it for cultivation an area of 4,000 acres.
7. Supply channel to the Surada reservoir ..	5.41 ..	The scheme comprises the construction of a regulator across the Rushikulya at Nimamappalle and the cutting of a channel therefrom to the Surada reservoir.
8. Godohello reservoir ..	34.00 ..	The proposal is to construct an earthen bund across the Godohello about three miles above Pathipuram village, the object of the scheme being to improve the supply to the Rushikulya system.
9. Suria swamp reclamation ..	4.95 ..	This consists in the reclamation of a portion of the large area of land now submerged by sea water during high tides, situated two miles to the east of Ichhapuram and to render the area fit for cultivation.
<i>Visagapatam district.</i>		
10. Nagavalli reservoir ..	26.14 lakhs.	The proposal is to form a reservoir across the Nagavalli river at Obollapadam or Rayagadda in the interests of the existing Nagavalli river system and other irrigation works on the same river.

[15th September 1922]

Number and name of project.	Estimated cost.	Short description.
<i>Godavari district.</i>		
11. Mahadevapuram tank project.	Rs. 1.23 lakhs.	The project consists in the formation of a tank by constructing a bund across the Mutlavagu in the limits of the Mahadevapuram village, Bhadrachalam taluk. The area expected to be irrigated is 1,000 acres.
12. Coringa island extension ..	12.50 ..	The proposal is to extend Godavari delta irrigation to the island through the Bank canal of the eastern delta. The area expected to be brought under cultivation is 13,250 acres.
13. Polavaram island extension ..	18.55 ..	The project provides for the extension of irrigation to the Polavaram island by taking water from the Bank canal of the Central delta. The area expected to be irrigated is 14,316 acres.
<i>Kistna and Guntur districts.</i>		
14. Kistna reservoir project ..	8.84 crores.	The scheme provides for the construction of a reservoir at Wadanapalle with a capacity of 163,588 millions cubic feet capable of irrigating about 610,000 acres in the Guntur district and bringing an extension of irrigation of 125,000 acres of long crop and 167,000 acres of a short late crop or second crop under the existing Kistna delta system.
<i>Guntur district.</i>		
15. Pratur pumping extension ..	19.00 lakhs.	The scheme provides for the irrigation of about 10,768 acres in the Guntur district, the required supply being obtained by pumping from the Kistna river at Pratur.
16. Cheruvukommapalem project.	1.06 ..	This consists in the restoration of the ruined tank across the Nunikeswaram vagu, a tributary of the Gundlaoamma, for the irrigation of 910 acres in Ongole taluk.

APPENDIX II.

[15th September 1922]

[Vide answer to question No. 253 asked by Rao Bahadur O. V. S. Narasimha Raju at the meeting of the Legislative Council held on the 15th September 1922, page 297 supra.]

Statement showing enhancement of grazing fees in the reserved forests for 1921 and 1922.

District.	Grazing fees.		Reasons for enhancement.
	Old rate.	New rate.	
1. Trichinopoly district— Certain reserves in class V forests (number not given).	Three annas per cow unit.	Nine annas per cow unit.	To check overgrazing.
2. Madura district— Cumbum and Palni ranges.	Four annas per cow unit. Two annas per sheep. Eight annas per buffalo.	1921-22, eight annas; 1922-23, ten annas; 1921-22, four annas; 1922-23, five annas; 1921-22, rupee one; 1922-23, rupee one and annas four.	Do.
3. Salem district— Namakkal and Kolli-malai reserves.	Three annas per cow unit.	Six annas per cow unit.	
4. Chittoor district— Horselykonda reserve.	Eight annas per cow unit.	Rupee one per cow unit.	Penalty for deliberate incendiarism.
5. Ramnad district— Srivilliputtur range..	Three annas per cow unit.	Eight annas per cow unit.	Penalty for deliberate incendiarism and to check overgrazing.
6. Trichinopoly district— Kulumur reserve, Kulumur, Pagalavadi, Nadavalur, Siruvacheri and Kunnam extension reserves. Reserves in Udayarpalayam taluk.	Six annas per cow unit. Three annas per cow unit.	Nine annas per cow unit. Do.	To check overgrazing.
7. Cuddapah district— Seethachellam and Punduguntapalli reserves.	Local cattle, three annas; foreign cattle, rupee one.	Rupee one per cow unit; rupees two per cow unit.	Do. Penalty for wilful incendiarism.

APPENDIX III.

[Vide answer to question No. 256 asked by Rao Sahib U. Rama Rao at the meeting of the Legislative Council held on the 15th September 1922, page 299 supra.]

A BRIEF NOTE ON THE WORK OF THE DIRECTOR OF TOWN-PLANNING.
December 1921.

Visited various heads of departments and acquainted himself with the Madras City and its town-planning situation and with the reports on the town-planning schemes in other places in the Presidency.

[15th September 1922]

January 1922.

Further explorations in Madras and suburbs and study in connexion with the activities of the Madras City and Suburban Town-planning Trust, work on proposed developments of military land by China Bazaar road. Visit to Vizagapatam and report there in connexion with the co-ordination of town and harbour development.

February 1922.

Consideration of Madras City and suburban town-planning schemes such as Mambalam, East and West road through Georgetown, Mylapore quadrilaterals, Puliantope and Esplanade (China Bazaar road military lands) schemes. Visit to Tirupati in connexion with a town-planning scheme.

March 1922.

Preparation of rules under the Town-planning Act and consideration of amendments. Plan for the Mambalam area and Mylapore quadrilateral and Tirupati town-planning scheme. Drafting a pamphlet for publicity purposes.

April 1922.

Working out the Mambalam scheme; and further consideration of the Town-planning Act with a view to amendment and framing of rules.

May 1922.

Completion of draft rules; work connected with the City Town-planning Trust—Visit to Chingleput and Madura and report on the development of schemes there.

June 1922.

Preparation of civic survey questionnaire and reports on regular line operations, location of mills at Madura and Kollegal extension scheme. Visit to Trichinopoly in connexion with the formation of a railway colony and other schemes.

July 1922.

Work connected with Madras City and Suburban Town-planning Trust—Visit to and reports on Madura schemes. Attended the Tinnevely Local and Municipal Conference and considered town extension schemes in Tinnevely and Palamcottah. Discussion at the Secretariat of matters connected with City Town-Planning Trust, civic survey, etc.

August 1922.

Dealing with applicants for permission to build at Mambalam and with objections to and suggestions for altering road alignments; visits and consultations regarding Mylapore scheme, report on Vizianagram extension scheme, report on development of sand accretion, proposals for revision of Madichiyam scheme, Madura; and visits to Nellore, Guntur, Bezwada and Salem in connexion with various town-planning matters.

[15th September 1922]

III

PRESENTATION OF A PETITION.

Khan Bahadur MUHAMMAD SADULLAH BADSHA SAHIB Bahadur:—"Sir, I have got a petition to be presented to the Council and I want your permission to do so."

The permission asked for was granted, and the hon. Member then presented a petition, dated 5th September 1922, from Shaik Dawood Sahib and others, worshippers of the Walajabi, Anwari and Mamoor mosques and having interest in Fateh Sahab Tomb and Anaikulam Public Muhammadan burial-ground at Madras and endowments attached thereto.

The SECRETARY then read extracts from the petition to the effect that the petitioners were residents of the City of Madras belonging to the Sunni sect and that they were opposed to the passing of the Prince of Arcot Endowment Bill.

IV

POSITION OF THE DEPUTY PRESIDENT.

The hon. the PRESIDENT:—"At the conference of the Presidents of Legislative Councils held in Simla last September the suggestion was made by the President of the Indian Legislative Assembly that the Legislative Council in each Province should appoint a committee to consider and report on the duties of the Deputy President and the restrictions, if any, which should lie upon him in regard to his participation in controversial questions. Though the suggestion was made about a year ago, I have not been able to bring it to your notice and to suggest action thereon as our Deputy President left the country very soon after, and it would have been obviously inappropriate that we should discuss his duties in his absence. Now, however, that he is happily come back to us, and I would take this opportunity on your behalf as well as on my own to extend to him our hearty felicitations on his safe return (applause), I feel that I should mention Sir Frederick Whyte's suggestion to you without further delay. The next conference of Presidents is to be held in Delhi early in December, and it is a matter for the consideration of this House if a committee, as suggested by Sir Frederick Whyte, may not be appointed to examine the whole question and report thereon to the House, so that the latter may debate it and formulate their conclusions for the guidance of the Deputy President and myself."

At this stage the hon. the President vacated the chair and the Deputy President occupied it.

V

COMMUNICATIONS TO THE COUNCIL.

The SECRETARY then laid on the table G.O. No. 762, Finance, dated 9th September 1922, relating to the appointment of Mr. W. Alexander as a member of the Standing Finance Committee.

VI

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1922-23.

The hon. Mr. K. SRINIVASA AYYANGAR:—"Mr. President, I move
That the Government be granted an additional sum of Rs. 10,674 under "47. Miscellaneous" on account of certain concessions to Police officers and men for work in connexion with the visit of His Royal Highness the Prince of Wales."

[15th September 1922] [Mr. K. Srinivasa Ayyangar]

"I generally hesitate to come before the House for asking a grant or even a supplementary grant. But in this instance I have no difficulty at all in coming to you, for this is a very excellent cause as will be seen. During the visit of His Royal Highness the Prince of Wales we had to move a considerable number of men and officers of the mufassal police who had to do duty practically continuously without any rest. The police work in connexion with that visit has been excellent and has been certified by no less a person than His Royal Highness himself. The present grant is for the purpose of giving detention allowances at double the ordinary rates subject to a maximum of Rs. 10 per diem to all ranks of the police who were moved from their headquarters. I may mention that except the inferior officers the superior officers do not gain very much because I understand they got an ordinary detention allowance of Rs. 7½. So far as they are concerned, it is only a small addition to the daily allowance they are entitled to under the ordinary rules. It is mainly the inferior officers that gain by this. That is the first item.

"The second item is for gratuities at the following rates to those who did not move from the headquarters, i.e., those of the City Police: Constables at Rs. 8, Head Constables at Rs. 4, Sub-Inspectors Rs. 20, Sergeants Rs. 25, Inspectors Rs. 30. The superior officers would not get anything more by way of any addition. The total comes to Rs. 10,674 and it is made up of Rs. 1,338 for officers who were taken in from the mufassal, Rs. 2,026 and odd for those who were employed here in the Criminal Investigation Department and Rs. 6,366 gratuities for the City Police on whom the bulk of the work fell."

The motion was put to the House and carried and the grant was made.

GRANT XXVIII.

The hon. Rao Bahadur A. P. PATRO:—"Sir, I beg to move
That the Government be granted an additional sum of Rs. 58,500 under "Civil Works—Provincial—Construction of an Anatomy Block for the Women's School at Madras."

"I need not detain the House long nor speak at length on the necessity of a women's medical school in Madras. The inadequacy of the existing provision for the medical treatment of women by members of their own sex has been a longstanding defect in the medical arrangements of this presidency. It has been engaging the serious attention of the Government for several years. According to the Medical register for 1920, the total number of qualified women medical practitioners to-day is only 135 for a female population of over 21 millions. The steps taken by the Government and the local branch of the Countess of Dufferin's Fund in order to increase the output of women medical practitioners by awarding special scholarships in the Medical College cannot obviously meet the demand to any appreciable extent as women are not willing to resort easily to an institution opened to both sexes. The necessity for the establishment of a separate institution for the training of women medical practitioners is therefore apparent. In 1915 the question of opening a separate medical college for women was mooted in the Legislative Council. On detailed enquiry it was found that there was a wide demand for the services of lady medical practitioners in this presidency

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and they wanted to utilize the services of lady doctors wherever available. The Committee thought that a medical school had a better prospect of success than a medical college. In the course of their suggestions they recommended that some missionary bodies and others should be encouraged to meet the situation to some extent. In the Medical School at Vellore there are five lady lecturers possessing modern medical qualifications. This institution has been worked with signal success for the last three years and has met a real demand. However, it was not sufficient to meet the increasing needs of the presidency; and there was ample scope for more institutions of this kind. Public opinion expressed itself in favour of opening a medical school at Madras. In March 1918 the Government accepted a resolution in the Legislative Council recommending the establishment of such a school as early as possible; and last year the question was again raised in this Council and a definite suggestion was made that it might be opened in July of that year. There were, however, special difficulties in the way of opening a medical school, such as want of accommodation and efficient teaching staff. The Government have now succeeded in obtaining the services of an able lady doctor from the women medical service. It is proposed to appoint another lady doctor possessing the same qualifications as assistant, and suitable provision will also be made for the appointment of the required menial staff. As regards accommodation, it was proposed to rent suitable premises opposite the Gosha Hospital so as to enable the school to be opened in July 1922; but it was not possible to do so. The Government now propose, therefore, to open the school early next year. The immediate cost for the building and for starting a new anatomy block is Rs. 50,000.

"With these words I beg to move the House to pass the grant for the purpose of making a beginning for the women's medical school at Madras."

The motion was put to the House and carried and the grant made.

The hon. Mr. A. R. KNAPP:—"Sir, I beg to move

That the Government be granted an additional sum of Rs. 2,01,000 for excess expenditure over the budget grant under Civil Works towards Jail works for the accommodation of Mappilla prisoners.

"The Council is aware, I think, that the number of our Mappilla prisoners has unfortunately reached a very high figure. When we were first of all confronted with the problem of disposing of the large number of persons convicted in connexion with the rebellion, our first attempt was to meet the difficulty by establishing a camp jail at Bellary. But we very soon found that the population of the camp jail threatened to exceed the number which could reasonably and efficiently be supervised by a single officer, and it seemed desirable to relieve the strain on the camp jail by adding so far as possible to the accommodation of the regular jails. It was therefore decided to allot Rs. 25,000 to each of the four jails at Vellore, Trichinopoly, Cannanore and Salem for the purpose of providing extra temporary accommodation. This accommodation has been provided and semi-permanent buildings brought into existence and the arrangements have proved very satisfactory indeed. Of the two lakhs and one thousand rupees that I ask for, one lakh represents the cost of these buildings. Of the remainder, Rs. 20,000 is for extra sub-jails in Malabar. There have been from time to time as many as 3,000 under-trial prisoners in the local sub-jails. The jails were quite unable to cope with this large number and we were fortunate in being able to obtain

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from the Military department the loan of certain buildings in Cannanore suitable for the purpose of conversion into temporary sub-jails. We have thus been able to relieve the very dangerous congestion in the regular sub-jails. Another item of Rs. 35,000 is the cost of temporary buildings at Bellary and of expenditure incurred in adapting for our use permanent buildings at Bellary lent us by the Military department. I may explain that while we started on a temporary basis in Bellary, the prisoners have since been moved into some very excellent military buildings which formed the old European barracks. This step has solved for us a great many problems regarding sanitation and health of the prisoners which at one time threatened to give us very great trouble in the camp jail. The remaining Rs. 45,000 provided represents the amount spent on improving the water-supply on four jails where, owing to the addition of the Mappilla convicts, the existing supply was insufficient or unsatisfactory."

The motion was then put to the House and carried, and the grant was made.

VII

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

The hon. the RAJA OF PANAGAL:—"I beg to move the resolution that 11-30 a.m. stands in my name. The resolution 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 rules 9, 13 and 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 rules 9, 13 and 15 (1) of Schedule X of the said Act:—

(1) *In the proviso to rule 9 of Schedule X of the Madras Local Boards Act, 1920, for the words 'six months' the words 'twelve months' shall be substituted.*

(2) *In the proviso to rule 13 of Schedule X of the Act inserted by notification No. 155 published on page 86 of Part I-A of the Fort St. George Gazette, dated 21st February 1922, for the words 'six months' substitute 'twelve months'.*

(3) *In rule 15 of Schedule X of the Act, as amended by notifications Nos. 918, 78 and 278 published on pages 505, 44 and 173 of Part I-A of the Fort St. George Gazette, dated 6th September 1921, 24th January 1922 and 4th April 1922, respectively, for the words 'fifteen months' occurring in the first line, the words 'twenty-one months' shall be substituted.*

"Sir, the Local Boards Act of 1920 came into force on the 1st April of 1921, and the statutory time fixed for the reconstitution of the taluk boards expired on the 1st April 1922. Under the proviso to rule 9 of Schedule X of the Act of 1920, the Local Government extended the time by six months. The extended time too will expire on the 1st October. It was however brought to the notice of this Government that the Guntur Taluk Board in

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Stores, they would naturally prefer the Government Stores. But when drugs could be had cheaper elsewhere, let them have the freedom to go there and secure their supply at cheaper rates.

"I have also added a proviso to the resolution to make it more acceptable to the Government that such firms from which these medicines should be purchased should be on the approved list of Government, so that it might not be said that bad stuff is being purchased by a certain local board. I have weighed this matter so carefully that I do not think the Government will have any objection to accept this resolution.

"With these few remarks I commend the resolution for your acceptance."
1-45 a.m. Mr. T. SIVASANKARAM PILLAI:—"I second it."

The hon. the RAJA OF PANAGAL:—"Mr. President, under the orders now in force, local bodies are required to purchase drugs and other medical requisites from the Government Medical Stores. Under Instruction 330 of the Local Boards Manual and article 281 of the Municipal Account Code, local bodies are directed to purchase drugs, etc., from the Government Stores. These directions are only executive instructions and there is no provision, either in the District Municipalities Act, or in the Local Boards Act of 1920, which compels the local bodies to limit their purchases to any particular source.

"The question of the local bodies purchasing medical requisites from the ordinary trade channels was considered by this Government on a reference from the Government of India. In their reply the local Government pointed out that it would be highly detrimental to the interests of the local bodies to allow them to purchase elsewhere than from the Medical Stores. The reasons they gave were that if the local bodies are allowed to purchase them from outside Government Stores, they would have to purchase them from the local markets, or they would have to import them from Europe or America. In the first case, the local bodies would have to pay for the same sort of medicine a great deal more than what they would have to pay if they were to purchase them from the Government Medical Stores. In the second case, they would have to stock large quantities of these drugs and other requisites. These drugs, etc., if they are kept for a long time, will deteriorate and involve the local bodies in pecuniary loss.

"Sir, in July 1920 this Council passed a resolution requesting this Government to recommend to the Government of India for effecting changes in the rules so that the local bodies might purchase their medical requisites from the Government Stores at the same rates at which the Government and charitable institutions are allowed to purchase. That resolution was communicated to the Government of India. Meanwhile, some of the municipalities addressed to the Government of India through this Government, petitions almost on the same lines as the above resolution. In reply to the resolution and to the petitions of the municipalities the Government of India stated, of course with the usual regret, that they could not reduce the rates. I think the request of the local bodies is a reasonable one. The local bodies have a genuine grievance in the non-compliance of this request. But the proposal of the hon. mover will not improve matters. There is no cutting the nose to spite the face. It may be that the Government of India have not been reasonable in dealing with the question. But what

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is the remedy? The remedy lies in addressing them once again and not in taking a step which would involve them in disadvantage or loss. Suppose they are allowed the freedom to purchase their medical requisites from the local market; what would be the result? Either they have to purchase inferior drugs, or pay higher prices than what they have to pay if they purchase them from the Government Stores. My friend has referred to a number of drugs which are sold cheaper in the market. But what guarantee is there that these drugs have the same efficacy as the drugs which the local bodies are now purchasing from the Government Stores? They are not tested—that is a matter which must be taken into consideration. I sympathize with the local bodies in their complaint that they are not allowed to purchase from Government Stores at rates at which the drugs are purchased by Government institutions. I am prepared, once again, to address the Government of India in the matter. I trust, with this assurance my hon. friend will withdraw the resolution."

Mr. T. C. TANGAVELU PILLAI:—"Sir, this is a matter in which there is difference of opinion as to whether the local bodies should not be given the option of purchasing their medical supplies from whomsoever they chose. This is due owing to the fluctuating rates which are charged by the Government. The local bodies are in a very difficult position when they are asked to pay a higher rate than that which the Government institutions pay. I support the principle of allowing the local bodies to purchase their supplies from firms who are suppliers to the Government. There is now a demand for Ayurvedic medicines also. There are certain municipalities which have passed resolutions for opening Ayurvedic institutions. May I know whether the Government are prepared to supply those institutions with drugs?"

Rao Bahadur C. B. RAMA RAO:—"Mr. President, this is a matter on which I think the opinion of those who had to receive supplies and use them should carry a little more weight than that of general politicians. I have been a member of the profession in charge of hospitals, big and small, for over a generation, and I have always had several complaints to make almost with regard to each consignment. If the Medical Stores maintained by the Government had been run by those who manufacture the drugs, or grow the drugs, or manufacture the instruments, then of course there would have been made out some case in their favour. But, as we all know, the head of the Medical Stores is a military officer who has no special knowledge either in the growing of medicinal plants, or in the manufacture of surgical instruments. We are now progressing so rapidly in the science and art of medicine that the days of long list of medicines in a prescription have disappeared. Single drugs and active principles are introduced directly into the blood. That seems to be the prevalent method. And if you get a supply from the Medical Stores, what guarantee is there that you are getting the latest supply? I do not believe it can give any more guarantee than a big drug seller, and it cannot be contended that our local bodies are so small, or so poor in their resources, or so restricted in their demands, that they supply that they indent for will not command anything like a good attention from the well-known world-famous firms either in England or in America. The district board, I am sure, will be welcome when it can place its orders directly with the manufacturers in England or elsewhere. I have during my recent tour visited one or two of these great manufactories and

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spoken to the officers who actually manufacture the drugs. They told me that if you could eliminate the middleman you could always get medicines first-hand at the cheapest rates. So, when these district boards send orders to the extent of Rs. 40,000 and Rs. 50,000, I do not see why the indent should not go directly to the manufacturers.

"Now so far as the instruments are concerned, they do not deteriorate and they can well be ordered from the manufacturers. Further, we know that such high scientific instruments as microscopes, microtomes and others are available in America at a cheaper rate than in England. Why not we get them direct from the manufacturers? Again, the Government can encourage local agents to represent big manufacturing firms in other parts of the world and deal directly with the local bodies. In this way, the Government can encourage trade and enterprise also.

"In this connexion I may bring to the notice of this House an experiment which I recommended to the District Board of Tanjore. It happened to be the District Medical and Sanitary Officer there. There, you have large tracts of land called Chatram gardens which are practically Government lands run by Government officers. Now they are under the control of the district board. I proposed to the then president of the district board that one or two of these gardens might be set apart for the cultivation of chiretta, ginger and various other vegetable drugs, which are so largely used in our medicines. I got returns from various taluk hospitals and dispensaries, counted up the figures sent to me and sent them to the district board showing that a net reduction of about Rs. 20,000 a year could be made by growing those drugs in the very district. I am sure that if this is true—and I can vouch for its truth, because I was myself the investigating man who went to the various gardens and inspected the locality—the same thing can be said of various other district boards. I trust the Government will be very pleased to encourage such manufacturers and make the local boards more and more self-supporting, to however small a degree, in the way of getting their own supply of medicines.

"Sir, I have said enough to convince the House of the advantages of dealing directly with the manufacturers, and even if I have not succeeded in showing that it is advantageous from a pecuniary point of view, we can at least have the satisfaction of growing our own medicinal plants in our own districts. And when that capacity comes to be acquired by our local bodies, I think there will be greater confidence in their using the drugs, greater economy will be exercised and also greater privilege felt, and it has also an educational value of its own."

Rao Sahib U. Rama Rao:—"Mr. President, the suppliers to the Government Medical Stores are not the original manufacturers; they are only agents and their business is simply to transmit medicines from the original manufacturers at a much higher rate, which in some instances is even 50 per cent higher than what it would actually cost the manufacturers. The rate at the Government Stores itself is abnormally high and it is very unfair on the part of the medical authorities to charge the local bodies, most of which are in a very poor condition, at exorbitant rates of 100 and 200 per cent. Instead of that, if these local bodies are given a free hand in the purchase of their own medicines, drugs and surgical instruments, wherever they are available at the cheapest rate, they can save not only hundreds of

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thousands of rupees. I know of drugs which are supplied by the Medical Stores for Rs. 300 which, if they be imported from England, can be purchased for about Rs. 50. Sometimes, I don't say always, there is 50 per cent saving. I speak this from my own personal experience of getting these things direct from England, America, Germany, etc. Such being the case, there is no justification whatever for the Government in compelling the poor local bodies to purchase from the Medical Stores at very high rates. The hon. the Minister for Local Self-Government said: 'you should not buy in the local market'. I am not for purchasing in the local market at all, nor does the resolution demand such a thing. It says: 'provided that the firms on stores from which such medicines, etc., are indented for, shall be on the approved list of the Government'. Approved list of the Government, not necessarily in the city of Madras, for these merchants want very big profits. I want to get them directly from the manufacturers. For this purpose one has not to invest a very big amount. Even £ 50 worth of medicines can be imported directly from the manufacturers at a very cheap rate. As for the remark that the efficacy of some medicines will deteriorate if kept long, such drugs are only very few, and if found useless, they could be thrown away. The cost will be only very small. As for surgical instruments, all of them can be got repaired locally, either at Bombay or Calcutta, or they can be sent to England and get back repaired and varnished.

"Under all these circumstances, the local bodies should be given a free hand to buy their medicines, drugs and instruments wherever they find them cheapest. Otherwise they will be put to a good deal of hardship and Government have no business to compel them to purchase certain drugs at very high rates. With these few words, Sir, I strongly support the resolution."

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, I am sorry to note that Dr. Rama Rao has told us that the Medical Stores are only agents. They are manufacturers too. They are manufacturing good deal of medicines and are supplying them to various Government hospitals."

Rao Sahib U. Rama Rao:—"I said, Sir, that the suppliers to the Government Stores are not big manufacturers. I did not say 'Government Stores'; I said 'suppliers to Government Stores.'"

Rao Bahadur C. NATESA MUDALIYAR:—"Government Stores are manufacturers too and they are supplying medicines at a nominal rate to various Government hospitals. That subject was discussed during the last budget session. Of course if the Government Stores are prepared to supply local bodies at the same rate at which they are supplying Government hospitals, there can be no objection to the local bodies to accept the medicines manufactured by them. If the medicines are not available at the Government Stores, certainly they will be at liberty to purchase them from the firms which are acceptable to the Government."

Rao Bahadur T. M. NARASIMHACHARI:—"I wish to know, Sir, from Mr. Natesa Mudaliyar whether he is purchasing his medicines from the Government Stores or from other agencies."

Rao Bahadur C. NATESA MUDALIYAR:—"If I am allowed, I will certainly purchase them from the Government Stores at the rate at which they are supplying to the Government hospitals."

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Mr. F. J. RICHARDS:—"Sir, the rise in the price of drugs is admittedly a serious matter not only with local bodies but also with Government. Allegation has often been made in this House and outside it that drugs are procurable at cheaper rates from private firms than from the Medical Stores. On several occasions evidence had been invited for facts and figures and until quite recently no such evidence has been furnished. Quite recently a requisition was made to local bodies asking them whether they would specify where drugs could be got at cheaper rates and what drugs could be so purchased. One official reply has been received and the hon. the mover of this resolution has also given some facts and figures. In the list received and also in the facts cited by the hon. the mover, contrast was drawn between the prices quoted by an eminent firm and the prices contained in the price list of the Medical Stores. Some of the differences in the statement are rather startling. It is a well-known fact that, particularly in recent years, the prices of drugs have fluctuated in a remarkable way for various reasons. An examination of this statement reveals some rather interesting points. In the first place the prices quoted by the private firm are taken from a price list which is up-to-date—one of July 1922. The prices quoted for the Medical Stores are from a price list which is out of date—one, I believe, of 1920. As a matter of fact, an up-to-date list of Medical Stores prices has not yet been published, but the Officer-in-charge of the Medical Stores in Madras has a revised price list with him. On examining the comparative statements quoted, he pointed out that the items had been selected. Now it is a familiar device in submitting a tender to select certain items and to offer them at prices lower than the market rates and in preparing an indent it would be perfectly possible to enter a hundred items at prices less than the market prices and to make a big profit on a hundred-and-one items of which a very large quantity is required. Reference was made in the hon. mover's speech to *Aqua distillata*. Comparing the prices quoted by the firm with those of the Government Stores, the private firm's tender is 400 per cent higher, and I gather that this is an item which is very largely in demand in the preparation of medicines. I may mention another item which is familiar to every body—permanganate of potash—which is required in large quantities. The price list of the Medical Stores shows the price of it as annas 14, but that of the private firm shows Rs. 2-8-0. There is another item—*Mentha preparata*—which is also required in fairly large quantities. The price of this at the Medical Stores is Rs. 12 per lb., while the firm's quotation is Rs. 44 per lb. So that we do not get figures from these quotations from which we can draw any conclusive inference. The Officer-in-charge of the Medical Stores has pointed out that, comparing the price of the items in the Medical Stores list with that of the private firm, supposing an indent on the Medical Stores was made for one unit—whether it be per hundredweight, or per pound, or per ounce, or whatever it is—of each item of the drugs in the price list, the total would be far lower than the price demanded by the firms. The figures are—

Firm's price	Rs.
Stores' price	4,513
	2,891

"The loss on such an indent to a local body will be Rs. 1,622. It is impossible in preparing indents for Medical Stores to pick and choose. I think every one will agree as a matter of business that you will have to get

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all your drugs either from private firms or from the Medical Stores. It is too much to expect the Medical Stores to furnish *only* such drugs as are priced by the Stores lower than by private firms. The indent as a whole must be studied and the thing that really matters from the financial point of view is not the individual prices, but the total bill to be paid. If the local bodies are to get their own drugs, the following points must be remembered:—

"First of all if the purchase is to be made locally you have the problem of testing. The drugs provided by the Medical Stores are guaranteed in quality. If the quality is defective, an inquiry will be made and an explanation must be forthcoming. The prices quoted by private firms do not, I believe, include the cost of bottles and containers and the cost of packing.

"My hon. friend Dr. C. B. Rama Rao suggested that the local manufacture of drugs should be encouraged. No doubt every one of us will agree in spirit with that suggestion, but I respectfully submit that it does not arise out of the present resolution. It is a question entirely separate.

"Secondly, as already pointed out by the hon. the Minister for Local Self-Government, if purchase is to be made on a large scale, provision must be made for storage, and drugs are perishable articles and deteriorate easily. Storage also is a costly business, and if that also is to be included, the total cost will be considerably higher than that incurred by a central authority, such as the Medical Stores, with its various branches.

"Dr. C. B. Rama Rao has, so far as I understood him, pleaded on the one side for the abolition of middlemen, and on the other side for the engagement of local agents. I may be pardoned, Sir, if I say that the consistency of the two arguments I cannot follow.

"I submit it would be extremely rash at the present stage, when there are such variations in price lists and such fluctuations in prices, and when, viewed as a whole, the prices in the Government Medical Stores compare so favourably with those of the private firms, for this Council to commit the Government to permitting local bodies to get their drugs from any source they choose. There is no trade in which an amateur, without experience, is so likely to be 'done down' as the trade in drugs; and I do not think either the Government of India or the Government of Madras could undertake the responsibility of guaranteeing the quality of the drugs supplied by agents other than the Medical Stores. The whole question is most intricate and from my experience of the past few years in this department, I am convinced that the knowledge required of an Officer-in-charge of Medical Stores is as highly 'specialized' as that required of any other expert.

"The Medical Stores Department is essentially a Military Department. I believe the House is familiar with the fact that, had not the supply of drugs to civil hospitals during the war been in charge of this department, Madras, and the rest of India too, would have had to go without drugs for several years. It is a department directly under the Government of India, and a Local Government cannot dictate to them. But the Medical Stores are prepared to provide drugs for civil hospitals and charitable institutions at prices which are on the whole cheaper than those prevailing in the open market together with absolute guarantee of quality. It is curious that at

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the very time when the local bodies are asking for the option to purchase privately, applications are coming in from other organizations to be admitted to the privilege of getting their drugs from the Medical Stores. That, I think, is the last word regarding the quality of the drugs supplied. I may have add that the Government of India have recently urged that the list of those so privileged should be curtailed if possible, and that no new organization or person should be admitted to this privilege.

"I now come to rather an important point which I hope will convince the House that the Government are in full sympathy with local bodies. The Medical Stores prices are at present placed under three classes.

"First there are the departmental prices charged for military requirements, stock book rates plus exchange in the case of European articles and 8 per cent of stock book rates on manufactured articles to represent interest on outlay. I may in this connexion point out that there are many local bodies which owe thousands of rupees on their Medical Stores bills the payment of which has been pending for three, four or five years without any interest being charged.

"The second class, what is technically known as "Column II" is that of the prices charged for Government and charitable institutions where 10 per cent is added to the departmental charges plus transit charges.

"The third class comprises the prices charged to municipalities, Indian States and private individuals -- 20 per cent is added to the departmental prices plus transit charges.

"Recently information has been received that the treatment of hospitals and dispensaries aided by the Government in other provinces is different to that accorded to such institutions in this Presidency. It is alleged—I am not in a position to say positively whether the allegation is correct or not—that they are charged at the rates given in Column II. If board and municipal institutions in this Presidency could be charged at these "Column II" rates, the same as those charged to civil hospitals maintained by the Government, I think the grievance brought to notice in to-day's discussion will largely if not entirely disappear. The Government propose to address the Government of India again with a view to extending to local bodies the privilege of obtaining their drugs at the prices given in Column II.

"I hope I have said enough to convince the House that, if local bodies are allowed to buy exactly where they choose, they are in danger of burning their fingers very badly. We must remember, Sir, that there are many presidents of taluk boards who, like the hon. member of this resolution, are unable even to pronounce most of the words contained in the price list, and it is too big a task for those who are unacquainted with the drug trade to undertake responsibilities which should only be exercised by experts who know the drug trade through and through and who have devoted their whole careers to its study. The Government are fully alive to the grievance which has to-day been ventilated and agree that, if possible, it must be remedied. In view of this I would ask the hon. member of this resolution to withdraw it.

"As to the question whether the Medical Stores can supply drugs to Ayar-India institutions, I submit that this is a question which does not arise out of this resolution and that it should be separately considered."

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Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR:—"Mr. President, Sir, I beg to support the resolution that has been moved. I am somewhat surprised at the reasons that have been given by the hon. the Minister for Local Self-Government and the Secretary to that Department. While the hon. the Minister for Local Self-Government would recognize that there was a hardship and that that hardship required a remedy, only he did not think that the resolution proposed the correct remedy, the Secretary would appear to state that there is really no hardship."

Mr. F. J. RICHARDS:—"I rise to make a personal explanation, Sir. That is not expressing the position exactly as I wished to express it."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR:—"I am not sure I am wrong. It does not take away the point of my argument that there is a difference of opinion between the Secretary and the Minister whether I represent the Minister correctly or the Secretary correctly. It does not matter so long as I am right in saying that there is a difference."

The hon. the RAJA OF PANAGAL:—"There is absolutely no difference. When I said that local bodies are not treated as well as they should be, I only meant that they were not placed in the same level as the Government institutions, not that their position was worse than if they had to purchase these medicines outside the Medical Stores. I made it quite clear that if they were allowed the privilege, it would be to their detriment."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR:—"I do not want to pursue the matter further and I shall accept what my hon. friends have stated. I believe that the speeches of the two hon. Members reveal a certain amount of misunderstanding of the resolution before the House. It only requires that freedom should be secured to local bodies to buy wherever they pleased provided the bodies from which the purchase is made are bodies that can be trusted to supply the correct medicines. That is secured by insisting upon these bodies being in the approved list of the Government. The question then arises whether really any grounds have been urged as to why this modest resolution should not be accepted. There is no doubt that local bodies are very much strained in finances and any step by which they will be enabled to make both ends meet must be a step which should meet the sympathy of the Government and the hon. the Minister for Local Self-Government. Here is such a method indicated. There is no obligation cast on the local bodies to pursue this method. They are only given the option; they will compare the various indents and see which are best in their own interest and go in for that. We are told, Sir, that there are some difficulties in the way. It is stated, for instance, that it might be that when an indent is given some items will compare favourably, but in some others the charges made by the Government will compare favourably with those elsewhere. The local bodies which are ultimately to accept these indents will of course take all things into consideration and see how the whole thing works out. And if on the whole they find that the indent given by the Government officers is much better than the one that they may get from private institutions, undoubtedly the local boards will accept the former. That is no argument that the option asked for in the resolution should not be given them. Then it is said that there are some difficulties in the way of storing

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these medicines. Undoubtedly that is a difficulty which has to be considered, but the fact remains that if the local bodies have to get the medicines either from the Government Medical Stores or from private agencies, it will be according to their need. If they get them from the private institutions, unless they are of the prescribed purity they are not likely to be accepted. So that the difficulty of storage is one which the institutions have to consider and not the local bodies. I, therefore, fail to see, Sir, how that argument should incline one to favour purchase from the Government Medical Stores rather than from the private institutions. Then it was said that this is a matter for the Government of India and representations are made to the Government of India for the purpose of getting them to charge lower rates than the present ones. That is also our plea. It seems to be a common ground both on the part of the Government and on the part of those who are in favour of this resolution that the rates that are now being charged are too high. The question is how to bring about a reduction. The hon. Mr. Richards has pointed out that similar institutions are treated more favourably in other provinces. That only shows that our cause is much stronger than the mover has first put it. Now what we say is that we find that we are being practically charged higher in the cost of the goods that we get. You have got some other departments of Government which require to be maintained at the expense of these local bodies. We say we are not responsible for the maintenance of these departments. If money is required for these departments, then it is the look out of those who are responsible for the departments to find the money. The local boards have nothing to do with the maintenance of those departments. They are prepared to pay the reasonable price and that can be fixed from the prevailing market rate. If there is a good case for the Government to accept the resolution they must accept the resolution. This resolution will enable the Government to go to the Government of India and to point out to them that there is an alternative solution suggested by the Legislative Council which will take away from the Medical Stores a big customer and the result will be that they will end worse than they have begun. It was stated that in the representation they are going to make to the Government of India they will ask for the rates being reduced. I take it that it is a common ground that the present rates are higher than the market. There is really no reason why taking into consideration the crippled state of the finances of the local bodies there ought to be a discrimination in the matter of these rates against the local bodies. If that be so, then this resolution, if adopted by this Council, will show the sense of this Council with respect to the injustice that is being perpetrated against these local bodies and it will also show their readiness to resort to other methods by which they need not spend so much for their medicines. Such a resolution will add strength to the representation that has to be made to the Army Department, or the Government of India or any other department. Under these circumstances, I venture to think that the very reasons which have been given by the hon. the Minister and the Secretary are the reasons why this resolution, which asks for an option and not an obligation to go to other stores, should be accepted."

The hon. the RAJA OF PANAGAL :—"What my hon. friend Mr. Govindaraghava Ayyar has been saying when analysed resolves itself into two

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issues. It is admitted that in some cases the prices of the private firms are more favourable to the purchaser than those of the Government stores. Then why not the local bodies be given the option to purchase from the private firms so that they may purchase whatever those firms sell cheaper. The second issue is that the Government of India are charging higher rates and if we pass this resolution they may be afraid of losing the custom from the local bodies and come to terms with those bodies."

Diwan Bahadur L. A. GOVINDARAGHAVA AYYAR :—"I never said that they will get afraid. They will find other means to satisfy themselves than these local bodies."

The hon. the RAJA OF PANAGAL :—"In any case, Sir, so far as the first issue is concerned it is not so simple as it appears. The Government of India may not agree to the concession. Because, unless the Government of India are assured of a certainty of purchase, they cannot arrange for stocking drugs and other medical requisites in the required quantity. The moment we give the option to the local bodies to make purchases either from the stores or from private firms, there can be no certainty about their purchases from the Government stores. The Government cannot be expected to stock goods and take the chance. So far as the second issue is concerned, my hon. friend says that he did not mean that the Government of India would be afraid of the passing of the resolution. Whatever that may be he said, that by our passing the resolution the Government of India would come to terms. I am afraid, Sir, that expectation may not be realized. As Mr. Richards has already pointed out, the Government of India are interested in seeing that the number of the applicants for the right of purchasing from the Government stores is reduced as far as possible. While that is the case, what is the good of the local bodies telling the Government of India that they are prepared to get their things from private firms? The Government will be only glad to allow them to do so. On the other hand, if the local bodies want to complain on the ground that they are not supplied as cheaply as the Government institutions, let them do so. Let them ask the Government to reduce the rates as in the case of the Government institutions. I dare say the Government of India are not making any profit in this transaction. What they are gaining by selling to the local bodies and private institutions they are probably losing by supplying to Government institutions at cheaper rates. Under these circumstances, I do not see any advantage in passing the this resolution."

A poll was taken with the following result :—

Ayes.

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| 1. Diwan Bahadur K. Suryanarayanamurti | 10. Rao Bahadur C. B. Rama Rao. |
| Nayudu. | 11. Rao Sahib U. Rama Rao. |
| 2. Mr. A. Tangavelu Nayagar. | 12. Mr. A. Ranganatha Mudaliyar. |
| 3. V. C. Vellingiri Goundar. | 13. K. Sadasiva Bhat. |
| 4. Diwan Bahadur M. Ramachandra Rao | 14. Sriman Sasibhushan Rath Mahasaya. |
| Pantulu. | 15. Mr. M. R. Seturatnam Ayyar. |
| 5. Diwan Bahadur L. A. Govindaraghava | 16. T. Sivasankaram Pillai. |
| Ayyar. | 17. R. Srinivasa Ayyangar. |
| 6. Mr. P. Siva Rao. | 18. M. Suryanarayana. |
| 7. Sriman Bawanath Das Mahasaya. | 19. A. T. Palmer. |
| 8. Rai Bahadur T. M. Narasimhaiah. | 20. Sri Mekha V. Apparao Bahadar. |
| 9. Rao Bahadur U. V. S. Narasimha Raju. | |

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Nocs.

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| 1. The hon. Sir Charles Toddhunter. | 28. Mr. K. Sitarama Reddi. |
| 2. " Khan Bahadur Sir Muhammad Habib-ul-Jah Sahib Bahadur. | 29. " T. Somasundara Mudaliyar. |
| 3. " Mr. K. Srinivasa Ayyangar. | 30. " T. O. Tangavelu Pillai. |
| 4. " the Raja of Panagal. | 31. Diwan Bahadur R. Venkataratnam Nayudu. |
| 5. " Rao Bahadur A. P. Patro. | 32. Mr. M. Ratnaswami. |
| 6. " Mr. A. B. Knapp. | 33. The Raja of Ramnad. |
| 7. Mr. F. J. Richards. | 34. Mr. K. Prabhakaran Tampan. |
| 8. " C. W. E. Cotton. | 35. " C. B. T. Congreve. |
| 9. " B. Littlehales. | 36. " A. D. M. Ravotti Sahib Bahadur. |
| 10. " E. Periyaswami. | 37. " V. Hamid Sultan Marakkayar. |
| 11. " R. K. Shanmugham Chettiyar. | 38. " A. P. I. Saiyid Ibrahim Ravuttar. |
| 12. " A. Ramaswami Mudaliyar. | 39. Khan Sahib Muhammad Abdur-Rahim Sahib. |
| 13. " S. R. Y. Anikinedu Prasad. | 40. " Muhammad Abdur-Rahman Sahib. |
| 14. " M. Appalarasayya Nayudu. | 41. Saiyid Diwan Abdul Razzaq Sahib. |
| 15. " V. Appaswami Vendar. | 42. Khan Bahadur Muhammad Sadulla Badsha Sahib. |
| 16. " K. Chattukutti Nambiyar. | 43. " Muhammad Usman Sahib Bahadur. |
| 17. " S. T. Shanmugham Pillai. | 44. Mr. L. C. Guruswami. |
| 18. " O. Tanikachala Chettiyar. | 45. " R. T. Kesavalu Pillai. |
| 19. " W. Vijayaraghava Mudaliyar. | 46. Rao Sahib M. O. Madurai Pillai. |
| 20. " B. Muniswami Nayudu. | 47. Mr. G. Vandanam. |
| 21. " P. C. Muttu Chettiyar. | 48. " P. Venkatarangayya. |
| 22. " A. T. Muttukumaraswami Chettiyar. | 49. Rao Bahadur T. Namburumal Chettiyar. |
| 23. " M. Narayanaswami Reddi. | |
| 24. Rao Bahadur C. Natesa Mudaliyar. | |
| 25. Mr. V. Pakkiriswami Pillai. | |
| 26. " C. Ponnuswami Nayudu. | |
| 27. " W. P. A. Sadndara Pandiya Nadar. | |

Neutral.

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|---|---------------------------------------|
| 1. Rao Bahadur T. A. Ramalinga Chettiyar. | 7. Rao Bahadur C. Venkataranga Reddi. |
| 2. Mr. K. Adisarayana Reddi. | 8. Diwan Bahadur M. Krishnan Nayar. |
| 3. " C. Ramalinga Reddi. | 9. Mr. C. V. Venkataramana Ayyangar. |
| 4. Rao Bahadur K. Gopalakrishnayya. | 10. " S. Muttumaniarasahari. |
| 5. " A. Ramayya Punja. | 11. " T. Arumainatha Pillai. |
| 6. Mr. K. Sarabha Reddi. | |

The resolution was lost, 20 having voted for, 49 against and 11 remaining neutral.

Ineligibility of illiterates for the presidentship of taluk boards or union panchayats.

Rao Sahib U. RAMA RAO:—"Sir, I beg to move the following resolution:—

33. That this Council recommends to the Government that no person who is illiterate shall be eligible for the post of president of a taluk board or union panchayat, though otherwise qualified for the same.

"Sir, this resolution requires no speech of mine to convince the House of the necessity of having a man as president of a taluk board or a union panchayat who knows how to read and write, especially as these presidents have got very important functions to perform, such as the passing of bills, preparing receipts, etc. It is absolutely necessary that these presidents should have knowledge at least of one of the vernaculars; otherwise it would be awkward if they put their thumb impressions to bills, etc., instead of their signature in writing."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I beg to second this resolution and in doing so I wish to make a few observations. In the village panchayat courts I think there is a qualification of literacy for one to be elected as a

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member of the court. If literacy is essential for one who sits as a member of the village panchayat court, I think it is more essential still in the case of one who presides over a union board or a taluk board, who has to do with the passing of the bills and other important work. A knowledge of English or any vernacular is necessary for these presidents."

The RAJA OF RAMNAD:—"Sir, I am not quite sure what the experience of the hon. mover of this resolution is with reference to these local bodies. His suggestion is that the presidents of taluk boards and union panchayats should be literate. There is no union panchayat at present but only union board. Under the new constitution the president of a union board shall be elected and the president of a taluk board shall also be elected unless otherwise directed by the Government. It is only in a very few cases that the Government reserve the right of nominating president in the latter case and that too for special reasons. May I ask the hon. mover whether he seriously thinks that the members of these boards will be so foolish as to elect illiterate men to preside over them?"

Mr. A. RANGANATHA MUDALIYAR:—"There is a case like that, Sir."

The RAJA OF RAMNAD:—"If there is a case like that, it should have been brought to the notice of this Council and to the notice of the Government. I cannot for a moment think that there could be a case where the chairman of the board is illiterate. I think the hon. Member means by the word 'illiterate' one who is able neither to read nor to write. Even if there is a case like that, it must be an extraordinary one deserving the serious notice of the Government. The adoption of this resolution will be a reflection on the members of the local bodies concerned that they are certain to make such blunders. They are sure to resent this."

Mr. S. T. SHANMUGHAM PILLAI:—"Sir, I quite agree that the acceptance of this resolution will be a reflection on the members of the Boards concerned. If in any rare case the post of taluk board president or that of a union has been allowed to be held by an illiterate man, it is a mistake to be corrected in future."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, Sir, it has been suggested that it would be foolish on the part of members of local bodies if they elect illiterate persons as presidents of those boards. I may give you an instance which has occurred in my district. I stand now in this Council to justify the conduct of one particular union board. Sir, an Adi-Andhra labour member, an illiterate, was nominated to a union board. I did this at the instance of the Government. I received Demi-Officials that an Adi-Andhra should be nominated to that particular union board. I was not able to find a literate Adi-Andhra member and I was forced to satisfy the Government by nominating this illiterate Adi-Andhra. When the time of election of the president of that board came, there was a keen contest. An ex-chairman who served in the union for nearly 15 years was one of the candidates for the election, this Adi-Andhra labour member being another candidate. A leading vakil of the place was also a candidate. First the leading vakil was eliminated and in the second election the ex-chairman was also eliminated and this Adi-Andhra illiterate member was finally elected as a president by a good majority. He is not able to read and write. I may also tell you that the union board consists of three vakils, two business men,

[Mr. C. V. S. Narasimha Raju] [15th September 1922]

two doctors and one village munsif. Two of these vakils appear in almost all the cases of the local district munsif's court. This is the position there and this is the body that elected the president in question.

"I was first intimated of this fact by the taluk board president and he asked me what we should do under the circumstances. I referred to the provisions of the Act and I told him that there was nothing in it to prevent the illiterate man from being the president. I told him that we would carefully watch his work and if anything went wrong we would refer the matter to the Government. Subsequently the Treasury Deputy Collector, not being satisfied with this, himself made a reference to the Accountant-General as to the signature of this man, what should become of the bills issued by him, how they could be identified and so on. Wisely, I think, the Accountant-General has given instructions to the Treasury Deputy Collector saying that it is his (Treasury Deputy Collector's) duty to see that the provisions of the law are satisfied and if he finds any difficulty as to the identification of the signature, he may ask any literate member of the union board to attest or to somehow see and satisfy himself that the president understands the contents of the bill. That procedure is being adopted and no difficulty is experienced at all.

"To satisfy myself, I visited the place twice and I found that the whole thing was in a very satisfactory condition. The president of the board personally looks into all matters. He gets up at 4 o'clock in the morning and attends to his farm work till 8 a.m. He regularly visits almost all the lanes in the village from 8 a.m. and satisfies himself that they are properly cleaned. He attends the slaughter-house and the vegetable and various other markets. He personally supervises everything. At 4 in the evening he sees that oil is put in all the lamps and at 10 in the night he goes round the village to see whether all the lamps are properly burning. In this way he was able to show some economy and increase the number of lamps in the village by nearly 40 per cent and this gave complete satisfaction to the villagers. I had conversation with several inhabitants of the village and every one of them told me that they now realized that there was a union in the village. When the hon. the Minister for Local Self-Government visited my district, he asked me what was the first thing he had to inspect. I told him that there was this union and requested him to go and see that first. He accepted my invitation and he visited the place and I think he was entirely satisfied with the work there. I may also tell you that the Revenue Divisional Officer visited the union and left a remark in the Union register, I was told, that the president was one of the most able executive officers that he had come across. Therefore, I don't think that we will be justified in limiting the discretion of the union boards in electing their presidents."

The hon. the RAJA OF PANAGAL:—"Sir, after the very able speeches by two of the presidents of district boards, one from the north and the other from the south, it is hardly necessary for me to add anything to press upon this Council to reject this resolution. I have not the slightest doubt that this is one of those reactionary attempts to put a stop to the progress of responsible Government. At a time when the cry for liberal franchise and for responsible Government is becoming greater and greater, I am surprised to find that a member of this House should come forward with a resolution of this sort. If a gentleman is illiterate, should it be a bar to his being

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elected either as a member of a local board or as a president of the board? We have given the privilege to taluk and union boards to elect their own presidents and why should the Government interfere with a discretion deliberately vested in them? It is, I consider, highly reactionary to introduce legislation imposing this disability upon persons who are illiterate and who are otherwise qualified to hold the post. We have been trying our best to elevate the depressed classes. The Council is aware that most of the members of the depressed classes are illiterate. If we are earnest in our efforts to elevate them, I think we should give them the chance of being elected as presidents of taluk and union boards. I am against interference with the discretion of the local boards."

Rao Sahib U. RAMA RAO:—"Sir, I am not very particular whether the Council votes for this resolution or not. The fact has been brought to my notice that the president of a local board is not able to sign his name. His thumb impression is taken on receipts, bills, etc. If this Council approves of this state of things, it may vote against my resolution. I, therefore, leave my resolution in the hands of the Council."

The resolution was put to the Council and lost. A poll was taken with the following result:—

1 p.m.

Ayes.

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| 1. Mr. K. Chatterkutti Nambiyar. | 5. Rao Sahib U. Rama Rao. |
| 2. Diwan Bahadur M. Ramachandra Rao Pantulu. | 6. Mr. A. Banganatha Mudaliyar. |
| 3. " L. A. Govindaraghava Ayyar. | 7. Sriman Sasibhushan Rath Mahasayo. |
| 4. Rao Bahadur Dr. C. E. Rama Rao. | 8. Mr. R. Srinivasa Ayyangar. |
| | 9. " T. C. Srinivasa Ayyangar. |

Noes.

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| 1. The hon. Sir Charles Todhunter. | 30. Mr. W. P. A. Saundara Pandia Nadar. |
| 2. " Khan Bahadur Sir Muhammad Habib-ul-Jah Sahib Bahadur. | 31. " K. Sitarama Reddi. |
| 3. " Mr. K. Srinivasa Ayyangar. | 32. " S. Somasundaram Pillai. |
| 4. " the Raja of Panagal. | 33. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 5. " Rai Bahadur K. Venkatarreddi Nayudu. | 34. Mr. T. C. Tangavelu Pillai. |
| 6. " Rao Bahadur A. P. Patro. | 35. Rao Bahadur C. Venkata Ranga Reddi. |
| 7. " Mr. A. R. Knapp. | 36. Diwan Bahadur M. Krishnan Nayar. |
| 8. Mr. F. J. Richards. | 37. Rao Bahadur A. S. Krishna Rao Pantulu. |
| 9. " C. W. B. Cotton. | 38. Mr. O. V. Venkataramana Ayyangar. |
| 10. " R. Littlehales. | 39. " S. Muttumaniakachari. |
| 11. " E. Periyasayagam. | 40. Rao Bahadur C. V. S. Narasimha Raju. |
| 12. " B. K. Shanmukham Chettiyar. | 41. Rai Bahadur T. M. Narasimha Chariu. |
| 13. " A. Ramaswami Mudaliyar. | 42. Mr. T. Sivasankaram Pillai. |
| 14. Rao Bahadur T. A. Ramalingam Chettiyar. | 43. " M. Suryanarayana Pantulu. |
| 15. Mr. K. Adinarayana Reddi. | 44. " T. Arumainatha Pillai. |
| 16. " S. R. Y. Ankiney Prasad. | 45. " A. T. Palmer. |
| 17. " V. Appaswami Vandayar. | 46. The Raja of Ramnad. |
| 18. " S. T. Shanmukham Pillai. | 47. Sri Mekha V. Apparao Bahadur. |
| 19. " C. Ramalinga Reddi. | 48. Mr. K. Prabhakaran Tampan. |
| 20. " O. Tanikachala Chettiyar. | 49. " C. R. T. Congreve. |
| 21. " W. Vijayaraghava Mudaliyar. | 50. " V. Hamid Sultan Marakkayar. |
| 22. Rao Bahadur K. Gopalakrishnayya. | 51. " Saiyid Ibrahim Ravuttar. |
| 23. Mr. B. Muniswami Nayudu. | 52. Khan Sahib Munshi Muhammad Abdu Rahman Sahib. |
| 24. " P. C. Muttu Chettiyar. | 53. Khan Bahadur Muhammad Sadulla Bada Sahib. |
| 25. " A. T. Muttukumaraswami Chettiyar. | 54. " Muhammad Usman Sahib. |
| 26. " M. Narayanaswami Reddi. | 55. Mr. R. T. Kesavalu Pillai. |
| 27. Rao Bahadur C. Natesa Mudaliyar. | 56. Rao Bahadur T. Numbermal Chettiyar. |
| 28. Mr. V. Pakkiriswami Pillai. | |
| 29. " C. Ponnuswami Nayudu. | |

[The Raja of Pangal] [15th September 1922]

Neutral.

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| 1. Mr. M. Appalarasayya Nayudu. | 6. Mr. S. Arpudawami Udayar. |
| 2. " K. Sarabha Reddi. | 7. Rai Sahib E. C. M. Mascarenhas. |
| 3. " A. Tangavelu Nayagar. | 8. Khan Sahib Muhammad Abdur Rahman Khan Sahib. |
| 4. " V. C. Vellingiri Goundar. | 9. Saiyid Diwan Abdul-Rasak Sahib. |
| 5. " K. Sadasiva Bhat. | |

The resolution was declared lost, 9 voting for and 56 voting against; (9 hon. Members remained neutral).

Construction of the Palghat-Manantoddy Railway.

Mr. K. PRABHAKARAN TAMPAN:—"Sir, I beg to move

34. That this Council recommends to the Government to take immediate steps to commence the construction of the Palghat-Manantoddy Railway line or any alternative project traversing the Mappilla tracts of Walluvanad and Ernad in Malabar.

"This is not a new subject, but one that has been before the public for more than a quarter of a century. Whenever there was a Mappilla trouble, the district officers had urged the desirability of opening up the Mappilla tracts both as a preventive measure and as means for the rapid movement of the troops. But through want of funds or indifference or any other reason, the scheme has not yet materialised. It is said that the present Mappilla trouble would not have taken place if a railway had existed in the interior of Ernad and Walluvanad. At any rate, it may be safely asserted that the insurrection would never have dragged on to such a long time with its disastrous results if the military authorities were not hampered in their movements by the absence of facilities for communication. Sir, the House will be surprised to hear that it was only after very long and unpardonable delay that important places like Perintalmanna, Mannarghat and Manjeri were rescued from the rebels. Perintalmanna is the headquarter of the taluk with a sub-treasury which was looted, a district munsif's court and a sub-registrar's office where the records were all destroyed, and other important public offices. It is only 14 miles from Pattambi, the nearest railway station; but it took as many as fourteen days for the military to get there. Mannarghat is another place with some local importance. It is about 20 miles from Olavakode railway station and it was only three weeks after the place fell into the hands of the rebels that the military was able to rescue it. It was more or less the same in regard to all places. I should not be understood as criticising the action of the Military Commander who must have known his business best and the exigencies of the situation warranted only such action. What I mean is that the absence of a railway in the place was the most important factor that contributed to the protracted length of the insurrection. Sir, a railway through these tracts will have a civilizing effect upon and will be of great educative value to the Mappilla inhabitants who are considered to be quite ignorant and backward. It will also tend to find new employment for them and keep them in peaceful avocations. This is an aspect which should never be lost sight of in considering the measures to be adopted for the regeneration of the Mappillas.

"I may also assure the House that besides its strategic importance the line is bound to be a paying one from a business point of view. There were three different buss services plying between Calicut and Nilambur and two

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between Tirur and Manjeri all of which were making enormous profit. The Perintalmanna Co-operative Conveyance Society, which was running another service, was also doing quite well. It is mainly to these parts of the district that the enormous traffic in timber and other forest produce for which the district is famous is confined. The Malabar District Board gets more than a lakh of rupees as its revenue from the tolls, the Mundur toll, for instance, which is situated between Palghat and Mannarghat, alone contributing about Rs. 15,000. These sufficiently indicate that the proposed line is bound to be a paying one. My hon. friend Mr. Congreve will bear me out when I say it will be of immense use to the planters whom he has the privilege of representing here. There are several plantations along the route which will find easy outlet to the sea.

"Then, there are the Government and private forests in the development of which we are keenly interested. The Chief Forest Engineer to the Government of India has recommended the construction of this line for the successful exploitation of the reserve forest. There are the Chenat Nayar, Attapadi, the Silent Valley and the Nilambur reserves, all of which will be greatly benefited and can be expected to give their maximum returns if this line is laid. The proposed line will touch all these reserves.

"Sir, I recommend the immediate construction of the line for another reason also. There are more than 8,000 Mappilla prisoners now undergoing sentences and the Government were at pains to find employment for them. The hon. the Finance Member suggested at the budget time that we might take up the construction of the Kameswaram canal and utilize their labour, but that idea did not commend itself to this House. My suggestion is that the prisoners may be employed in the construction of this work. They will be in their own native place and may not feel the hardship of the prison life at Bellary.

"So far as I know, there are two alternative projects under consideration, viz., Shoranur-Manantoddy and the Palghat-Manantoddy lines. Personally, I should prefer the latter. For one thing, it will touch more reserve forests as the alignment of that will be along the mountain valleys. It will traverse also important Mappilla centres such as Mannarghat, Alanellore and other places. There is of course the question of connecting it with the Cochin line. If the Dindigul-Palghat project becomes an accomplished fact and the line is a metre gauge one, it will be highly advantageous to connect Palghat with Trichur, and thus extend this line to a point in the Cochin Railway. It may seem an ambitious project, but it has its own attraction as it will link the east coast ports with the west coast. It is not for me to suggest these details. They can properly be dealt with only by experts. I find in last year's Railway Administration report that the survey of the Shoranur project is over and that of the other is only ordered to be made. Perintalmanna-Nilambur is a common factor for both, where the work may be started forthwith, awaiting the survey to Palghat, if that project is approved of.

"Finally, Sir, there is the question of finance. It will be very good indeed if the Government can persuade the South Indian Railway to take up this project. I find in the papers that they stand to get more than three crores out of the 25 crores loan floated in England for the Indian railways. If it is not possible, the Government will have to find the required funds and take up the work themselves. In that case, I would suggest that the

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management should be given to the Malabar district board so that it will be a sort of inducement for that board to levy railway cess and extend the operations to other parts of the district when sufficient funds permit it. With these words I commend this resolution to the acceptance of this House."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I beg to second the resolution which has just been moved. Reference has already been made to the utility of the line, and to the recent Mappilla outbreak. It has been shown that the Government could have put an end to the rebellion more easily if the line had been in existence. I shall refer only to two places in Malabar to show how very useful the existence of a line like this would have been. I shall refer to Nilambur and Tirur. The rebellion broke out on the 20th of August 1921. Immediately after, I believe in a week after the outbreak, the notorious rebel who has since been captured, tried and convicted by a military court and shot, Variamkunnath Kunhamad Haji set up his Khilaphat kingdom at Nilambur. If troops could have been poured into that area quickly, this Khilaphat kingdom and the other Khilaphat kingdoms that were set up could have very soon been terminated. As a matter of fact, troops could be brought into Nilambur only 35 days after the outbreak. This shows how useful the railway line could have been for the suppression of the rebellion. But in the case of Tirur which is actually on the railway line from Madras to Calicut, the case was different. Within one or two days after the outbreak of the rebellion a large number of rebels surrounded the police including an inspector, two soldiers and many members of the civil population and kept them prisoners at Tirur. The position of these people who were surrounded by rebels numbering at one time about 10,000 or so was very dangerous for one or two days. But Tirur was on the railway line and troops were poured into that town at a very short notice with the result that the place became safe very soon. With the restoration of order at Tirur a very large portion of the Ponnani and Walluvanad taluks also became safe."

"Then, from the point of view of trade also, Sir, the construction of this line is extremely necessary. Manantoddy is a portion of the Malabar-Wynad and contains very large forests, and from there there is a very large timber trade with Calicut. At present, the logs of timber are carted down the ghat road and it naturally costs a great deal. If this railway line is constructed, all the timber that is now carted down will be brought down by train and the cost will be very much lighter than it now is. Again, there are places like Nilambur where there are Government forests and extensive private forests, and if this line is constructed, it will greatly facilitate the timber trade from these places."

"Then again, from Mannarghat to Olavakot, the distance is about 28 miles. The hon. Member in charge of this portfolio, the hon. Mr. Knapp, knows all those places very well. As a matter of fact, from Mannarghat to Olavakot, there is both day and night a string of timber-laden carts going to and fro, and if this line is constructed, this timber trade can be diverted to the railway with the result that the transport will become easier and the cost lighter."

"Again, as regards the newly-sanctioned item in the budget, namely, the working of the Chenai Nair forests, these forests are only at a distance of six or seven miles from Olavakot, and if the Palghat-Manantoddy line is

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constructed, it will pass through or near the Chenai Nair forests, in which case the Government will be considerably benefited as also the people in those parts. And if the Palghat-Dindigul line, of which we have been hearing so much for the last so many years, becomes an accomplished fact, it will be linked with the Palghat-Manantoddy line, and there will be great facilities for trade."

Rao Bahadur T. NAMBERUMAL CHETTI:—"I rise to say a few words in support of this resolution. This line, though not standing first in the order of importance is, I am told, the second best. It is better to start the second best now than allow the first best to be taken up a quarter of a century hence. The two main reasons are: (1) strategic purposes, and (2) to provide facilities for the output of the planting districts, and there is a third, and that is for finding an outlet for timber in Nilambur and the adjoining private forests. The mover and the seconder have dilated on reasons (1) and (2). As regards the third, a few words forecasting the possibilities of Indian forests would not be out of place to show the necessity for the opening of the railway line. The United States and Canada are the largest exporters of timber, and Japan is increasing her output. Norway and Sweden are practically selling away all their output. Africa and South America have large reserves, but they have not commenced operations. The United States are cutting down six times as much as they are growing, and they are now realizing the disastrous consequences of their work. Let us see what India is doing now. She imports pine, boxwood for shooks and timber for general use from Sweden. Her railways import $1\frac{1}{2}$ millions of sleepers roughly valued at 15 millions, while she has forests of her own within forty or fifty miles of her railways."

"This resolution purports to provide for this forty or fifty miles of railway and I would ask this House to lend its support to it."

Mr. C. R. T. CONGREVE:—"As the mover and the seconder have observed the construction of this railway would have a great strategic importance. Had it been in existence already, it would have very largely helped to quell the rebellion that took place last year. I have much pleasure in supporting the resolution."

The hon. Mr. A. R. KNAPP:—"Sir, let me say in the first place that I do not think the hon. Member who moved this resolution was quite correct in saying that this railway project is a matter which has been under contemplation for many years. It is perfectly true that after successive Mappilla outbreaks the question of opening up of communications in the disturbed area came into great prominence. The District Magistrate impressed on the Government the necessity for more roads, but in those days we thought in rupees and not in lakhs, and I do not think that any District Magistrate had the temerity to suggest a railway as the remedy for Mappilla troubles. He would probably have thought the expense prohibitive. The inception of the proposal for a railway line from Palghat to Manantoddy is due to Sir Harold Stuart who, in 1916, made a proposal for connecting Manantoddy with the main line at Shoranur. His principal objects were to provide an opening for the interior of the South Malabar as well as an outlet from Wynad and the central plateau which comprises Wynad and Mysore. The project was brought before the Railway Board in January 1917. Orders were issued for an engineering survey, which began in 1918 and ended in 1920. I do not propose to trouble the Council with details."

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I will merely say that the result of the survey was that the project was considered a feasible one both from the point of view of construction and of traffic. On its economic side, the line was regarded as holding out special prospects of development in the trade in timber, minerals and plantation products.

"Reference has also been made to the administrative advantages which would follow from the provision of better communications in the Mappilla taluks. The proposal then was for a narrow gauge from Manantoddy to Shoranur to connect at the latter place with the main line and with the narrow gauge line to Cochin. While the survey of this project was under scrutiny, other proposals were put forward which involved a large extension of the broad gauge lines in South India and, particularly, on the West Coast. This would have entailed the establishment of a broad gauge junction somewhere near Palghat, possibly at Olavakot, and that indirectly raised the question of the realignment of the proposed Manantoddy line. If there was to be a broad gauge junction at Olavakot, it became a question whether the Manantoddy line should not join the main line there instead of at Shoranur. As it became a matter of urgent necessity to come to a decision on this point, we asked the Railway Board that the expert whom they sent down to go into the whole question of the gauges should take up in particular the question of the broad gauge extensions on the West Coast. I have not seen the official report, but I understand that the officer sent by the Railway Board has advocated the retention of the narrow gauge line from Shoranur to Cochin, and that he is strongly in favour of taking up the line from Shoranur to Nilambur as originally arranged, the question of the continuance of the line into the Wynad being left for later consideration. The length of the line, as thus proposed, is about 51 miles and the cost somewhere near 66 lakhs of rupees. The line will pass from Shoranur through the very worst of the Mappilla areas to Nilambur.

"Reference has been made to the strategic value of this line. This is a matter which impressed itself on me when I was Special Commissioner for Malabar, and I myself pressed on the Government the very great desirability from that point of view of pushing forward the scheme which would, as I pointed out, go right through the tract of country which formed the main stronghold of the rebels and the centre of their activity. I have since obtained from the military authorities strong support for my recommendation. They are of opinion that if the railway had been in existence at the time of the rebellion, it would have been possible to move troops to the disturbed area very much more quickly, with the result that the area of the rebellion would have been considerably curtailed, and its suppression effected more rapidly and effectively. In addition to the strategic value, the opening of this line will have other obvious advantages. It will, in a very large measure, facilitate the reconstruction of Malabar which is a matter now engaging the attention of the Government. A railway through the interior of the Ernad and Walluvanad taluks cannot but have a civilizing and pacifying effect on the Mappilla inhabitants. It would improve their material condition, and, we may hope, would tend to divert them from the tendency to fanaticism and violence which unfortunately characterized the recent rebellion. Whether it will be possible to employ Mappilla prisoners on the construction of railway I am not quite sure. But the suggestion is certainly an attractive one, and there would, I think, be a

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certain justice in putting the Mappilla down to the building of a new railway in the very place where, not many months ago, he was busily engaged in pulling down the existing railways."

The hon. the DEPUTY PRESIDENT:—"It is some minutes past 1-30. Does the hon. Member desire to go on?"

The hon. Mr. A. R. KNAPP:—"I have almost finished, Sir. I want only to say one word more as regards the financing of the construction of this line. When I was recently at Simla, I had an opportunity of discussing this matter with the railway authorities. They were quite sympathetic. Since I saw them I have been engaged in enquiries and negotiations with a view to get over the difficulties of the financial problem. I am afraid it would not be discreet for me at this stage to announce exactly how matters stand in regard to these negotiations. But I will only say this, that I have very strong hopes that the difficulties in regard to finance will be found not insurmountable, and, being somewhat of an optimist, I look forward to the possibility of starting work on the line in the not very distant future."

The hon. the DEPUTY PRESIDENT:—"Does the hon. Member accept the resolution?"

The hon. Mr. A. R. KNAPP:—"Yes, Sir."

The resolution was put and passed unanimously.

The House then adjourned for lunch at 1-35 p.m., and reassembled at 2-35 p.m.

Communal representation in the staff of inspectors of schools.

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, in view of the recent Government Order, I do not want to move the following resolution:—

35. *That this Council recommends to the Government that strict proportional communal representation be secured for the grade of inspectors of schools either by direct recruitment or by promoting non-Brahmans from the lower grades.*

The following amendment therefore fell through:—

Mr. T. SIVASANKARAM PILLAI:—

After the word 'recruitment' insert the words 'by granting extensions after the retiring age in suitable cases.'

Resettlement in Anantapur and Bellary districts.

Mr. P. SIVA RAO:—"Sir, I beg to move the following resolution:—

36. *That this Council recommends to the Government that in view of the economic condition of the Anantapur and Bellary districts, the resettlement proposals made in the said districts may not be brought into effect.*

"Sir, there seems to be some misconception regarding the aim and scope of this resolution. I may explain at once that this resolution means that the resettlement proposals sent by the Resettlement Commissioner and now sanctioned by the Government in its order dated the 21st July 1922, should not be enforced. That means that sanction should be withheld for the introduction of the proposed rates in those districts especially in view of the

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economic condition prevailing therein. The object of this resolution is to see that the additional burdens which are sought to be imposed on the six taluks in these two districts are not imposed.

Now, Sir, having said so far, I may refer to the history of this question. The resettlement, by the expiry of thirty years, became due in the Bellary and Anantapur districts in the year 1921-22 and the resettlement processes have been going on in these two districts for the last two years. As soon as the scheme report was submitted by the Settlement Commissioner, we took an opportunity of sending a deputation to the hon. the Revenue Member and waited on him. It may be within your recollection, Sir, that you headed the deputation at Adoni. We made representations and we placed facts and figures before the hon. the Revenue Member, and amidst heaps of sympathy and promises of careful consideration at the hands of the Revenue Member we parted. The matter has been under consideration till the 22nd July 1922.

Now, after the deputation, I gave notice of a resolution that the resettlement operations in the presidency may be stayed pending the introduction of legislation for the codification of the principles governing them. It will be remembered, Sir, that after a full dress debate this resolution was, by a very large majority, passed in this House, and the Government also accepted it. They did not dissent from it, but they gave effect to it by appointing a committee of which I had the honour of being a member, for the consideration of the lines on which this legislation should proceed. This committee met for a few days and then submitted its report. Without any breach of etiquette, Sir, if I may be allowed to say so, it was unanimously recommended by the committee that before resettlement proposals were introduced hereafter in any district they must receive the affirmative sanction of this House. We, the members of the committee, especially the non-official members, thought that that was a very great reform that we achieved and the same provisions were embodied in the Bill that was about to be introduced.

In the meantime a resolution for the introduction of permanent settlement in the case of ryotwari tracts was successfully moved in this House. I do not know what the attitude of the Government is in regard to the permanent settlement in question. To ascertain how the matter stands, I put in a series of interpellations during this meeting. The reply given to an interpellation of mine is that the whole matter has been referred to the Government of India. In answer to another question as to what the Government has done in regard to the resolution on the permanent settlement, it was stated that that matter also had been referred to the Government of India for their consideration. Now, Sir, I mention all these circumstances just to convince this House that it was hardly necessary to introduce these rates in the current fasli. The Government have accepted that till these principles are codified and till the Land Revenue Bill is passed into law, they would not introduce these rates anywhere in the presidency. They gave a pledge, as it were, and they must fulfil the same. Now, Sir, before I discuss the details of these proposals sent up by the Settlement Commissioner and now sanctioned by the Government, I may ask, is it not inconsistent with the position the Government took up in the matter to introduce now the rates before the Land Revenue Settlement Bill is passed into law? It cannot be said that this Bill has been definitely given up by the Government. Such a Bill is pending consideration. Whatever the fate of the permanent settlement may be, that question also has to be solved.

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Suppose it is decided to introduce the permanent settlement in the case of ryotwari tracts in this presidency, the question that naturally arises for consideration is, why should these poor unfortunate six taluks of the districts of Anantapur and Bellary not have the benefit of the beneficial scheme? Then the question arises why these rates should be introduced so hurriedly when the Land Revenue Bill is pending consideration. As I have already stated, one of the important provisions of that Bill, which was unanimously passed by the committee was that these proposals should receive the affirmative sanction of the House.

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Sir, is it open to an hon. Member to enter into a detailed discussion of the provisions of a Bill which is not before the House, which has not been introduced and about which nobody has any idea at all?"

Mr. P. SIVA RAO:—"Sir, I was not referring to the provisions of the Bill, but I was referring to the recommendations of the committee. Concerning the Bill itself, I may say broadly that such a legislation is pending with the Government, and they accepted once the position that they would not introduce resettlement rates in this presidency pending that legislation. Now, Sir, I sincerely ask the hon. the Revenue Member whether he is not going back upon the solemn pledges given to the House.

"Then, coming to this question, I may say, Sir, that a resolution was moved that in view of the then economic condition and the distress that was prevailing in the taluks of these two districts, the introduction of the rates should be postponed at least for a year. The hon. the Revenue Member very graciously conceded that for one fasli the introduction would be stayed. In the same connexion another resolution was moved by the hon. Member Mr. Ranganatha Mudaliyar that the proposed rates were excessive, and extortionate and unconscionable and that they should not be given effect to."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I would request the hon. Member to read the resolution fully."

Mr. P. SIVA RAO:—"Sir, the resolution that was moved in February 1921 by my hon. friend Mr. Ranganatha Mudaliyar runs thus:

That this Council is of opinion that the scheme report No. S.O. 111 Board, dated 25th April 1920, of the Special Settlement Officer, Bellary, furnishes no adequate reason for the enhancement of the existing rates of assessment in the black soil taluks of Bellary and Anantapur districts and recommends to the Government that the existing rates of assessment be left unaltered till the main principles by which land revenue should be determined are embodied in a statute.

"This resolution, after a promise of most careful consideration on the part of the hon. the Revenue Member, was withdrawn. I can quote some passages from the hon. the Revenue Member's speech wherein he has promised the most careful consideration.

"The Government propose to introduce these rates from the current fasli, for the year 1922-23. Referring to the economic condition of the districts, I may say, Sir, that they are described as the backward districts in the most backward tract known as the Deccan. Whether in point of rainfall, or of material prosperity, or of economic condition, or in point of markets and communications, or in point of irrigation facilities, I may say, Sir, without fear of contradiction, that my district is the most

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unfortunate one. It is also well recognized that these districts form the 'famine zone' of the presidency. This is not a new fact. It has been long recognized that this tract is peculiarly susceptible to famine, scarcity and distress; so much so that it has been aptly stated that the moment it emerges from one famine it readily enters into another. I may quote in this connexion for the information of the House as to the series of famines not to speak of scarcity years that have prevailed in this tract; I may refer to the District Gazetteer, where Mr. Francis sums up by saying: 'To sum up, in the century during which this district has been in British possession, in addition to the numerous seasons in which things have been bad, but not bad enough to warrant State relief, there have been scarcities in 1802, 1804, 1805-07, 1824, 1884-85 and 1900, and famine in 1833, 1854, 1866, 1876-78, 1892-93 and 1896-97. As has been truly said the unfortunate ryot hardly emerges from one famine before he is submerged in another.' This, Sir, is the state of things that prevails in my district. It may be within the recollection of the hon. Member that last year he had to combat with a very severe famine especially in tracts now under consideration, namely, Gooty and Tadpatri, two of the taluks in which these rates are sought to be introduced. They are the worst affected parts of the district and there are also some other taluks which were affected equally and in which these increased rates are sought to be introduced.

"And it is also within the recollection of the hon. the Revenue Member as to how many lakhs he spent for famine relief and what remissions had to be given, and it would also be within his recollection when he dispensed with famine-relief schemes in these tracts—it is only about three or four months ago. The hon. Member will be pleased to remember also—I think he is watching the condition of the season from the reports of the District Collectors."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"And from non-official sources also."

Mr. P. SIVA RAO:—"Yes, and from non-official sources and also from the debates regarding these matters in the Legislative Council, it must have come to the notice of the hon. the Revenue Member that the preliminary monsoon has been a thorough failure in the districts in question and the north-east monsoon does not give much promise. And now, Sir, I would respectfully ask the hon. the Revenue Member whether the condition was not so bad recently, and whether the people of the tract had time to recover at least from the effect of the last famine, to relieve which the hon. the Revenue Member did so much, so recently, about a few months ago. I may add that it is also well recognized that if a particular monsoon fails in any of these districts, or if a particular expected rainfall does not come in suitable time, it is sure and certain that there is famine and scarcity in these tracts. It means this: that the staying power of the ryot is so small that even a small or adverse vicissitude of the season affects him materially and drives the tract to famine conditions."

"Now, Sir, without labouring this question any more, I may refer to the same Gazetteer. I cannot help quoting from it, and I have been quoting from it so often, and I rely upon it because it is a gazetteer prepared under official auspices, and the statements contained in it have got a great value as they describe the nature of the soil. Mr. Francis says in his Gazetteer: 'Except in the eastern taluks, the soil for the most part is very poor stuff.'

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About the rainfall I may state that it is 19 inches on the average. Bellary gets only 19, but there are some parts of the district which get 21 or 22. About this rainfall he says: 'The rainfall is capricious and uncertain and often unseasonable. Owing to the nature of the country, tanks are few in number and nearly all rain-fed, while channels are still fewer. The proportion of the district which is protected for all seasons is therefore as low as 2 per cent. Except in the western taluks, forests and grazing land for cattle are scarce. There are no non-agricultural industries of importance which would serve as an outlet for superfluous labour in times of stress.' And then occurs the following sentence in the same Gazetteer: 'As long as a man can barely keep the wolf from the door, he has neither the means nor the leisure to improve his lot and in this district the wolf is never far away.' About credit, he says: 'Credit is not cheap, the rate of interest on money loans varying from 1 to 2½ per cent per mensem and that on advances of grain being 25 per cent.' He also observes: 'If two successive monsoons fail his (ryot's) cattle die in thousands and he himself, as will be seen later, lives from crop to crop and has usually hardly emerged from one famine before he is submerged under another.'

"Turning to the Irrigation Commission report, Sir, they made a special recommendation to alleviate this evil and they proposed a close investigation of the Tungabhadra project. In that report, it is said: 'Excluding these seven districts, the remainder of the Presidency is more or less liable to famine except such small areas as are protected by works of irrigation. The most insecure districts are the Deccan districts comprising Kurnool, Bellary, Anantapur and Cuddapah, which have suffered several times from famines during the past years.'

"Now, Sir, I do not think it is necessary on my part to dilate any further upon the economic condition of this tract, and that by itself would furnish the ground for rejecting the whole lot of proposals in question. As regards the economic condition, the Government rely upon a rosate account given in the scheme report. But the valuable description, which I have quoted, of the economic condition of the district finds a place in a permanent book written by a very able officer, Mr. Francis, and."

The hon. Sir CHARLES TODHUNTER:—"Did that officer ever serve in that district, Sir?"

Mr. P. SIVA RAO:—"I do not remember that he served in that district after I went there."

Mr. T. SIVASANKARAM PILLAI:—"I know, Sir, that Mr. Francis was Collector of Anantapur."

Mr. P. SIVA RAO:—"But whether he was Collector of that district or not is not the question. An officer was specially deputed for writing a history of the district and he had unique opportunities of consulting many Collectors and many deputy collectors before he wrote that report. Now, Sir, with regard to the rates it always takes the form of a certain percentage of the supposed net profit which is derived by the ryots in the land. The Settlement Officer has given a bloated estimate of the total output. One of the serious defects in the report is that he has taken the rates of prices prevailing for about 20 abnormal previous years. Abnormal years have to be excluded from such a calculation. And then he has given an over-estimate of the commutation price; on the other hand he has given a very poor estimate of the cultivation expenses. Sir, it is very often

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urged that the prices have gone up. If so, the cultivation expenses have gone up also *very often* with the inevitable result that there is very little margin of profit for the poor cultivator. That is one defect of the report.

"I may now pass on to the question of population. From the reports we find that the population has considerably decreased since 1901 and in their census report is shown a decrease in the population during the last two decades. This decrease in the population, the Government say, was not due to economic causes but that it is due to epidemic causes like influenza. Whatever it is, it is certain that the district is not prosperous. The population is one test of the material condition of the people and if there is a decrease in it, one comes to the conclusion that the tract is not prosperous. The Government also are alive to the fact that the indebtedness has grown considerably. But they satisfy themselves by saying that, though the indebtedness has grown, the selling-value has also grown. It is said that the ryot borrows the money and lends it to others. I do not know on what facts they draw such inferences. In the report of the Settlement Officer it is said that in the case of wet lands there ought to be 25 per cent increase, in the case of dry lands he suggests 18 per cent enhancement. The Government direct that in the case of the lands bearing a low assessment like As. 4 and As. 6 there should be an increase. Without taking the time of the Council any further I may say that I strongly protest against this imposition—shall I say iniquitous under the circumstances. If these proposals are carried into effect it means an increase of Rs. 2½ lakhs and . . ."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"That means only Rs. 60,000 and odd."

Mr. P. SIVA RAO:—"I remember having read that it is Rs. 2½ lakhs; however as to exact figures I shall agree with the hon. the Revenue Member. Whether it is rent as it is euphemistically called or tax, it is certainly a most unjustifiable burden. We very well know the actual condition of the district and we object to the imposition of this additional burden upon the poor, unfortunate and famine-stricken districts. If I may say so, these districts could no more bear any further tax however small and I may assure the hon. the Revenue Member that he will traverse the limit of perfect recovery if he sanctions these proposals especially at this juncture when he recently had a tour in Gooty, Penukonda and other places on which occasion he should have been sufficiently impressed with the poor state of the places, and I believe it is contemplated to open test works at Gooty. It is certainly a most unsuitable time for the imposition of additional tax and I earnestly appeal to him to accept my motion."

Rao Sahib G. VENKATARAMA REDDI:—"Sir, I beg to second the motion. These districts, as hon. Members are aware, are situated in the famine zone. Famine condition prevails always in these districts and my hon. friend Mr. Siva Rao has quoted some extracts from the Irrigation report to prove my statement. If that is not sufficient, I may invite hon. Members' attention to the report by Mr. Mackenzie, I.O.S., who said that these districts are producing a crop of famine reports—that is the very wording I believe. These districts are always famine-stricken; the crops are spoilt in some years on account of excessive rain and in almost all the years on account of want of rain. As my friend Mr. Siva Rao said, the rain in these districts

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are light and unseasonable and if the hon. Members of this House will only read the Hagari farm report it will be evident that the crops from the year 1910-11 have not been good at all. In some years, for instance, 1910-11, 1912-13, 1915-16, 1916-17, 1917-18, the rainfall, though it was a little above the average, was very badly distributed and secondly the crops failed in these years. During the other years the rainfall was much below the average and there were no crops at all. But during the past three years, as hon. Members of this House are aware, there were famines and failure of crops in these three districts—in these two districts at any rate. This year it is no better than the three previous years and I submit that in the two taluks of the Anantapur district there have been no sowings at all. When such is the case, I would ask the hon. the Revenue Member whether it is fair to raise the assessment at all at this time. With regard to the neighbouring district of Cuddapah, I find there has been no increase at all and in the resettlement of the Kurnool district in some taluks there was a slight increase of one anna or so. The conditions prevailing in Bellary districts of Cuddapah and Kurnool are the same as now prevailing in Bellary and Anantapur. No extraordinary circumstances have been shown to exist in these districts to justify the enhancement of the rates. One statement of the Settlement Officer I would take objection to is that these districts successfully withstood four successive bad seasons. That is an extraordinary statement and I submit anybody that has some knowledge of these districts can say that it is an exaggerated version. And then, again, it is said that the people buried their hoarded wealth under-ground and go on borrowing money to show to the world that they are poor. I submit it is a fantastic statement and, with all respect to the Settlement Officer, I say that is not a fair statement of the situation. And, then, hon. Members of this House are aware that last year an amount of money was distributed in these two districts. Again, the population of the districts has gone down by 10 per cent; indebtedness also has considerably increased; 85 per cent of the people are paying an assessment of less than about Rs. 30, nearly 55 per cent of whom are paying Rs. 10 or less. Such is the economic condition of these tracts and I submit it is certainly very hard on these people to raise the assessment. I am a landholder myself and I belong to those very districts, and I submit I know very well of the poor condition of the ryots. With these words, I heartily second the motion."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Sir, I wish, if I may, to assure the House in general and the hon. mover in particular that I shall certainly not lend myself as a party to any iniquitous taxation, and I think I may also assure him that not only he but I as well representing the Government have a very large corner in my heart for the 'suffering, poor, famine-stricken and impoverished ryots.' However, facts have got to be mentioned as they really are. I think inasmuch as the hon. mover has travelled over a wider field than probably this restricted resolution would have permitted him to do and has led us into resolutions which had been passed previously, I owe it to the House that I should likewise begin from the beginning. It was in February 1921 that the hon. mover brought forward a resolution that the resettlement proposals of the Bellary and Anantapur districts might not be given effect to during that fash. The fash that was then specifically referred to, happening as the resolution was in February 1921,

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was undoubtedly fasli 1330. Having just then returned from a very long tour in those districts, having had the benefit of receiving first-hand information not merely from official sources but from non-official sources as well, and having seen things for myself, it seemed to me very reasonable indeed that I should advise the Government not to introduce the resettlement rates in that particular fasli ('Hear, hear' from Mr. T. Sivasankaram Pillai) and it was with sincere pleasure that I accepted the definite recommendation of the hon. mover made in February 1921. As a consequence of that resolution which had been accepted by Government, the resettlement proposals ought automatically to have come into operation from fasli 1331, namely, from July 1921. But as it seemed to me from the reports which I was receiving and from all circumstances that the two districts were not fit to shoulder this additional burden even in the following fasli, without any resolution from this House, without any mandate from it, without any request from any particular individual, I on my own responsibility ordered that the resettlement proposals should not be given effect to even in that fasli. Therefore, Sir, we see that in the faslis 1330 and 1331, during which these resettlement operations ought to have been enforced, they were suspended, and I certainly think that they were rightly suspended, for the condition of affairs in those two districts, not merely in February 1921 when the resolution was moved by my hon. friend and accepted by Government, but also almost throughout that year, was such as not to permit the introduction of the resettlement rates. What are the facts to-day? I am asked to base my full reliance on certain quotations which have been read out to us by my hon. friend opposite from the District Gazetteer written by an officer who, if I may say so now, has indulged rather in graphic writing and who probably wrote it from the cool heights of Ootacamund! But as against it I have got the report of the Special Settlement Officer who spent nearly five years of his life in that district, who visited village after village, who inspected field after field, who made detailed and meticulous investigations into the various processes which constitute the resettlement operations, who weighed things from their proper perspective, and who came to conclusions on undisputed materials. Now, am I to base my conclusions to-day on facts which are referred to in Mr. Francis' Manual and which give a long tale of bad years dating back to the nineteenth century? Sir, if I am asked to form my judgment and my conclusions now, I should certainly prefer to base them on material now before me—material, I repeat, which has been collected for the specific purpose of drawing conclusions as to the present resettlement proposals."

Mr. A. RANGANATHA MUDALIYAR:—"You include among them the report of Sir Frederick Nicholson. He was an officer, Sir, who has long served in those districts and has so well represented the condition of those districts."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Well, then, what is the extent and application of the operations of the resettlement that we are now considering? We are now considering resettlement proposals not in respect of the whole of the Bellary and Anantapur districts but we are merely considering proposals in regard to the resettlement of the four black-soil taluks of the Bellary district and two of the black-soil taluks of the Anantapur district. Any one who will dare tell me that in the month of September of any given year it is possible to divine the

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to what the condition of the crops of the black-soil taluks in those districts will be must be regarded indeed as a false prophet. It is a fact well known everywhere that neither in the Bellary nor in the Anantapur district, so far as the black-soil lands are concerned, are they dependent upon what is called the south-west monsoon. Rains may come, rains may go; during the south-west monsoon the country may be flooded, the fields may get a surfeit of water, but still the ryot of the black-soil land does not care a penny for it. His operations begin only with the north-east monsoon. He takes advantage of the north-east monsoon. If the north-east monsoon is plentiful, he is probably as happy as the happiest man in the world. But if the north-east monsoon fails, then certainly begin his miseries and then certainly is the time for us to consider whether the failure of a certain monsoon is such as to necessitate the adoption of any special measures. Therefore, I would ask the House to remember—and remember distinctly—that we are now dealing with the black-soil taluks of the Bellary and the Anantapur districts. Well, what happened last year was not the failure of the south-west monsoon of 1921, but what contributed actually to the miseries of 1921 was really the continuous failure of two monsoons in 1920 and the failure of the first monsoon of 1921. Under those conditions it became the imperative duty of the Government to step forward and devise measures for the purpose of alleviating the miseries of—let me repeat the words of the hon. mover—"the poor, famine-stricken and impoverished ryots" of those two districts. Well, am I not going to be told, or is this fact also going to be denied by those who hail from those districts, that the north-east monsoon of 1921 was plentiful? Why, Sir, is it not within the memory of this House that the rains from and after October 1921 were so plentiful at the time of my visit to those districts that I had earned the reputation of being called the god of rain (laughter)? Well, the rains were so plentiful that they retarded my movements in all the three districts which I wanted to inspect on the ground that this river was in flood, that a tank was overflowing, that bridge gone, this road damaged and as a consequence Collectors, deputy collectors and famine officers all had to tell me 'you cannot move about'. The flood gates of heaven had been opened! That was the real situation in October 1921, and October you must know is the official month for the commencement of the north-east monsoon. As a matter of fact the rains were so plentiful that they retarded the famine operations also in those two districts. After the heavy rainfall, it became sufficiently evident that our camps and test works attracted very little of labour so much so that each month thereafter saw the diminution of our activities in the matter of famine works, and let February be regarded as the red-letter day in the annals of these two districts, as it was in that month that even the last vestige of the famine or test works was absolutely annihilated in these two districts. Well, Sir, the reports would show that the crops in those four taluks of the Bellary district of which we are speaking, namely, Alur, Adoni, Sirugappa and Bellary, and to which only the scheme report has any reference, were actually plentiful and very nearly bumper. A careful investigation into the economic condition of these four taluks now has revealed the fact that there are to-day immense stocks of grain everywhere."

"Prices have not risen and I believe it is always customary with every merchant or every landholder who possesses a stock of grain, whenever he finds that the next season threatens to be

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a failure, to stick rather tenaciously to his stock and not put it into the market hoping thereby that he might be able to realize higher prices in the following season. If the anticipation of the ryot in these four taluks or of the landlord or of the merchant in general was that a worse season may again come or that the unfortunate conditions of last year were going to repeat themselves this year as well, the only conclusion that one can naturally draw is that he would not allow his stock to be taken into the market. If he had withheld his stock from going into the market, the only consequence would have been that prices would have begun to rise rapidly. I may assure the House, on the latest report which I have got in my hands now, that in none of these four taluks has there been the slightest tendency for prices to go up."

Mr. T. SIVASANKARAM PILLAI:—"May I ask, Sir, whether the hon. the Revenue Member would say the same thing in regard to Gooty and Tadpatri taluks?"

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I am confining my remarks now to the four taluks of the Bellary district. I will come to Anantapur presently."

Mr. T. SIVASANKARAM PILLAI:—"My object in putting the question was only to invite the members of the council to note that fact."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I request my hon. friend opposite to note that everything that has been said until now has reference only to the four taluks of the Bellary district. Sir, as regards Alur and Adoni taluks, resettlement was due in the year 1920-21. As regards Sirugappa a part of the resettlement was due in 1920-21 and the other part in 1921-22 and as regards Bellary taluk the whole of it was due in 1921-22. All these resettlements were postponed."

"Now, coming to the Anantapur district about which something like an anxiety has already been exhibited, the only two taluks which are now under the consideration of this House,—taluks to which and to which only resettlement proposals would apply—are Gooty and Tadpatri. As regards Tadpatri, I am able to assure the House in more or less the same strain that I have been able to assure them as regards the four taluks of the Bellary district. But I must honestly confess that I cannot say the same thing in regard to the Gooty taluk. I have visited about 30 or 40 villages quite recently, but it is premature to say anything now since we do not know how the north-east monsoon is going to behave. Let me ask the House once more to remember that I am only dealing with black-soil lands of the Gooty taluk also."

Mr. T. SIVASANKARAM PILLAI:—"Are there no red-soil lands there? Is it a black-soil taluk?"

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"What we call black-soil taluks are taluks where black-soil lands predominate. Of course side by side with black-soil lands there may be red-soil lands also. More than that I cannot say anything definite. I have not got a census in my hands at the present moment showing the exact acreage under red-soil and black-soil. I am merely talking of the black-soil tracts of the Anantapur district. Now, even as regards this taluk it is premature to come to any conclusion as to how the north-east monsoon will behave. As stated already I will prefer to suspend my judgment as regards the actual economic condition of the Gooty taluk. If the north-east

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monsoon is quite all right the condition of this taluk will also be all right. But so far as the present indications go, I am not at all so pessimistic as my friend on the opposite that Neptune will continue to be so unkind to these two districts where, as my friend has already admitted, there are signs of a good monsoon. So, let us hope that this year they will have plenty of rain and if by my going there again I can ensure it, I shall gladly do so. This, Sir, is the real position of affairs. I do not wish to weary the House with a detailed analysis of the real season conditions of these six taluks which I have received from the Collectors of Bellary and Anantapur; for to do so would, I am sure, be taxing the patience of the House rather too much. I had asked them to prepare a precise synopsis of the seasonal conditions of each and every one of these taluks from fasli 1329 to the present day, to tell me the acreage under cultivation, the rainfall and the average yield. I had asked them to furnish me with all these figures and I feel convinced in my own mind that, so far as these six taluks are concerned, it will be, I think, rather extending one's generosity too much to agree to what the resolution asks for, viz., the indefinite and absolute postponement of the resettlement."

Mr. T. SIVASANKARAM PILLAI:—"Sir, my recollection is that the resolution asks merely for a postponement of the resettlement proposals."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Unfortunately my knowledge of English is so defective that I am not able to read into the resolution more than what I have myself ventured to interpret. The resolution recommends to the Government that in view of the economic condition of Bellary and Anantapur districts, the resettlement proposals made in the said districts may not be brought into effect, which amounts to scrapping them absolutely."

"Now, Sir, much has been urged against some of the details of the scheme report of the special settlement officer. To speak honestly and frankly, I had hardly expected that I was going to be asked to-day to enter into a defence of the resettlement proposals contained in the special officer's report. For, I thought that my friend will be taking only a general line which his resolution indicated. But inasmuch as he has entered into somewhat of an analysis of the conclusions for which the special resettlement officer is responsible, I venture to suggest that the contention that the last thirty years should not have been taken into consideration in framing the resettlement proposals, is incomprehensible. Our settlements in these days are not based upon the old formulae that used to govern the preparation of olden day resettlement schemes. We have now got only one simple rule to observe, and that simple rule being the application of the commutation rates based on the selling prices during the twenty normal years. That is the simple formula which our special resettlement officers now adopt. It is for that purpose that you have got to ascertain what the average selling prices of particular staple articles of food in a particular district were and having decided that, we determine how much percentage of the increase which the ryot has secured we should claim. Now, if only the hon. member would kindly look into the special settlement officer's proposals, he will find beyond any dispute that prices for cholam and paddy have risen by 62 and 63 per cent respectively during the period of the settlement."

Mr. A. RANGANATHA MUDALIYAR:—"Are the prices all of normal years, Sir?"

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The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Yes. They are technically of twenty normal years. It is not the whole of the 62 and 53 per cent that Government are claiming; it is even less than half of the average rise in prices which the special settlement officer has fixed. So, to say vaguely that the districts have suffered from this and from that reason and to quote from old writings is rather avoiding the real issue.

"Then, Sir, my hon. friend on the front bench was rather vehement in charging me with breach of a deliberate promise which I had made to this House in answer to a resolution regarding the postponement of resettlement operations until the codification of resettlement proposals and he asked: 'Has the hon. Member any justification now for introducing these proposals in the face of the undertaking which he had given?' In the first place may I submit for the consideration of the House that no such undertaking was given? It is true a resolution was brought forward. It is also true that that resolution was passed by the House, but the Government did not agree to the postponement of the resettlement rates. All the same the resolution was passed and because it was passed Government were quite prepared to give effect to that resolution and not to introduce any resettlement proposals until the codification of the Land Revenue Settlement policy was secured.

"Then, Sir, I would also invite the attention of the House to one extract from my own speech when the permanent settlement resolution was moved in this House. This was in December 1921 and after that there was no resolution of any kind moved in this House, either on permanent settlement, or on resettlement, or on postponement of settlements:

If the House comes to the conclusion that the Bill which is likely to be placed before it will not satisfy it and 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 realise that the Government will be under no obligation to continue the suspension of the operation of the settlements which are ready to be introduced.

"That statement I made in the open House. That statement every Member must have read, and now to urge that these resettlement proposals have been introduced contrary to any undertaking that was given—an undertaking which I absolutely deny—is, Sir, mutilating facts and trying to import into the discussion facts which exist only in the hon. mover's imagination."

Mr. T. SIVASANKARAM PILLAI:—"Sir, I rise to give my very earnest support to this resolution. My support is stronger still in respect to its application to the two taluks in the Anantapur district.

"I must begin by thanking the hon. the Revenue Member for having kindly circulated the copy of the Government Order which has decided to introduce the resettlement operations into the Anantapur district. I should have myself given notice of a similar resolution earlier, but on account of my absence elsewhere, the Government Order reached me rather late in the day and that is why I was not able to give such a notice myself. But as my hon. friends Mr. Siva Rao and Mr. Ranganatha Mudaliyar had both given notices involving principles which I had in view, I thought that when the discussion came on, I could take part and lay some facts before the Council for its consideration. In this connexion I am very much surprised to see, Sir, that both the hon. the Home Member and the hon. the Revenue Member should try to belittle the official records describing the condition of

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15th September 1922] the Ceded districts economically. That they should go back upon those records and give preference to the description contained in the scheme report that has been prepared by a settlement officer is really surprising. Perhaps the hon. Members on the ministerial bench are aware of the notes by Sir F. A. Nicholson on the economic condition of the Anantapur district. The statement in the scheme report that the Ceded districts ryot can withstand for four years all bad seasons, that he has a lot of hoarded money, and that he is borrowing money at abnormally high rate of interest so that others may believe that he is poor, is rather fantastic. In the face of such statement, what is the value to attach to the scheme report over the District Gazetteer and other more reliable records? Perhaps the hon. Revenue Member is going to have the statistical atlas altered in conformity with the scheme report and paint Anantapur district as a heavenly place in the Presidency. That is by the way. I have been anticipated by the previous speakers in many of the things which I wanted to say. I don't want to detain the House long. I only want to dwell on the Government Order which seeks to justify the enforcement of these settlement operations.

"Before introducing re-settlement, there is a rule that the economic condition of the tract where resettlement is proposed to be introduced ought to be inspected and examined, and there are certain criteria which have to be considered in coming to a conclusion. I will take every hon. Member of this Council as a judge in respect of this matter. The hon. the Revenue Member has been pleading the cause of the Government. Now I plead the cause of the ryot of the Anantapur district in particular, because I know more about that than the Bellary district and I ask hon. Members to apply my remarks only to these two tracts and not to the others. My friend Mr. Ranganatha Mudaliyar will be able to give facts and figures with regard to the other part of the tract to which this Government Order is sought to be applied.

"Now, the first ground which should justify the introduction of re-settlement, or enhanced rates, is the prosperity judged by the increase in population. Let us see what the actual facts are with regard to the population. What are the disclosures made by the census of 1921 in regard to this matter? I will read the Government Order which gives the facts and also the figures. Here it is:

The economic history of the tract is fully dealt with by the Special Settlement Officer in paragraphs 12-40 of his report and is summarised in paragraph 4 of the Board's Proceedings. In regard to the economic condition, the members of the deputations urged that the following main points should be taken into consideration in deciding the economic progress of the tract.

"This was when some of us formed into a deputation and waited upon the hon. the Revenue Member when he came to Gooty. The first point that we urged was that taking the population there was a decrease instead of an increase and that when there was a decrease of population, it might be taken as a safe indication that the country was going down economically. And this is the way in which the Government seeks to answer the admitted decrease in the population:

In Anantapur, the decrease for the district is only 1 per cent (that is for the entire district, hon. Members will remember) but that for the two taluks under settlement was 10 per cent. "In the Anantapur district there was a decrease of population; that is admitted. Taking the entire district into consideration, the decrease was only 1 per cent, but in respect of the two taluks under consideration the decrease was as large as 10 per cent; hon. Members have to remember that

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in coming to a conclusion upon this important point. Now, this has again to be compared with the population of the whole presidency. Presidential figures are also given and I am reading them out to the House:

The presidency returns for 1921 show a total rise of only 2.2 per cent as against 8.3 for 1911 and 7.1 for 1901, i.e., the average increase for the Presidency is lower than at either of the last two enumerations.

"Now taking the census of the whole of the presidency, there has been a rise of 2.2 per cent. That is very small compared with the rise in population since the two previous censuses. Now, compared with that, what is the decrease in population in these two particular taluks? I have stated to you that the decrease is as much as 10 per cent, and that is an admitted fact. Would you take this as an indication of material prosperity? You may naturally ask: 'What is the answer the Government has to give upon this question?' I will read out to you the reasons and you will have to carefully consider whether you will agree with those reasons, and if not what is the independent conclusion that you would arrive at?—

Taking figures over the first 20 years of the period of the settlement, the Government observe that for the tract under consideration there had been a rise of 12 per cent for 1891-1911. This indicates that the marked fall in 1921 is not due to causes operating throughout the whole period but that some special features must be looked for in the period between 1911-1921.

"Now it is here that I want to invite the attention of hon. Members to see whether the reasons that the Government advance to explain away this feature are convincing or not. Here is the explanation of the Government which I will read to the hon. Members:

The tract in question was visited by a severe epidemic of plague in 1917 and a still more severe epidemic of influenza in 1918. The figures reported for the outbreaks of the Bellary district show that over 2,000 deaths were due to plague in 1917 on a total population in 1911 of 492,038 and over 29,000 were due to influenza, i.e., to say 7½ per cent of the population of 1911 died in one epidemic or other. These mortality returns are notoriously short of the facts; the actual loss was probably far greater.

"From this hon. Members will be able to see that the mortality figures fall far short of the actualities. That is admitted by the Government themselves. They attribute this heavy mortality not to economic causes, but to the prevalence of epidemics like plague and influenza. Now, who can say that the deaths due to plague and influenza are not due to economic causes? If people have not the power to resist diseases, if they cannot maintain their staying power to combat the spread of epidemics, what is it due to? Is it not due to the poor economic condition? It may be said that the influenza epidemic was prevalent all over the world and that being a common factor, that ought not to be taken into account. It is for the hon. Members to decide whether this is a satisfactory explanation upon which the Government may be allowed to impose heavier assessment and bring into operation the settlement proposals as laid down by the Special Settlement Officer. The chief test of the prosperity of a people depends firstly on their power of resistance to disease. This criterion applies all the more to Indian conditions.

"Let me come to the second point, Sir. The Government Order reads: 'The increase in the number of coercive processes issued in the two districts during the period before resettlement does not justify any conclusion by itself.' Government admits that there has been an increase in the number of such processes. Devoid of any explanation this is a reason strong enough in support of the resolution before the House. What is the justification, what is the way in which the Government try to

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explain away this fact? I will again read from the Government Order. Those who are acquainted with village conditions will really smile at what it says. The Government Order reads: 'The number of processes issued varies with the energy of the revenue officers in making prompt collections.' Thus the increase of process is attributed to the anxiety or the earnestness on the part of revenue officials in collecting revenue. Sir, most of the members here are aware that this coercive process is a common feature in the village administration. Only the processes are not brought into record. Many poor people who are not able to find money when a demand is made have to go a borrowing and there is delay. The revenue officers at once seize a bull or a utensil or some such thing and hasten the collection; only it is not brought to record. If a revenue officer shows increasing number of revenue processes, it is not to his credit and it is not convincing to say that the increase was due to the earnestness or the overzealousness on the part of the revenue officers. But, Sir, how I would account for this increase is this: In these two taluks the number of coercive processes had to go up for the simple reason that the village officers must have come to the end of all their resources and that they had no other means before them except going through the process in all its formality to justify their inability to push on with collection work otherwise.

"Another criterion is the produce from the land for several years. Here in the Government Order what is stated is only the extent of land under cultivation. How it yielded and to what extent the ryot was benefited are not shown.

"Only one word more, Sir. We are representatives of the people. When the ryots are burdened by the Government with increased taxes, they naturally come and ask us: 'What has the Government done for us to improve our condition? Have they dug any tank, constructed any channel or executed any irrigation scheme? Why is it we are taxed like this when there is nothing to our advantage? All the tanks that we have were constructed in the pre-Vijayanagar days and there is scarcely any irrigation source standing to the credit of the British Government in the present day.' It was only last week before I came here to attend this Council that a number of villagers invited me to go and see their places and inspect a couple of tanks which have been breached for nearly one century. Nobody took any notice of them. As soon as I came to this Council last year I tabled a question asking the Government to let me know what irrigation projects had been undertaken and with what result in these districts. I have the list before me but not one of the schemes has been undertaken. In these circumstances, it will be very unjust to enhance the taxes. It will be a very great hardship upon the poor ryots."

Mr. K. SARABHA REDDI:—"Sir, the hon. the Revenue Member expressly began his speech with expressions most soothing and I thought he was going to accept the resolution. If I remember right, his speech was also occasionally received with applause from the members opposite to him. But the end of his speech was most shocking and heart-rending. I come from the Kurnool district, a district adjoining the districts of Bellary and Anantapur. I have got intimate personal knowledge of the people in my neighbouring districts. Nature herself seems to shun them; rains shut the shutters of their gates; prosperity deserts them. While such is the case the hon. Member's expressions indicating unimaginable prosperity in the

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"Then, Sir, he referred to the commutation of prices. He said that the Government had a very simple rule and that was to take the prices of twenty previous normal years. May I once again emphasise the word 'normal'? It was repeated more than once by the hon. the Revenue Member. I do not claim any favour at his hands. I request only bare justice. Let him take the figures of twenty normal years, calculate the commutation price and then decide if there should be any enhancement of assessment. I venture to affirm that he cannot find any reason to increase the rate of assessment. What is it, Sir, he has done? Here is a report, which contains the prices of the previous years. The Government have included all the twenty years which precede the year of resettlement. You will be pleased to see in how many of these years prices are really abnormal and in how few years the prices are anything like normal. And yet they have lumped all the years together and what, do you think, would be the natural result of it? The average becomes excessive so that the difference between the new commutation price and the old commutation price is far in excess of what it really should be and there is a fictitious increase with reference to which the Government think they can safely raise the rate of assessment. That is the fact. Take the twenty years adopted by the Government. We start with Rs. 169 per garce in 1898-99 and then we come in the two next years to Rs. 305 and Rs. 306. Yet those prices are considered to be normal. If they were normal, the prices would have remained more or less at the same level in the succeeding years. But they did not. The prices fell to 264 in 1901-02 and to 176 in 1902-03. Still, the Government have thought it right to include in their 'normal' twenty years, the years the prices of which were abnormal and not normal. I shall give you another instance. In 1907-08 and 1908-09 the prices were Rs. 316 and Rs. 320, but in the succeeding years, they dropped to 266 and 237. Still 1907-08 and 1908-09 are taken as if they were normal years. For three years from 1911-12, the prices ranged from 304 to 338 and though they dropped afterwards to 211 and 214, that fact is ignored and the abnormal prices are included for purposes

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The hon. the DEPUTY PRESIDENT :—"Is it the pleasure of the House to allow the hon. Member to go on with his speech? I wish to consult the sense of the House. He mentions facts and there is no rhetoric."

The hon. the DEPUTY PRESIDENT:—"I should like to have the sympathy of the House. Otherwise they will say that I am partial to my district."

Mr. A. RANGANATHA MUDALIYAR :—“ I thank the House heartily for the kind indulgence shown to me. Here are the rules, Sir, bearing on the subject. The revision of assessment will generally be based upon the increase or decrease in the recorded prices of the staple grains of the tract. The Government have also to look into the economic condition of the area. In dealing with the improvements it must be remembered that the Government have undertaken to refrain from enhancing the assessment in respect of any additional value which may have been imparted to the land by improvement effected by the ryots themselves, though they might have been carried by moneys borrowed from the Government. Information should be called for to show the pressure of population on the land, how far the land is owned by the cultivating ryots and how far it is in the hands of landlords who get it cultivated by sub-tenants. The nature of the sub-tenures should be classified and they have also said, Sir, that they must bear in mind that there should be a substantial change in prices in order to warrant any alteration of the rates of assessment and that the rates cannot be raised to the full measure of the rise in prices, because the allowance made for increased cost of living and of labour, stock and implements, as well as for promoting a higher standard of comfort should be liberal.’ That is the point, Sir, even if there should be an increase in the commutation price, that cannot be a justification for enhancing the assessment because the Government owes it to the people not to keep them in the wretched condition they were originally in, but to allow them sufficient margin for a greater standard in their living. I can go on, Sir, quoting from Government agricultural reports, the accuracy of which I hope the hon. the Minister for Development does not doubt. I can quote from official records for year after year that the seasons have been very unfavourable and that in no year, or at least only in a very

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few years, has there been anything like a normal yield. They are not my records. They are the records of agricultural farm stations. Then again there are the jamabandi reports which the hon. the Revenue Member is not unaware of. He may obtain them from his officers and satisfy himself whether or not it is a fact that unfavourable seasons are more the rule than an exception. That, I think, is a point worth the serious consideration of the hon. the Revenue Member. I have several extracts in my hands and I can read them. But I do not like to take undue advantage of the indulgence shown to me by the House. I hope they will later on give me permission to refer to them, if necessity arises."

The hon. Sir CHARLES TODHUNTER:—"Sir, I hope the House will forgive me if I have to repeat a thrice-told tale. The hon. 4-30 p.m.

Mr. Somasundaram Pillai asks the Government to be merciful. I want to remind the House that it is not a question of the Government being merciful. It is a question whether we can remit the taxation that is rightly due from certain districts and take it from somebody else. That is the point in issue. One of the strongest arguments that has been put forward against the present system of temporary settlements is this: that whereas people in one district are paying the rates fixed upon conditions existing thirty years ago, people in another district have to pay the rates fixed on the conditions of last year. That is a thing that results in serious inequalities in the rates of taxation. The people who are now in question are already receiving the benefit of the fact that at a time of high prices, they are paying the low rates fixed thirty years ago. Again, the hon. the Revenue Member has already granted liberal remissions to the poorest lands and the effect of that is that from 60 to 70 per cent of the ryots are paying no increase."

Mr. A. RANGANATHA MUDALIYAR:—"I want to know, Sir, whether this really means 60 per cent of the revenue."

The hon. Sir CHARLES TODHUNTER:—"I am not able to give a percentage on the revenue. What I say is that 60 to 70 per cent of the ryots are paying no increase at all."

Mr. A. RANGANATHA MUDALIYAR:—"The hon. Member says that he has no statistics for that, Sir. So I request him to forbear from sticking to that figure."

The hon. Sir CHARLES TODHUNTER:—"Those are the figures given by the Board of Revenue. Again, we have already postponed the introduction of the new rates. But what is going to be the effect of further postponing them? The question is now put as though it were a question of remission for a single year. It is not that. I ask the House to remember that the introduction of new settlement rules means a series of stages. The total increase in this case is 2½ lakhs. In the first year it will be very much less than this amount."

Mr. A. RANGANATHA MUDALIYAR:—"Is that system proposed to be followed in these districts, Sir?"

The hon. Sir CHARLES TODHUNTER:—"All the rules in the Settlement Manual will be applied."

Mr. A. RANGANATHA MUDALIYAR:—"The hon. the Finance Member said that the increased rates would be introduced in a series of years, by degrees. I wish to know whether it would be so in the case of these districts."

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The hon. Sir CHARLES TODHUNTER:—"The incremental remissions will be given in this case as they are given in every other case."

"What I wish to say is that if we postpone the whole thing, we are going to make other people pay for these districts not only for one year, but for a whole series of years. It is not a question of the Government being merciful. We have not got balances out of which we can pay this year. We have done our best to retrench and we are going to make further attempts in that direction. But to-day is not a red-letter day but a black-letter day in Madras, because we have received news that the Legislative Assembly by 48 votes to 38 have rejected our request for a reduction of our contribution. We have therefore no hope from that quarter. The resolution asks for the postponement of enhancement of taxes not only this year but for a number of years. The hon. Mr. Siva Rao said that all that he wanted was to bring the proposals into force, but not to levy the taxes. Now, we have to a very great extent met him in that respect. All through the recent years we have been giving remissions. We have given very large sums in remission and we hardly ever rejected an application for remission and the hon. the Revenue Member is perfectly prepared to do the same if the season does not improve in the Gooty taluk. That is exactly the course which the Collector in a report which has recently been received recommends. He says:

The outstanding feature is the general failure in fasli 1330 of crops which resulted in famine conditions in the earlier months. Subsequently there were excellent rains, which completely changed the situation. The late crops of the last fasli were on the whole splendid, with the result that everywhere food grains and fodder are still adequate and, in spite of rather inadequate rains early this fasli, prices have not risen."

"The Collector goes on to say:

The present proposal is that the resettlement of Adoni, Sirugappa, Alur and Bellary should be introduced in 1922-23. I cannot see any justification for delay. I suggest that liberality in granting postponements and remission even on dry lands should be our policy."

"Now, Sir, that is and has been our policy. To sum up, these people are paying the rates fixed thirty years ago. If the resettlement is to be introduced, it will only be introduced by degrees. We are perfectly willing to give remissions if the season is bad. If in spite of that the House wishes to postpone the whole thing, not for this year but for a series of years, I hope the House will indicate some other source from which to get money."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, If I rise to speak on this resolution, it is only to show the sympathy of members from districts other than Bellary and Anantapur with the people of those two districts and with the members who represent in this House those people. I am in full sympathy—not lip sympathy but real sympathy—with what the hon. Sir Charles Todhunter has just now stated about the state of the Government treasury. I know that the Government have not a superfluity of funds and that they have to meet so many demands which they cannot postpone. Unfortunately as he says we have received very bad news to-day that the Assembly has rejected the just request of our members there to reduce the iniquitous impost of 348 lakhs by two crores of rupees. I fully appreciate the difficulty of the Government and I believe it is the duty of this House to assist the Government in all reasonable and possible ways. I also know that it is not human nature to be willing, even though people are rich, to pay additional taxation. It is only a natural desire in the case of even very rich districts to cry for

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reduction or for non-enhancement of settlement rates. I quite realise all that. But in spite of all this, it seems to me that my friends who come from these two districts have made out a very good case for this House to accept this resolution. Of course the details of the conditions prevailing in those districts are not known to us who are living in other districts. Therefore, I confine my remarks only to certain broad features that have emerged from this debate. It has been pointed out that these districts have only an average rainfall of about 19 inches a year. That shows that these tracts must be very dry and even when they have the normal rainfall, I don't think their condition is a very enviable one. Mr. Francis has stated in his Gazetteer of the Bellary district that the ryot there hardly emerges from one famine before he is submerged under another. It is also seen from the same Gazetteer that the normal condition in these tracts is one, if not of famine at least of scarcity or of difficulty. We find that on an average once in 10 years or less than 10 years famine or scarcity makes its appearance there. For instance there was scarcity, according to this Gazetteer, in that district in 1802-04. There was scarcity again the next year so that the first had no time to subside, and the second lasted till 1807. Then there was a lapse of 17 years. It commenced again in 1824 and before the lapse of another 10 years it began again and there was again a lapse of 20 years. It appeared again in 1854. In another 12 years, that is, in 1866, it appeared again. There was then a lapse of ten years after which it again made its appearance. Nine years afterwards, i.e., in 1884-85, it again made its appearance. It again appeared in 1891, 1896 and again 4 years afterwards in 1900. Thus practically with the exception of two periods which extended over 17 and 20 years, in periods less than 10 years there was scarcity or famine in those districts. My friend the hon. the Revenue Member will pardon me if I say that he was rather unfair to Mr. Francis when he said that the account he gave here was not a correct one. I had the fortune of knowing Mr. Francis rather intimately. He was the Collector of Malabar for some years and subsequently he was Secretary here. He was also Collector of the Tinnevely district. During those years I had occasion to know him well and it struck me that he was a very painstaking officer. So, the account given by him in this Gazetteer up to the year 1900 may be taken as a correct one. It has been stated by more than one hon. Member that the population of those tracts is steadily and rapidly decreasing. No doubt, my friend the hon. the Revenue Member stated that the decrease of population is not due to economic causes but to the prevalence of epidemic diseases such as plague and influenza. There had been cases of plague and influenza not only in Anantapur and Bellary districts but in other parts of the Presidency as well. In fact, in Salem, in Coimbatore, in Malabar and in several other parts of the Presidency, there have been cases of plague and influenza and sometimes on a very extensive scale too and people have died there too. But I don't think that on account of these deaths, there has been a decrease in the general number of population. As my friend Mr. Siya-sankaram stated, the fact that there has been a decrease in these tracts—Bellary and Anantapur—on account of plague and influenza shows that the people of this locality do not possess great resisting power against the inroads of scarcity or famine. I am not able to lay my finger on the particular passage at the present moment, but I remember having read in books on revenue settlement that if there is a reduction of population in any particular locality, that must be considered as a reason not only for non-enhancement but for

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reducing the settlement rates. So that, that there has been a reduction in population in recent years is a very good reason for non-enhancement of rates in that locality. The hon. Sir Charles Todhunter has stated that if this resolution is accepted, the House will have to sanction increase of taxation in other localities. I do not know in what form and in what localities this increase is to be made. In any case, I submit that the Members coming from these affected parts have made out a very good and strong case for not enhancing the rates in those districts.

"We have been hearing of famines and famine conditions and relief works and test works in those districts. The hon. the Revenue Member has often been obliged to come before this House asking for additional grants to meet famine conditions, not only last year but also this year. The House, I am glad to say, readily granted them. So, there is no use, Sir, in giving money by way of famine-reliefs with one hand and taking it away with the other in the shape of increased taxation."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"I did not apply to this House for any grant for famine relief this year, Sir."

Diwan Bahadur M. KRISHNAN NAYAR:—"I hope, I pray to God, that he may not have to come before this House for famine relief."

The hon. the DEPUTY PRESIDENT:—"What about the 3 lakhs of rupees?"

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"It was only transfer of amount from one head to another."

Diwan Bahadur M. KRISHNAN NAYAR:—"I have given considerable attention to the figures quoted by Mr. A. Ranganatha Mudaliyar. I believe that even the hard heart of the hon. the Revenue Member will melt before the avalanche of strong and telling figures that my hon. friend Mr. Ranganatha Mudaliyar has hurled into the House."

Rai Bahadur T. M. NARASIMHACHARLU:—"Mr. President, Sir, you and the House have heard with patience the arguments, facts and figures advanced by both parties, i.e., by the representatives of the districts concerned on the one side and the Government on the other. As a neighbour and an impartial observer, I wish to give my evidence in favour of the districts; in other words I wish to support the resolution before the House."

"Take for instance my district of Ouddapah. Its resettlement was carried on about thirteen or fourteen years ago; the result of that resettlement was that there was practically no enhancement of taxes. I wish to emphasize this fact as an argument against that advanced by the Leader of the House. He told us that if we did not want to collect enhanced rates, we would be partial to these people of the Bellary and Anantapur districts as we would ask them to pay only what they paid thirty years before the last settlement. During the last resettlement in Ouddapah, the average of twenty normal years was taken and the Government came to the conclusion that Ouddapah could bear no enhancement, so that that district is now paying the same rate as it paid 45 years ago. What harm is there, Sir, in taking the same rate from Anantapur and Bellary which they were paying some thirty years ago? So far as irrigation families are concerned, I must say Ouddapah

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stands on a better footing than either Anantapur or Bellary. For instance, there is the Cuddapah-Kurnool canal passing through black soil taluks, also giving better irrigation facilities than either Bellary or Anantapur can boast of. Therefore, Sir, the argument that if you do not levy the enhanced taxes you are allowing the people to pay only that amount which they were paying when low prices were prevailing some thirty years ago, is unfair. I say compare the condition of Cuddapah with the condition of the two unfortunate districts, and give them the concession enjoyed by that district.

"The hon. the Finance Member said that if we did not collect these 2½ lakhs we would have to raise that amount by taxing the people in other ways. We are already in great stress as regards our finance. We have been borrowing more and more. These 2½ lakhs will not make any great difference at all in our financial stability. Therefore I say that this threat of taxation will have very little effect upon this House.

"Again, Sir, it was observed by the hon. the Revenue Member that the black cotton soil Reddis do not count upon the south-west monsoon. I beg to differ from him entirely in this respect. They do depend to a considerable extent upon the south-west monsoon, and if you go to the black cotton soil taluks of Cuddapah or Anantapur districts you will find, Sir, that the Reddis grow ground-nut especially in Cuddapah. The ground-nut gives them a larger amount of money than any other crops they were raising before."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"And yet they are paying what they paid 45 years ago."

Rai Bahadur T. M. NARASIMHACHARLU:—"My point was, Sir, that you should not neglect the south-west monsoon. To say that the south-west monsoon does not count in these black cotton soil districts is to ignore existing facts.

"I submit, Sir, that we should take into consideration the deplorable condition of the people of Anantapur and Bellary. Admittedly they have been suffering from famine. They are just recovering from the effects of that famine. Just when they are stretching their legs and trying to rise up you say: 'Pay additional taxation.' Is anything else more calculated to enervate the people than this claim? Will it give them additional strength or will it depress the people altogether? I think, Sir, the only effect of this will be to drive these people to despair. Please accept this resolution and save them from such a desperate struggle."

Mr. S. T. SHANMUKHAM PILLAI:—"Sir, after hearing the mover and speakers in favour of the resolution, I felt inclined to support the resolution, but after hearing the crushing reply of the hon. the Revenue Member I have doubts as to whether I should not, however, support the resolution. According to the hon. the Revenue Member, the resettlement proposals were not brought into effect last year owing to the prevalence of famine conditions and scarcity in the district, and the circumstances for postponing them any further do not exist any longer. I ask him to consider whether there are not other circumstances which deserve consideration. The two districts have always been famine-affected. They have not enjoyed continuously many prosperous years, and the ryots in the two districts are very poor; and resettlement always means enhancement of taxation. There are also other

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considerations: a Bill to codify the principles of resettlement is yet on the anvil; also there has been an inquiry regarding the introduction of a permanent settlement in this presidency; the whole matter is under correspondence between this Government and the Government of India. There has been a constant cry all over the presidency for permanent settlement; I hope the necessity for it is also recognized by the Government to a certain extent. Pending the legislation referred to and pending the final decision regarding the question of introducing a permanent settlement the resettlement may be postponed. The necessity for permanent settlement was recognized by Sir Thomas Munro, the first Governor of Madras, and the principles laid down by him constitute a very good argument for the permanent settlement of the presidency. If you are going to introduce permanent settlement, care must be taken that all the districts are brought under one category, as otherwise it would work a serious injustice on the newly settled districts. If the permanent settlement has to be introduced on the basis of the existing resettlement proposals, the newly settled districts will have to pay a comparatively higher rate than the districts settled earlier. There should be one uniform principle throughout the presidency. Till such a time and that at the date of expiry of the terms of the settlement of the district last settled the resettlement proposals should be generally postponed. I was a member of the committee to consider the Bill on the subject. I have recorded an elaborate minute and have urged that all the districts must be brought under one uniform category, and a uniform commutation rate should prevail throughout the presidency. That is an important point for consideration. Give up all hopes of permanent settlement and all hopes of codifying the principles of resettlement before enforcing new settlement or resettlement proposals in any district or districts. I request the hon. the Revenue Member to take these matters into consideration. The majority of the House seem to have a strong sympathy with the resolution before us. With these few words I support the resolution."

The Council then adjourned at 5 p.m. to meet again at 11 a.m. on Saturday, the 16th September 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 16th September 1922, the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR AVARGAL, 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.]

Formation of pits by the side of public roads.

263 Q.—S. R. Y. ANKINEDU PRASAD Bahadur: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the taluk board of Bandar, Kistna district, prosecuted the small pattadars of survey No. 72, letter 17, in the village of Pedaprolu, Divi taluk, Kistna district, in the year 1920, for not filling up a big pit formed by the side of the road by the force of Kistna river water during the breach of its eastern bund in the year 1896;

(b) whether it is a fact that some more pattadars owning the pit referred to in the above question are being prosecuted now by the very same board on the ground of having excavated the pit for using its patti earth for manurial purposes;

(c) whether it is true that very deep and dangerous pits have been formed for the purpose of extracting sand on either side of the Mopidevi road and quite close to the pit referred to in the above questions by the local board contractors under the supervision of the board overseers and engineers;

(d) whether it is also a fact that such dangerous pits have been or are being formed between miles 14 and 16 of the Masulipatam-Challapalli road by the contractors under the supervision of the district board officers even by encroaching upon the adjacent land;

(e) whether it is true that the district board of Kistna has no idea of the breadth of the road at this place which it can claim as its own, a proper measurement of the breadth of the road not having been kept; and

(f) whether it is true that the taluk board of Bandar has been annoying cultivators and other owners by means of prosecutions for the formation of pits for which the owners are not responsible?

A.—The Government have no information.

Relation between the district board presidents and the headmasters of schools under them.

264 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) in what relation the headmasters of high schools under the district boards stand to the presidents of district boards, and whether such relationship is one of direct subordination to presidents; and

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(b) whether a president's decision is final and whether the district collectors or the inspectors of schools can sit in judgment over the president's decision and alter it in any form?

A.—The headmaster is directly subordinate to the President. As regards the President's powers of control over the headmaster, the hon. Member is referred to sections 70 and 72 to 74 of the Madras Local Boards Act, 1920, and to Rules 64, 67, 71, 74-76 and 78 and 79 of the Local Boards Manual which have the force of law.

Government Training School for Mistresses, Tellicherry.

265 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) the average number of students that were studying for the last three years in the Government Training School for Mistresses, Tellicherry;

(b) the average number of pupils that were studying for the last three years in the Model School attached to the abovementioned school and the highest class or form taught;

(c) the names with qualifications of the teachers in the abovementioned training and model schools;

(d) whether teachers were transferred from the abovementioned schools this year, and if so, how many and to which school or schools; and

(e) whether peons were transferred, and if so, why?

A.—(a) The school was opened only in July 1920. It had 23 students under training.

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

Utilization of a Government bungalow for biological work.

266 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Development be pleased to state whether it is a fact that a Government bungalow that would fetch a rent of Rs. 100 or Rs. 150 a month is now utilized by the Fisheries Department for accommodating a subordinate who is engaged in some biological work?

A.—The bungalow referred to is a two-storey building. The lower floor with the exception of one room is being utilized for the prosecution of important biological research work. The one room not used for this purpose is occupied by the senior of the two Sub-Assistants conducting the research. The question of the rent payable by him is under consideration. The upper storey is vacant. The question of its full utilization has been under the consideration of Government.

Government Fish Cannery at Chaliyam.

267 Q.—Mr. A. D. M. BAVOTTI SAHIB: Will the hon. the Minister for Development be pleased to state whether it is a fact that the Inspector of Salt, Abkari and Customs who was the manager of the Government Fish Cannery at Chaliyam has reverted to his permanent post and that the cannery is now put in charge of a junior and inexperienced subordinate?

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A.—The answer to the first part of the question is in the affirmative. Since the reversion of Mr. H. L. Prager the cannery has been carried on directly under the Director of Fisheries with the Sub-Assistant Mr. T. P. Baratan in working charge whose work, as subordinate in charge, has given satisfaction to the Director.

Dongal Cheruvu tank.

268 Q.—Mr. B. P. DEVARAJULU NAYUDU: Will the hon. the Law Member be pleased to state—

(i) whether any orders have been issued regarding the proposal to breach the Dongal Cheruvu tank of Cuddapah town in the Cuddapah district;

(ii) the probable cost of such abandonment;

(iii) whether such abandonment will not seriously affect the lands of five villages, viz., Kondayapalli, Fakirpalli, Buddayapalli, Chinna Chowk, Nagarajupet, and Mrutunjayapalli by rendering them unfit for wet cultivation besides affecting other irrigation sources depending on the Dongal Cheruvu tank;

(iv) whether there is any alternative proposal to lower the flood level of the Dongal Cheruvu tank by one foot; and

(v) whether such lowering of the tank level will not seriously affect the supply of water to the lands and irrigation sources referred to above in clause 3?

A.—(i) to (iii) The proposal to breach the tank has been given up. (iv) There is a proposal to lower the crest of the existing weir and provide it with damstones and planks. This would have the effect of lowering the maximum water level but the full tank level would remain the same as before.

(v) The answer is in the negative.

The pay of Huzur treasurers.

269 Q.—Mr. B. P. DEVARAJULU NAYUDU: Will the hon. the Member for Revenue be pleased to state whether it is a fact that memorials have been submitted by Huzur treasurers praying for the fixation of their pay on a time-scale of Rs. 150-5-200 and, if so, what orders have been passed by the Government?

A.—Memorials were received from Huzur treasurers praying for the grant of a time-scale of Rs. 150-10-200, but the Government saw no sufficient reason to reconsider the scale of pay already fixed.

Representation of the depressed classes in the Coimbatore taluk board.

270 Q.—Mr. L. O. GURUSWAMI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that there is no member of the depressed classes in the Coimbatore taluk board; and

(b) whether it is a fact that there are suitable men belonging to the depressed classes living within the jurisdiction of Coimbatore taluk board?

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

(b) The Government have no information.

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Muhammadans in the Education Department, Guntūr.

271 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education be pleased to state the number of appointments given to Muhammadans in the district of Guntūr carrying a salary of Rs. 60 and upwards in the Educational Department in the years 1921 and 1922 as compared with non-Muhammadans including Brahmans, non-Brahmans and Christians?

A.—The figures will be found in due course in the returns prescribed in G.O. No. 658, Public, dated the 15th August 1922.

Admission into the Madras Presidency College.

272 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) the number of mufassal Muhammadans and non-Muhammadans, including Brahmans, non-Brahmans and Christians, who have applied for seats in the Intermediate and B.A. classes of the Presidency College in Groups I, II and III;

(b) how many of them were granted seats and how many were refused admission;

(c) how many Muhammadans and non-Muhammadans, including Brahmans, non-Brahmans and Christians, of Madras were admitted into the Intermediate and B.A. classes of the Presidency College in 1922?

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

(b) The number of students who were granted seats is as follows:—

Class.	Muham- madans.	Non-Muham- madans.
Inter Group (i)	4	34
" (ii)	3	24
" (iii)	..	43
B.A. Group (i)	1	25
" (ii)	..	44
" (iii)	..	36

The number of mufassal candidates who were rejected is not available.

Class.	Muham- madans.	Non-Muham- madans.
(c)—Inter	7	28
B.A.	4	11

Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB:—“With reference to (a) will the Government be pleased to call for information?”

The hon. Rao Bahadur A. P. PATRO:—“Yes.”

Facilities for Moslem prisoners to say their prayers in jails.

273 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Home Member be pleased to state—

(a) the number of Muhammadan and Mappilla prisoners in the jails in (i) Coimbatore, (ii) Trichinopoly, (iii) Bellary, (iv) Rajahmundry, and (v) Vellore; and

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(b) what were the arrangements made for these Muhammadan prisoners to perform namaz (prayers) and to observe fasting during the month of Ramzan in the matter of meals and clothing?

A.—(a) The following statement shows the number of Mappilla and other Muhammadan prisoners in the jails mentioned:—

Jails.	Mappillas.	Other Muham- madans.	Total.
Coimbatore	659	82	691
Trichinopoly	269	49	318
Bellary Central jail	47	61	128
Alipnam jail	5,417	33	5,417
Rajahmundry	98	139	136(a)
Vellore	219	..	358
Total	6,709	339	7,048

(a) Includes 79 State prisoners.

(b) The hon. Member's attention is drawn to rule 283 of the Jail Manual.

Muhammadan prisoners are supplied with long trousers so that their knees may be covered while at prayers.

Scholarships for Doodekula and Noorbash Mussalman in Vizagapatam and Gōdāvari.

274 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education be pleased to state the number of scholarships granted to Doodekula and Noorbash Mussalman in the districts of Vizagapatam and Gōdāvari in the year 1922?

A.—In the year 1921–22 four collegiate scholarships were awarded to Muhammadan students reading in the districts of Vizagapatam and Gōdāvari. The Government have no information as to whether any of them belonged to either of the sects mentioned.

Service of Mr. C. D. Subrahmanya Chetti.

275 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) the special circumstances under which Mr. C. D. Subrahmanya Chetti, Principal, Government College, Tellicherry, was promoted to the Indian Educational Service after a service of about a couple of years; and

(b) whether he is a trained graduate?

A.—(a) Mr. Subrahmanya Chetti has not been promoted to the Indian Educational Service.

(b) He is a graduate but not trained.

Courtallam Waterfalls.

276 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: With reference to the answer given to question No. 602 of Mr. Ahmad Miran Sahib of the 12th October 1921 regarding the bathing conveniences

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at the waterfalls at Courtallum, will the hon. the Home Member be pleased to lay on the table the information received from the Collector of the district regarding the regulation of the bathing at the Falls?

A.—A copy of the Collector's report is placed on the table.*

Religious instruction in schools and colleges.

277 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Minister for Education be pleased—

- (1) to lay on the table a statement showing—
 - (a) the schools and colleges under public management in the Presidency of Madras where religious instruction is imparted to students as per G.O. No. 886, dated the 15th July 1922; and
 - (b) the names of schools and colleges under private management where religious instruction is also imparted; and
- (2) to state whether the latter are recognized under the Grant-in-Aid Code and whether such schools and colleges are receiving any help from Government?

- A.—(1) (a) & (b) The Government have no information.
 (2) Institutions under private management in which religious as well as secular instruction is imparted are recognized and aided by the Department of Public Instruction, if they satisfy the requirements of the Educational Rules and the Grant-in-Aid Code, but no aid is given in respect of the salary of any teacher *solely* engaged in religious instruction.

Management of certain channels in the Godavari and Kistna deltas by the village panchayats.

278 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Law Member be pleased to state—

- (a) whether the experiment of handing over the management of certain channels in the Godavari delta to village panchayats has been tried, and, if so, with what result; and
- (b) whether any such experiment has also been tried in the Kistna delta; if so, with what result?

- A.—(a) Yes. The experiment is under trial in the Godavari delta, but it is as yet difficult to say whether the experiment as a whole would prove successful or not.
 (b) The answer is in the negative.

Hookworm disease in jails.

279 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Home Member be pleased to state—

- (a) whether it is a fact that hookworm disease prevails in jails;
- (b) which jails are affected by it;
- (c) what has been the consequent mortality in jails; and
- (d) what steps have been taken by the Government to stamp out this disease?

*Vide Appendix I, page 224, infra.

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- A.—(a) Yes.
 (b) All jails.
 (c) No mortality from the disease by itself is reported to have occurred.
 (d) Thorough investigation by specialists, the adoption of up-to-date methods of control, and regular curative treatment for the disease by the jail medical staff who are supplied with the necessary anthelmintics.

Village panchayat courts.

280 Q.—Khan Sahib Munshi MUHAMMAD ABDUR RAHMAN SAHIB: Will the hon. the Law Member be pleased to state—

- (a) the districts, taluks and villages in which the village panchayat courts have been opened;
- (b) how they are working;
- (c) whether these courts affect in any way the status of village munsifs; and
- (d) whether they have had the effect of reducing the number of civil and criminal courts; if so, to what extent?

- A.—(a) Notifications showing the districts, taluks and villages in which panchayat courts have been established have been published in the official gazettes from time to time. A consolidated statement is under compilation for insertion in the revised edition of the Madras Local Rules and Orders to be shortly published.
 (b) The working of panchayat courts for the year 1921 was satisfactory.
 (c) Not as far as the Government are aware.
 (d) No.

Government Muhammadan Training School, Madras.

281 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Minister for Education be pleased to state whether the higher grade Government Muhammadan Training School, Madras, has only a trained Intermediate teacher as headmaster for the last 16 years?

- A.—Since 1908 the headmaster of the school has been a trained teacher of the secondary grade who has passed one branch of the B.A. degree examination. For two years prior to that date the headmaster was a Matriculate.

S.S.L.C. Examination.

282 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Minister for Education be pleased—

- (i) to state whether the same Muhammadan gentlemen have been appointed examiners and assistant examiners in subjects other than Arabic, Persian and Urdu in the S.S.L.C. Public Examination from year to year for a period of more than ten years; and
- (ii) to place upon the table a statement showing the names of members of the Urdu, Persian and Arabic Text-Books Committee?

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A.—(i) The answer is in the negative.

(ii) The names of members of the Text Book Committee are not published.

Honorary and stipendiary registrars.

283 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Minister for Development be pleased—

(a) to state what the duties of honorary assistant registrars of co-operative societies are as compared with those of the stipendiary registrars; and

(b) to place on the table of the House copies of Government Orders showing why and how these honorary appointments came to be created?

A.—(a) Official assistant registrars are invested with all the statutory powers under the Co-operative Societies Act except those referred to in sections 39 to 42 thereof.

Honorary assistant registrars are at present invested with powers to decide disputes under rule 14 of the rules issued by the Local Government under the Co-operative Societies Act. Their other duties consist in organization, inspection and checking the work of societies, advising the officers of the department and helping the department in the spread of the non-credit side of the movement, etc.

(b) As a result of the undertaking given in answer to an interpellation by Mr. Sadasiva Bhat at the meeting of the Legislative Council held on 21st November 1916 (vide answer to question No. 199) the Government inaugurated the scheme of appointment of honorary assistant registrars. The order announcing the decision of Government to appoint these honorary assistant registrars was placed on the Editors' Table—vide G.O. No. 2686, Revenue, dated 31st August 1917.

Justices of the Peace.

284 Q.—Khan Bahadur MUHAMMAD SADULLA BADSHA SAHIB: Will the hon. the Law Member be pleased to state whether the honorary Presidency Magistrates are Justices of the Peace?

A.—The answer is in the negative.

Drainage in Perumal Eri tank of South Arcot.

285 Q.—Mr. A. T. MUTTUKUMARASWAMI CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) with reference to my question and answer No. 60 during the second session regarding the diversion of the drainage of Perumal Eri tank in South Arcot; what is the cost of the work at the left flank; what will be the cost of the proposed scheme; and also whether it would facilitate drainage; and

(b) whether it is a fact that the Settlement Officer recorded in the register that the source of supply to Perumal tank was Katary (rain-fed)?

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A.—(a) The cost of the work on the left flank was estimated at Rs. 3.86 lakhs in 1920. Proposals are now under consideration for excluding the Vellar spill from the Wallajah tank whence the flood waters enter the Perumal tank. The cost of the scheme is not known at present.

(b) The Government have no information.

Training schools for elementary teachers in Vizagapatam.

286 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Minister for Education be pleased to state—

(1) how many training schools for elementary teachers in the district of Vizagapatam were closed in the current year and the reasons for such closure; and

(2) the number admitted into the first-year class of the lower elementary trained teachers and how many of them hold provincial stipends compared with last year and the reasons for the reduction of the number of such if there is any reduction?

A.—(1) One. The facilities for training lower elementary grade teachers are otherwise adequate in the district.

(2) The Government have no information.

Legislation during the current session of the Council.

287 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Law Member be pleased to furnish a statement regarding the legislative measures to be introduced by the Government during the present session of the Council?

A.—A statement is laid on the table.*

Water-supply for Vizagapatam.

288 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Minister for Local Self-Government be pleased to state what progress has been made in the investigation of schemes to augment the water-supply for Vizagapatam?

A.—The Superintending Engineer, I Circle, is examining the possibility of utilizing the Sarada river as a source of water-supply for Vizagapatam. His report has not yet been received.

Salary of elementary teachers.

289 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Minister for Education be pleased to state which local bodies have availed themselves of the provincial contribution as per G.O. No. 226, Law (Education), dated 27th February 1922, for the enhancement of the salaries of elementary teachers?

A.—A list of local bodies which have received provincial contribution under G.O. No. 226, Law (Education), dated 27th February 1922, is placed on the table.†

* Vide Appendix II on page 379 infra. † Vide Appendix III on page 380 infra.

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Manure from forest reserves in the Chittoor district.

290 Q.—MR. M. NARAYANASWAMI REDDI: Will the hon. the Home Member be pleased to state—

- (a) the quantity of leaf manure supplied by the Forest Department in the Chittoor district in each year 1916 to 1921;
- (b) the rate at which a head-load and a cart-load of leaf manure were supplied in each year from 1916 to 1921;
- (c) whether the Government have any proposal to supply green manure at the edge of the forest by the Forest Department itself at the beginning of each cultivation season;
- (d) whether it is proposed to disafforest small isolated forest reserves;
- (e) the amount of grazing fees collected in Sanambatla and Panapakam reserves in the Chittoor district from 1910 to 1920 and the amount spent on improvements in the grazing areas of the said forest reserves in the way of water-supplies, etc., in the above years;
- (f) the forest reserves in which sandalwood trees and avaram seeds are planted in the Chittoor district and the special advantages which such reserves possess for these plantations; and
- (g) whether it is a fact that only poundage is collected for the cattle impounded by private individuals; and, if so, the reasons for collecting compensation also in forest cases?

A.—(a) Information is not available.

Year.	Head-load.	Cart-load.
(b) 1916-18	No information	Rs. 1
1918-21	2 annas	Rs. 2

- (c) There is no such proposal before Government.
- (d) No definite proposals are now before Government though the disafforestation of small isolated forest reserves of no use is a part of approved policy.
- (e) Information is not available separately for each reserve.
- (f) Information is not available.
- (g) Pound fees collected are credited to Cattle Pound Fund; as regards the second part of the question, the hon. Member is referred to section 55 of the Madras Forest Act.

Grouping of villages in the Chittoor district.

291 Q.—MR. M. NARAYANASWAMI REDDI: Will the hon. the Member for Revenue be pleased to state—

- (a) whether it is likely that a large number of village officers will be thrown out of office by grouping the villages, and, if so, the number of such village officers in the Chittoor district; and
- (b) whether the Government have received any representations from the village officers complaining against the proposal, and, if so, to state what action they propose to take in the matter?

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

- (b) Representations have been received from village officers complaining against the grouping of villages, but the matter is within the competence of the Board of Revenue.

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Madras Takkavi Manual.

292 Q.—RAO BAHADUR M. C. RAJA: Will the hon. the Member for Revenue be pleased to state whether it is the intention of the Government to translate the rules contained in the Madras Takkavi Manual and to distribute the translations to the ryots?

A.—The Government have no such intention.

Admission into the Medical College.

293 Q.—RAO SAHIB U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the Medical School and College selection boards have chosen students who have taken History as optional subject in preference to those who have taken Physics, Chemistry and Botany; and
- (b) whether the Government have issued any orders to different selection boards fixing the percentage of seats to be reserved for the different communities, and, if so, what the percentage so fixed is?

A.—(a) The answer is in the affirmative.
(b) Government Order No. 815, P.H., dated 10th June 1922, is laid on the table*. No instructions were issued to the Selection Committee for medical schools.

Official Assignee of Madras.

294 Q.—RAO SAHIB U. RAMA RAO: Will the hon. the Law Member be pleased to state—

- (a) the commission drawn by the Official Assignee of Madras in the years 1918, 1919, 1920 and 1921;
- (b) the commission paid to Messrs. Dowden & Co., the auctioneers of the Official Assignee, during those years;
- (c) whether the Government will be pleased to consider the advisability, in the interests of the public as well as the Government, of remunerating the Official Assignee by a fixed pay and crediting the commissions to Government as in the case of the Administrator-General;
- (d) whether a new post of Assistant Official Assignee has been created, whether the sanction of Government has been obtained thereto, and whether the Government have satisfied themselves of the necessity for the new post;
- (e) what the pay of the Assistant Official Assignee is and from what funds the same is paid; and
- (f) whether the Assistant Official Assignee holds also the post of Law Reporter, and whether the Government have permitted him to do so, and, if so, whether there are any special circumstances justifying such permission?

A.—(a) & (b) The Government have no information.
(c) The remuneration of the Official Assignee is regulated by rules passed by the High Court under section 112 of the Presidency Towns Insolvency Act. The Local Government have no control over the matter.
(d) Yes. The sanction of Government was not obtained and is not necessary for the creation of the post.

* Vide Appendix IV on page 281 infra.

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- (e) The pay is Rs. 700 per mensem and is met from the office charges fund.
- (f) The Assistant Official Assignee has resigned the post of Law Reporter.

Rao Sahib U. RAMA RAO:—“With reference to (a) and (b), will the Government call for information and lay it on the table of the House?”

The hon. Mr. K. SRINIVASA AYYANGAR:—“I will call for the information.”

Vacancies in the Secretariat.

295 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Finance be pleased to state—

(a) whether it is proposed that all future vacancies in the Secretariat shall be filled only by non-Brahmans and if so, whether it is proposed also to overlook the claims of existing Brahman incumbents;

(b) whether in case the interests of Brahmans already in service cannot be otherwise safeguarded, steps will be taken by Government to send them to district offices on suitable appointments, or in the alternative to retire them on proportionate pensions; and

(c) the number of cases in which Brahman clerks or superintendents in the Secretariat have been superseded by non-Brahmans from 1st March 1921 up to date, in pursuance of the new policy of increasing the proportion of the number of the latter?

A.—The Government are endeavouring to carry out the policy expressed in Resolution No. 50 of the second session of the Council. They do not consider that the policy as there enunciated involves the introduction of any system of proportionate pensions. The results of the policy will be seen from time to time in the reports ordered in G.O. No. 658, Public, dated the 15th August 1922. The Government do not consider that it is in the public interests to collect or publish intermediate statistics as regards individual officers or offices.

The time-scale of pay in the offices of the Presidency.

296 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Finance be pleased to state whether it is a fact that the date of giving effect to the time-scale in the several offices and even in different branches of the same office has not been uniform, and, if so, to state in what offices, the usual date 1st March 1921 was not adopted and the reasons for such deviation?

A.—It is the fact that effect has been given to the final revisions of salaries in respect of which orders have been issued from different dates.

The offices in which retrospective effect has been given from a date later than 1st March 1921 are those of the Inspector-General of Police, the Commissioner of Police and Superintendents of Police. The reasons for varying the date are various; in some cases the revision involved an increase of pay over and above that necessary to merge temporary allowances in salary, and it was not thought necessary to add retrospective effect to this. In some it went even further and was intended not for the existing staff but to

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secure a better staff than now employed. In most cases, however, the principal cause was the absence of provision in the budget sufficient to pay for the whole of the arrears and the absence of balances upon which to draw.

Upper division clerks in the Secretariat.

297 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Finance be pleased to state—

(a) whether in the Secretariat new entrants to the upper division service are deemed to be on probation for two years and receive only the minimum pay, i.e., Rs. 70, for the whole period;

(b) the number of clerks in all the Secretariats who in spite of their having already put in a permanent or acting service of two years and more prior to the introduction of the time-scale have only been started on the minimum pay in the time-scale; and

(c) to state why in the case of other offices also this rule regarding probation is not prescribed?

A.—(a) New entrants to the upper division are not deemed to be on probation for two years. The hon. Member has already been informed in answer to his question No. 874 of the last session that the scale of pay provides for no increments for the first two years, for increments of Rs. 10 for the next five and for increments of Rs. 5 for the five after that.

(b) The number of clerks with a service of two years or more who started on the minimum pay of the upper division in the time-scale was 15.

(c) It is by no means uncommon for an incremental scale to provide for increments to start only in the third year.

Time-scale of pay for the Board's Office.

298 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Member for Revenue be pleased to state—

(a) whether the question of bettering the time-scale of pay for the Board's Office has been disposed of and if so, how; and

(b) the savings resulting from the amalgamation of the Board's offices?

A.—(a) The answer is in the affirmative. The Government have sanctioned the scales of pay proposed for A class offices in G.O. No. 215, Finance, dated 4th March 1921.

(b) The attention of the hon. Member is drawn to paragraph 7 of the report of the Board of Revenue Committee which was laid on the Council table.

Persons convicted of political offences in the Presidency.

299 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Law Member be pleased to state—

(a) the total number of persons convicted in this Presidency of political offences, i.e., under sections 124-A, 153-A, 107, 108 and 188 of the Indian Penal Code, since 1st January 1921; and

(b) the total number of persons so far released and the number of such persons still undergoing imprisonment?

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A.—(a) The following figures have been compiled for the period from the 1st November 1921 to the 31st July 1922. The Government are not in possession of the figures for the period before that :—

The total number of persons convicted under sections 124-A, 153-A and 188 of the Indian Penal Code was 301 and the number of persons bound over or committed to prison for failure to find security under sections 107 and 108 of the Criminal Procedure Code was 273.

(b) The total number of persons confined in jails on the 15th August 1922 for offences under sections 124-A, 153-A and 188 of the Indian Penal Code and for failure to find security under sections 107 and 108 of the Criminal Procedure Code was 187.

Government action on the resolutions passed by the Council.

300 Q.—The RAJA OF RAMNAD: Will the hon. the Law Member be pleased to place on the table a statement furnishing particulars regarding the action taken on each resolution passed by the Reformed Legislative Council up to date since its constitution?

A.—A statement is laid on the table.*

Resolutions passed by the Council in 1921.

301 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Law Member be pleased to place on the table a list of resolutions which were passed by the Legislative Council during the course of last year 1921 but have not yet been given effect to by the Government, and state whether or not they propose to give effect to them in the near future, with reasons for the delay or inability, as the case may be, in giving effect to them?

A.—The hon. Member's attention is drawn to the answer to question No. 300.

Extension of Service to Officers.

302 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Finance be pleased to furnish a list of officers drawing Rs. 500 and over per mensem who were given an extension of service during the official year 1921-22, with their respective ages and reasons, if any, for extension in each case?

A.—A list is placed on the table.†

Reference from the Chairman, Municipal Council, Hospet, to the Government.

303 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether any reference was made to the Government by the Chairman, Municipal Council, Hospet, as to whether the sanction of the Government is not required under section 197 of the Criminal Procedure Code, for the prosecution of either the municipal chairman or the sanitary inspector;

* Vide Appendix V on page 382 infra.

† Vide Appendix VI on page 387 infra.

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(b) how the said reference has been answered; and
(c) whether the Government obtained the opinion of their legal advisers and whether the answer given was in conformity therewith?

A.—(a) The answer is in the affirmative.
(b) The chairman was informed that the sanction of Government was not necessary under section 197 of the Criminal Procedure Code for the prosecution of either the chairman of the municipal council or the municipal sanitary inspector.
(c) The Government did not consider it necessary to take legal opinion in this particular case.

MR. A. RANGANATHA MUDALIYAR:—“The question is whether the chairmen of municipal councils may be prosecuted for acts done in their official capacity without the sanction of the Government. Government have answered that they may be so prosecuted, but they did not obtain legal opinion. As the matter is important, will they be good enough to obtain legal opinion on the matter?”

THE HON. THE RAJA OF PANAGAL:—“Mr. President, I do not think it is necessary.”

Grant of land to Bombay merchant in Aska taluk, Ganjam.

304 Q.—SRIMAN SASIBHUSHAN RATH Mahasayo: Will the hon. the Member for Revenue be pleased to state—
(a) whether it is a fact that a certain Muhammadan merchant of Bombay was allowed to cultivate S. No. 179/1 of Sahapur village, Aska taluk, Ganjam district, for purposes of production of increased food-stuffs in 1920;

(b) whether it is a fact that the said land had been previously granted to the village as grazing ground;
(c) whether it is a fact that the land was transferred to assessed waste with a view to its being subsequently granted to the Muhammadan merchant;
(d) whether such transfer and grant was published in the village as required by Board's Standing Order No. 15-23 (1); and
(e) whether there has been opposition from the villagers against the grant of the land to the party referred to?

A.—The Government have no information.

System of labour in the Agency division.

305 Q.—SRIMAN SASIBHUSHAN RATH Mahasayo: Will the hon. the Home Member be pleased to state—
(a) whether it is a fact that the *vetti* system of labour is prevalent in the Agency division or in any portion thereof;
(b) whether any other system of forced labour or labour on low wages or no wages is in vogue in the Agency division or in any portion thereof;
(c) if so, what the nature of such service is and what the conditions and terms are on which this service is rendered;
(d) whether there are any rules governing the system;
(e) whether there have not been any instances of the abuse of this system in the hands of the subordinate executive;
(f) whether the people have protested against the continuance of such a system of exacting labour; and

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(g) whether this system is enforced because of the difficulty of obtaining labour in those tracts; if so, how this is consistent with the policy of free emigration adopted in the Agency area?

A.—(a) Yes.

(b) Compulsory labour under Act I of 1858 is enforceable in a small portion of the Agency to which the Act is applicable.

(c), (d) & (g) The Government will enquire.

(e) & (f) No such instances have come to the notice of Government.

Deputy inspectors of vaccination.

306 Q.—MR. T. SIVASANKARAM PILLAI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the deputy inspectors of vaccination in the Presidency are allowed fixed travelling allowance at Rs. 20 a month and no more from the 1st April 1918;

(b) whether, in view of the enhancement of railway fares and in the cost of maintaining conveyances, the Government proposes to increase the fixed travelling allowance to an amount commensurate with the extra cost entailed on deputy inspectors of vaccination;

(c) whether it is a fact that the fixed travelling allowance which was being allowed to sub-assistant inspectors of schools who are equal in status to the deputy inspector of vaccination has been raised by 50 per cent for the past one year enabling them to draw Rs. 37-8-0 in place of the Rs. 25 a month;

(d) whether it is a fact that the average area of a vaccination deputy inspector's charge is more extensive than that of a sub-assistant inspector of schools;

(e) whether there are any rules prescribing the kind of conveyance which a deputy inspector of vaccination and a sub-assistant inspector of schools are required respectively to maintain, and justifying the differences in the two rates of allowance; and

(f) if what is allowed to the deputy inspector of vaccination is considered to be adequate by way of fixed travelling allowance, then, what the reasons are which led the Government to treat the sub-assistant inspector of schools in a more liberal manner?

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

(b) & (f) The question is under consideration.

(c) The answer is in the affirmative.

(d) The answer is in the affirmative.

(e) The answer is in the negative.

Prosecutions under section 144, Code of Criminal Procedure.

307 Q.—MR. R. SRINIVASA AYYANGAR: Will the hon. the Law Member be pleased to state—

(1) the number of persons prosecuted from January to July 1922 for disobedience of orders issued under section 144 of the Code of Criminal Procedure and sentenced to imprisonment; and

(2) the number of persons put up under the security sections of the Code of Criminal Procedure in the said period and those that actually suffered or are undergoing imprisonment for failure to give security?

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A.—It is presumed that the hon. Member wishes for information regarding cases connected with the non-co-operation movement only. The Government have no more detailed information than the following:—

- (i) The number of persons prosecuted under section 188 of the Indian Penal Code is 131 and the number convicted 107.
- (ii) The number of persons proceeded against under the security sections of the Criminal Procedure Code is 250 and the total number of persons bound over or committed to imprisonment for failure to find security is 204.

Compounding of toll fees.

308 Q.—MR. R. SRINIVASA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(i) whether any rules have been framed by the District Board of South Arcot under clause (2) of section 104 of the Madras Local Boards Act, 1920, to compound toll fees generally in respect of all toll-gates in the district or specifically in respect of any particular toll-gate;

(ii) whether any licences have been issued in the current year by the President of the said district board to any person in respect of carriages, carts and animals under clause (2) of section 104 of the said Act, and, if so, the number of licences so issued and the amount realized therefor; and

(iii) whether any and what district boards have passed a resolution under clause (4) of section 104 of the said Act declaring that payment of tolls on carriages, etc., at any gate shall clear such carriages, etc., at any other gate specified?

A.—The Government have no information.

MR. R. SRINIVASA AYYANGAR:—"With reference to their answer to my question, will the Government be pleased to call for information?"

THE HON. THE RAJA OF PANAGAL:—"Yes, Sir."

Reduction of Revenue officers in South Arcot.

309 Q.—MR. R. SRINIVASA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(i) whether any proposal has been submitted to Government by the Collector of South Arcot to reduce the number of Revenue divisions in the district and also to abolish some Deputy Tahsildars' offices;

(ii) whether the Government have received any representations from the public on the question of the proposed reduction; and

(iii) whether the Government intend to publish the said proposal for consideration by the public?

- A.—(i) It is understood that proposals have been submitted through the Board of Revenue.
- (ii) The answer is in the affirmative.
- (iii) The proposals being made in order to reduce expenditure the Government have not yet decided whether to publish the proposal for criticism or not.

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Allowance to copyists and examiners in Revenue offices.

310 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(1) whether it is a fact that the Government directed that, with effect from the 1st January 1919, the allowance sanctioned to copyists and examiners in Revenue offices in G.O. No. 204, Financial, dated 14th March 1919, should be paid to them in addition to bonus, irrespective of their earnings and that steps were taken last year to give effect to this direction;

(2) whether it is a fact that in South Arcot Revenue copyists have not been getting such allowance for some time past, and, if so, the reasons therefor; and

(3) whether steps, if any, have been taken to give them the said allowance with effect from the 1st January 1919 or any later date?

A.—(1) & (2) The answer is in the affirmative; the reason for the non-payment of the allowance was due to want of funds.

(3) Steps are being taken for providing necessary funds.

Deputation of officers to the Indian Institute of Science, Bangalore.

311 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Minister for Development be pleased to state—

(a) on what conditions, for what period, and with what allowances a Government officer from this Presidency was deputed to the Indian Institute of Science at Bangalore;

(b) whether he has been making regular reports about his work, and, if so, to place them or at least an extract of them on the Council table;

(c) whether it is a fact that that officer acted for one of the Professors of the Institute; if so, whether he received any salary; and, if so, whether there was any reduction in the allowances paid to him by this Government; and

(d) whether he had any special qualifications for being deputed and whether the claims of any other officers were considered before he was appointed?

A.—(a) Yes; pending the construction of suitable laboratories in Madras, Dr. Marsden, the Industrial Chemist, has been permitted to work free of any conditions at the chemical laboratories attached to the Indian Institute of Science, Bangalore, from August 1920 primarily in connexion with the question of the production of industrial alcohol in association with Dr. Fowler and Dr. Sudborough. He receives no extra allowance from Government.

(b) Dr. Marsden submits weekly and special reports to the Director of Industries which show that he has also been attending to miscellaneous work of a varied nature as can be seen from the list attached.* One of his special reports relating to paper and paper pulp production in the Madras Presidency has been published as Bulletin No. 24 of the Department of Industries, Government of India. His report on the question of producing tartaric acid has just been received and will shortly be published by the Director of Industries.

* Vide Appendix VII on page 388 infra.

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(c) At the suggestion of the authorities of the Institute he was in charge of the laboratory of the Institute during the absence of Dr. Fowler from 11th April 1921 to 24th September 1921 and was then permitted to receive an honorarium of Rs. 200 per mensem from the funds of the Institute; no reduction was made in his salary.

(d) The reply to the first part of the question is in the affirmative; to the second part, in the negative.

Reduction of the number of villages in the Presidency.

312 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have finally decided to reduce the number of villages in this Presidency and whether final orders have been passed on the matter;

(b) whether, if the number of villages is to be reduced, the Government will be pleased to furnish a statement showing the existing number of villages in each district and the number to which it is to be reduced; and

(c) whether it is a fact that the Collector of Coimbatore has notified his intention to make extensive reductions in the number of village officers, and, if the answer to the above is in the affirmative, what is to be the reduction in the existing number of village mansifs and karnams, and whether there has been any uniform principle throughout the district in proposing that reduction?

A.—(a) & (b) The Government presume that the hon. Member refers to the grouping or amalgamation of villages for purposes of village administration. The Board of Revenue is itself competent to pass final orders in the matter.

(c) The Government have no information.

Reduction of the number of revenue districts, divisions, etc., in the Presidency.

313 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have any intention of reducing the number of revenue districts, divisions and taluks in the Presidency;

(b) if the answer to the above question is in the affirmative, whether they have asked the Collectors to send their reports, and, if so, whether the Government will be pleased to furnish a statement as to the reductions recommended by each Collector;

(c) whether the Government have any objection to consult the members of this Council from each district before disposing of the report from the Collector of that district; and

(d) whether the Collector of Coimbatore has recommended, among other things, that the office of deputy tahsildar of Perundurai be abolished?

A.—(a) & (b) The Government have called for proposals for the reduction of the number of revenue divisions and taluks in the Presidency but not for reduction in the number of districts. The proposals have not yet completely reached Government.

(c) The Government will consider any resolutions moved or suggestions made by the local members.

(d) The Government understand that such a proposal has been made.

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Motor bus service in Guntūr.

314 Q.—Mr. P. VENKATASUBBA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the proposal of the Guntūr District Board to open a motor bus service is before the Government, and, if so, in what stage; and

(b) whether the Government are generally in favour of district boards undertaking motor bus services?

A.—(a) Yes. It is under consideration.

(b) The Government are not prepared to express a general opinion. If any individual scheme is referred to them, they will have it examined.

Palnad railway line.

315 Q.—Mr. P. VENKATASUBBA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is not a fact that the construction of a railway to Palnad was approved of long ago and the line was surveyed at great expense but nothing has been done to begin construction of the line; and

(b) whether the Government consider it advisable to divert railway cess and earnings from the Tenali-Repalle railway to any other purpose than the construction of the Palnad railway line?

A.—(a) The Guntur-Gurzala-Macherla railway, which is apparently the line referred to, was surveyed and estimates for it were also prepared. The work was not proceeded with as the district board was not able to finance it.

(b) The Government are not prepared to express an opinion in the absence of any indication as to what the 'other purposes' are.

APPENDIX I

[Vide answer to question No. 276 asked by Khan Sahib Munshi Muhammad Abdur Rahman Sahib at the meeting of the Legislative Council held on the 16th September 1922, page 364 supra.]

Letter from the Collector of Tinnevely, dated the 15th October 1921, R.O.C. No. 7252-21-A-3.

[Government Memorandum No. 2065-1-21, dated 19th September 1921.]

Courtallam Waterfalls.

With reference to the above forwarding for report question No. 782 proposed to be asked at the meeting of the Legislative Council in October, I have the honour to invite attention to the judgment of the High Court in Appeals Nos. 146 and 153 of 1906 printed in G.O. No. 1804, dated 18th June 1911. In the paragraph marked E of the judgment (page 5 of the

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Government Order) their Lordships remark: 'It is in evidence that arrangements were made and adhered to in a friendly spirit for the convenience of all parties, the Europeans having the exclusive use of the pool for two hours every morning fixed so as not to clash with temple worship, while on specially sacred days, they refrained from bathing at all.' This represents the position of affairs. The right or custom, whatever it may be, has evidently been observed for very many years certainly from long before 1876 with very little friction, and in fact, it is an eminently sensible arrangement. That there is great inconvenience to other classes now is obviously not correct, as the occasions when the privilege is claimed must be somewhat rare; and no representations have been made to me about any inconvenience. In fact, the only representation made to me on this point was at the latter part of last year, when it was suggested by the temple authorities that Indian Christians and Muhammadans ought not to be allowed right of access, as their right was not recognized by the High Court judgment. Of course, the crowd at Courtallam is increasing, and the pool must certainly be more used than formerly; and I personally doubt whether any privileges will be claimed much longer.

APPENDIX II

[Vide answer to question No. 287 asked by Rao Bahadur C. V. S. Narasimha Raju at the meeting of the Legislative Council held on the 16th September 1922, page 367 supra.]

STATEMENT.

Legislative measures to be introduced by the Government during the third session of the Madras Legislative Council.

1. A Bill to regulate State Aid to Industries.
2. The Madras University Bill.
3. A Bill to amend the Madras Estates Land Act, 1908.
4. A Bill to amend the Mappilla Outrages Act, 1859.
5. A Bill regarding Agency State Prisoners.
6. A Bill to provide for the transfer to ordinary jurisdiction of areas subject to the Scheduled Districts Act, 1874.
7. A Bill to amend the Madras Proprietary Estates Village Service Act, 1894, and the Hereditary Village Offices Act, 1895.
8. A Bill to amend the Madras Port Trust Act, 1905.
9. Irrigation Bill.
10. A Bill to amend the Madras Court of Wards and Impartible Estates Acts.
11. A Bill to amend the Madras Stamp (Amendment) Act, 1922.
12. A Bill to amend the Madras Railway Protection Act, 1886.
13. Hindu and Muhammadan Religious Endowments Bill.
14. A Bill to amend the Madras District Municipalities Act, 1920.
15. A Bill to amend the Madras Local Boards Act, 1920.

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APPENDIX III.

[Vide answer to question No. 289 asked by Rao Bahadur C. V. S. Narasimha Raju at the meeting of the Legislative Council held on the 16th September 1922, page 367 supra.]

Local Boards.

Number and name of local board.	Number and name of local board.	Number and name of local board.	Number and name of local board.
1. Cuddalore.	21. Karkal.	39. Ramnad.	59. Kasaragod.
2. Cocanada.	22. Narasaraopet.	40. Karur.	60. Hosur.
3. Narasapatam.	23. The Nilgiris District Board.	41. Chandrajiri.	61. Cheyyar.
4. Shermadevi.	24. Adoni.	42. Tanjore.	62. Atmakur.
5. Kumbakonam.	25. Gobichetti-palsiyam.	43. Melur.	63. Berhampore.
6. Saidapet.	26. Mannargudi.	44. Ongole.	64. Tiruppattur.
7. Proddattur.	27. Udayarpalaiyam.	45. Pollachi.	65. Penukonda.
8. Bellary.	28. Gudur.	46. Tuticorin.	66. Hanipet.
9. Pattukkottai.	29. Palladam.	47. Vellore.	67. Erode.
10. Uppinangadi.	30. Polur.	48. Bandar.	68. Kandukur.
11. Vriddhaachalam.	31. Venkatagiri.	49. Nandyal.	69. Sattenapalli.
12. Calicut.	32. Tinnevely.	50. Kanigiri.	70. Koilkuntla.
13. Tiruvallur.	33. Gooty.	51. Kaval.	71. Chittoor.
14. Anantapur.	34. Negapatam.	52. Udipi.	72. Malabar District Board.
15. Dindigul.	35. Cuddapah.	53. Ponnani.	73. Bezwada.
16. Mangalore.	36. Dharmapuri.	54. Nellore.	74. Royachetti.
17. Chitacole.	37. Kollegal.	55. Sivakasi.	75. Trichinopoly.
18. Koilpatti.	38. Tirukkoyilur.	56. Mayavaram.	76. Kulittalai.
19. Coimbatore.		57. Coondapoor.	
20. Usilampatti.		58. Jammalamadugu.	

Municipalities.

Number and name of municipality.	Number and name of municipality.	Number and name of municipality.	Number and name of municipality.
1. Proddattur.	14. Visagapatam.	27. Trichinopoly.	40. Madura.
2. Hospet.	15. Mannargudi.	28. Nandyal.	41. Villupuram.
3. Mayavaram.	16. Hindupur.	29. Cocanada.	42. Karur.
4. Cuddapah.	17. Tinnevely.	30. Anakapalli.	43. Mangalore.
5. Palni.	18. Kumbakonam.	31. Sivakasi.	44. Salem.
6. Negapatam.	19. Kurnool.	32. Narasaraopet.	45. Udumalpet.
7. Tiruppattur.	20. Bodirayaesur.	33. Erode.	46. Chitacole.
8. Tellicherry.	21. Conjeevaram.	34. Periyakulam.	47. Nellore.
9. Masulipatam.	22. Calicut.	35. Ongole.	48. Bezwada.
10. Walajapet.	23. Tirupati.	36. Chirala.	49. Palacole.
11. Tuticorin.	24. Coimbatore.	37. Gudiyattam.	50. Tiruvannamalai.
12. Berhampore.	25. Vellore.	38. Cochin.	51. Srivilliputtur.
13. Bellary.	26. Chittoor.	39. Parthimedi.	

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APPENDIX IV.

[Vide answer to question No. 293 asked by Rao Sahib U. Rama Rao at the meeting of the Legislative Council held on the 16th September 1922, page 369 supra.]

Order—No. 815, P.H., dated 10th June 19.

During the discussion on the resolution moved by M. R. Ry. 2. velu Pillai Avargal, M.L.C., at the meeting of the Legislative Council held on the 2nd September 1921, the Government announced their intention of appointing selection committees to assist the Principals of Government Colleges in the selection and admission of students. The Government are now pleased to appoint the following selection committee for the Madras Medical College:—

Ex-officio President :

The Principal.

Members.

M. R. Ry. H. Rangappa Avargal, M.D.

" Rao Bahadur M. C. Koman Avargal, L.M. & S.

" Rao Bahadur C. Natesa Mudaliyar Avargal, L.M. & S., M.L.C.

" Khan Bahadur Muhammad Usman Sahib Bahadur, M.L.C.

2. Each member other than the Principal will hold office for a period of three years. Immediately after the date fixed for the receipt of applications, the Principal of the College will summon a meeting of the committee for selecting the students to be admitted. The decision of the committee will be subject to appeal by the Principal to the Surgeon-General, whose decision will be final.

3. In making the selection the committee will ordinarily give preference to candidates in the following order:—

(a) Those with a B.A. degree in Science.

(b) Those who have appeared for the B.A. degree examination in Science and passed the Science portion of the examination or attended B.A. class in Science.

(c) Those who have passed the Intermediate examination in Group II, first class.

(d) Those who have passed the Intermediate examination in Group I, first class.

(e) Those who have passed the Intermediate examination in Group II, second class.

(f) Those who have passed the Intermediate examination in Group I, second class.

(g) Those who have passed any other examinations recognized by the General Medical Council in accordance with Regulation 250 (1) of the Madras University.

(h) Those who have passed the Intermediate examination in Group III, first class.

(i) Those who have passed the Intermediate examination in Group III, second class.

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[Vide answer to question 10 of these rules if the number of candidates of the non-Brahman communities, including Christians and depressed classes, falls short of two-thirds of the total number of candidates that can be admitted, the minimum qualifications of the candidates from those communities be considered notwithstanding the order of preference prescribed.]

Number and name of local board, however, be no objection to the Brahman candidates being the extent of more than one-third of the total number of candidates.

1. Cuddas¹⁴ can be admitted if from the non-Brahman communities there is
2. Coeacient number of applicants for admission with at least the minimum
3. Ne
4. gifications.

5. (By order of the Government, Ministry of Local Self-Government)

F. J. RICHARDS,
Secretary to Government.

To the Surgeon-General.
 „ Accountant-General.
 „ Publicity Officer.

APPENDIX V.

[Vide answer to question No. 300 asked by the Raja of Ramnad at the meeting of the Legislative Council held on the 16th September 1922, page 372 supra.]

Statement of Resolutions passed by the Madras Legislative Council and the action taken thereon by the Government.

I—First Session

(8th January to 2nd April 1921)

serial number and subject of resolution. (1)	When passed by the Council. (2)	Nature of the action taken by Government. (3)
1. Postponement of the adoption of resettlement proposals till the principles of land revenue settlement are embodied in legislation.	16th February 1921.	The Government agreed to expedite the Settlement Bill with a view to passing it by July 1922 and in this hope agreed that no orders on settlement schemes would be passed before the Bill passed into law. The Council has since declared for perma- nent settlement. The Government cannot therefore delay the progress of settlement for an in- definite period since to do so would be a sacrifice of the public revenues.
2. Appointment of a committee for the revision of salaries of non-gazetted services.	16th February 1921.	Committee appointed—G.O., No. 189, Financial, dated 17th February 1921.

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Serial number and subject of resolution. (1)	When passed by the Council. (2)	
3. Relief of rural areas from scarcity in drinking water supply—Ganjam district.	17th February 1921.	A Provincial of the 16th September sanctioned to sinking wells dated 22nd March 1921.
4. Half-fees for Muhammadan students in aided schools and colleges.	18th February 1921.	Necessary amendments to T. C. Tanga-Aid Code and the Madras Council held Rules have been in attention of No. 1406, Educational, Government September 1921.
5. Appointment of a committee to enquire into the drainage and irrigation in the Cauvery delta.	19th February 1921.	Committee appointed—vide G.O. dras 177 L., dated 9th June 1921.
6. Waiving of recovery of contributions from local bodies for the maintenance of head-quarter hospitals.	Do.	The recommendation has been given effect to—G.O. No. 493, Finance, dated 11th May 1921.
7. Encouragement of the indigenous systems of medicine.	21st February 1921.	A committee has been appointed to report on the subject—G.O. No. 964, P.H., dated 17th October 1921.
8. Revision of Agency Rules	5th March 1921.	The revised rules are under consideration.
9. Postponement of the bifurcation of the Kistna district and redistribution of the districts of Ganjam, Vizagapatnam, Godavari and Kistna.	Do.	The Government have called for proposals for the redistribution of the districts of Ganjam, Vizagapatnam, Godavari and Kistna.
10. Racial distinctions among railway passengers.	Do.	A copy of the proceedings on the subject was forwarded to the Railway Board for necessary action. A note of the action taken with regard to retiring rooms has been published in G.O. No. 56 Ry., dated 23rd July 1921.
11. Appointment of a committee to consider the question of the abolition of the Board of Revenue.	17th March 1921.	Committee appointed and its recommendations given effect to.
12. Emancipation of women	1st April 1921.	Necessary regulation framed under the Madras Electoral Rules—G.O. No. 108, Legislative, dated 10th May 1921.
13. Provincial contribution to the Central Government.	Do.	The Government of India and the Secretary of State have been addressed.
14. Recruitment to Judicial offices from the Bar and communal representation therein.	2nd April 1921.	The observations made in the debate will be borne in mind as vacancies arise.

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II.—Second Session.

(1st August 1921 to 27th March 1922)

Serial number and subject of resolution. (1)	When passed by the Council. (2)	Nature of the action taken by Government. (3)
1. Reduction of the strength of the Executive Council.	1st August 1921.	The proceedings were forwarded to the Government of India for transmission to the Secretary of State.
2. Appointment of a committee to revise the Famine Code.	Do.	A committee was appointed—G.O. No. 1962, Revenue, dated 31st August 1921.
3. Ownership of river poramboke lands in Malabar.	Do.	The matter was not as pointed out by Government at the debate, properly one for Executive action, but was a matter for the parties interested to establish their rights, if any, in a Court of Law.
4. Addition of a statement to the administration report of the Forest Department showing the extent of each class of reserved forest, districtwar.	2nd August 1921.	A statement in the form desired has been incorporated in the administration report—G.O. No. 1934, Development, dated 14th October 1921.
5. Appointment of a committee to enquire into forest grievances in the Coimbatore district.	Do.	A committee was appointed—G.O. No. 1856, Development, dated 4th October 1921.
6. Disafforestation of forests lying within one mile of occupied area in a village.	Do.	The Government have announced that they are ready to institute enquiries in any individual cases of hardship that may be brought to notice—G.Os. No. 1933, Development, dated 14th October 1921, and No. 80, Development, dated 6th January 1922.
7. Disafforestation of class V forests in the Chittoor district.	Do.	After discussion with the Advisory Committee on Forest administration the Government decided that the adoption of the recommendation would be detrimental to the public interests—G.Os. No. 1932, Development, dated 14th October 1921, and No. 81, Development, dated 6th January 1922.
8. Improvement of grazing grounds by providing drinking-water facilities.	Do.	The question is under examination and orders will issue shortly.
9. Reduction of seigniorage rates for forest produce in Godavari district.	Do.	The Collector of the district has been directed to reduce the rates if in any respect he thinks there is cause for doing so—G.Os. No. 2084, dated 7th November 1921, and No. 2185, dated 24th November 1921.
10. Committee to consider the improvement of excise administration.	3rd August 1921.	An Advisory Committee of the Council was appointed. They have advised that no separate committee is called for—G.O. No. 2642, Revenue, dated 2nd December 1921.

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6th September 1922]

Serial number and subject of resolution. (1)	When passed by the Council. (2)	Nature of the action taken by Government. (3)
1. Dr. Gour's Civil Marriage Bill.	3rd August 1921.	A copy of the report of the debate was forwarded to the Government of India.
12. Exemption of members of the Legislative Council from the restrictions under the Indian Arms Act.	4th August 1921.	A copy of the resolution with a report of the debate was forwarded to the Government of India.
13. Revocation of G.O. No. 168, Finance, dated 18th February 1921, regarding the rates of travelling allowances.	5th August 1921.	The Government were unable to give effect to the resolution for reasons given in G.O. No. 1170, Finance, dated 30th November 1921, but have since carried out a complete revision of the rates in consultation with the Finance Committee.
14. Communal representation in the public services.	Do.	Instructions were issued in G.Os. Nos. 613, Public, dated 16th September 1921, and 658, Public, dated 15th August 1922.
15. Communal representation in the Secretariat.	Do.	Names of suitable non-Brahman candidates have been obtained and are considered as vacancies arise.
16. Increase of pay to village headmen.	6th August 1921.	Orders have issued in G.O. No. 1482, Revenue, dated 15th August 1922.
17. Appointment of a committee to suggest reforms in secondary and intermediate education.	1st September 1921.	A committee has been appointed—G.O. No. 1557, Education, dated 25th October 1921.
18. Admission of maximum number of students in colleges.	Do.	Orders have issued—vide G.Os. Nos. 694, Law (Education), dated 6th June 1922 and 713, Law (Education), dated 10th June 1922.
19. Raising the status of the Government Islamia School, Trichinopoly.	Do.	The question has been deferred pending the permanent transfer to the Government of the site and buildings.
20. Appointment of a committee to reorganise the School of Arts.	2nd September 1921.	A committee was appointed in G.O. No. 1881, Development, dated 6th October 1921. The committee has submitted its report and it is under the consideration of Government.
21. Grant of Takkavi loans. Resolution recommending— (i) that the loans granted in famine-affected areas should be free of interest; (ii) that the repayment of the first instalment should be postponed to January 1923; and (iii) that a portion of the principal up to one-half of the aggregate sum advanced should be remitted according to the circumstances of the debtors.	3rd September 1921.	The Board of Revenue has submitted a report on the financial loss involved in proposals (i) and (ii) and the Government have decided to proceed under the rules in the Takkavi Manual which are sufficiently elastic to meet hard cases. As regards proposal (iii), the Collectors concerned have been directed to submit half-yearly reports and recommendations.

[16th September 1922]

Serial number and subject of resolution. (1)	When passed by the Council. (2)	Nature of the action taken by Government. (3)
22. Opening of telegraph offices at Pulivendla, Rayachoti and Badvel.	3rd September 1921.	The Postmaster-General has been asked to take action.
23. Use of the term Achari for members of the Viewakarma Community.	14th October 1921.	Orders were issued in G.O. No. 1955, Law (General), dated 19th November 1921, in accordance with the undertaking given in the Council.
24. Provincial contribution to Central Government.	15th October 1921.	A deputation waited on His Excellency the Viceroy in February, 1922 to represent the case of this Province.
25. Action taken by Government on the Resolutions passed by the Legislative Council during each session.	Do.	Orders have issued in the sense desired—G.O. No. 264, Law (Legislative), dated 22nd November 1921.
26. Uniformity of text-books for schools under public management and other aided schools.	Do.	Requisite amendments to the Madras Educational Rules notified in G.O. No. 123, Law (Education), dated 20th January 1922.
27. Ceylon quarantine restrictions.	Do.	A copy of the report of the debate was forwarded to the Ceylon Government with whom the question is still under discussion.
28. Appointment of a special officer to compile information regarding Presidency establishment on a communal basis.	Do.	Orders regarding the compilation of the information desired have issued in G.O. No. 658, Public, dated 15th August 1922.
29. Modification of rules relating to the levy of penalty for default in payment of income-tax.	16th November 1921.	A copy of the report of the debate was forwarded to the Government of India for consideration when rules under the new Income-tax Act were framed.
30. Curtailment of salaries of appointments on Rs. 500 and above.	17th November 1921.	The Council were informed of the reasons why effect could not be given to the resolution in paragraph 16 of the hon. the Finance Member's speech dated the 4th March 1922, presenting the Budget for 1922-23.
31. Placing on the Council table orders creating new appointments on Rs. 500 and above.	18th December 1921.	Orders have issued in the sense desired—G.O. No. 42, Finance, dated 11th January 1922.
32. Location of the court of Special Deputy Collector, Chandra-giri.	Do.	The court has since been abolished.
33. Introduction of permanent settlement of land revenue in the ryotwari holdings of the Presidency.	14th December 1921.	The Government of India have been addressed in the matter.
34. Honorifics for Oriya names ..	15th December 1921.	Orders were issued in G.O. No. 490, Law (General), dated 17th February 1922.
35. Issue of a vernacular manual of laws for the common people.	19th January 1922.	Action could not be taken owing to financial stringency.

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Serial number and subject of resolution. (1)	When passed by the Council. (2)	Nature of the action taken by Government. (3)
36. Repeal of orders regarding collection of punitive tax from the people of Kamudi and neighbouring villages (Ramnad district).	21st January 1922.	The Government were not prepared to take action at the time. The matter will be brought before the Council again in September 1922.
37. Changing of the name of Panabama or Paraiya into Adi Dravida.	22nd January 1922.	Orders were issued in G.O. No. 817, Law (General), dated 25th March 1922, in accordance with the undertaking given in the Council.

APPENDIX VI.

[Vide answer to question No. 302 asked by Mr. A. Ranganatha Mudaliyar at the meeting of the Legislative Council held on the 16th September 1922, page 372 supra.]

Serial number.	Name of the officer.	Age on 1st April 1921.	Reasons for extension.
1	Mr. C. M. Schmidt, late Inspector-General of Registration.	YRS. 55 M. 10	There were important developments in hand, and it was thought undesirable to make a change just at the time of the change in the personnel of Government.
2	Mr. F. G. Smith, Personal Assistant to the Presidency Port Officer and Agent for Government Commissions.	56 0	The department was very short-handed.
3	Lieut.-Col. R. K. Mitter, I.M.S. ...	56 7	Shortage of medical officers.
4	Diwan Bahadur V. Varghese, L.M.S.	56 1	Do.
5	Rao Bahadur D. Sesha Achari, Genl. Survey Department.	56 6	Great shortage of experienced officers in the department owing to stoppage of recruitment for some years.
6	M.R. S. P. Venkatarama Ayyar, Survey Department.	58 8	Do.
7	Rao Bahadur A. Vedachala Ayyar, Deputy Collector and Assistant Registrar of Co-operative Societies.	55 0	The Government thought it desirable to retain the services of this officer pending completion of his special duty.
8	Mr. J. G. Baskett, Inspector of Steam-boilers.	58 11	It was necessary to retain this officer for some time owing to the department being short-handed.
9	Mr. E. H. Mitchell, Director of Fisheries.	55 3	It was considered undesirable to change the head of this transferred department simultaneously with the introduction of the Reforms.
10	Mr. W. E. Mitchell, late Superintendent, Central Jail, Vellore.	55 0	The extension was granted on public grounds in order to permit Mr. Mitchell to complete certain special work which he had in hand and thereafter to take leave which was long overdue.

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APPENDIX VII.

[Vide answer to question No. 311 asked by Mr. O. V. Venkataramana Ayyangar at the meeting of the Legislative Council held on the 16th September 1922, page 376 supra.]

A list of a few of the subjects dealt with by Dr. Marsden—

- (1) Testing the effect of evaporation under reduced pressure from a sample of juice obtained from a jaggery factory.
- (2) Testing samples of casein glue.
- (3) Supplying information to the Fisheries Department regarding the description of a drying apparatus for fish guano.
- (4) To be in charge of experiments on cellulose fermentation.
- (5) Testing the samples of glass bangles of Indian, Japanese and Australian manufacture.
- (6) Testing the boiling of palmyrah juice under vacuum.
- (7) Trials in extracting the dye from the leaves of the henna plant.
- (8) Scrutinising the analysis of limestones made by the Chemical Examiner to Government.
- (9) Enquiry into a practical process for the black-dyeing of palmyrah fibre.
- (10) Enquiry into a practical process for the dyeing with myrabolams, lime and iron.
- (11) Advice regarding the question of the erection of a departmental dye-house.
- (12) Preparation and sterilisation of an agar medium.
- (13) Examination of some samples of earth.
- (14) Search for some date required by Leather Expert.
- (15) Investigation of the dhupa fruits for alcohol production.
- (16) Some experiments on cashewnut.
- (17) Preparation of osazone derivatives from rarer sugarcane.
- (18) Investigation into some samples of bauhina bark, fibre and rope.
- (19) Investigation into some samples of bricks, etc., from bitterns and magnesite.
- (20) Examination of a sample of carbonaceous matter received from the Assistant Director of Industries, Coimbatore.
- (21) Some investigation into the problem of manufacture of rose water essence for the Thachanallur Sugar Works.
- (22) Enquiry regarding rustless alloys and the warping of tiles.
- (23) Enquiry regarding manufactures adapted to a company working magnesite.
- (24) Examination of a sample of spoilt dye-stuff sent by the Director of Bombay.
- (25) Examination of samples of dye to help in the settlement of a dispute between the Buckingham and Carnatic Mills in Madras and a Bombay firm.
- (26) Enquiries regarding Thehtan Kottai.
- (27) Advice given to an enquirer regarding the starting of a dye factory on the West Coast.
- (28) Enquiries regarding kamala and indigo dyeing.
- (29) Experiments on the manufacture of casein and its solutions.
- (30) Enquiries regarding the products of the moduga tree for bleaching and dyeing purposes.

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- (31) Examination of 24 samples of alizarine in connexion with their dispute between one of the mills and a dye-supplier.
- (32) Enquiry regarding Lamtoro, a Javanese plant.
- (33) Advice regarding the manufacture of salt by the aid of vermutite.
- (34) An enquiry regarding German silver (from a private enquirer).
- (35) Enquiry regarding biscuits going bad.
- (36) Purification of dye-house effluent at the Commonwealth Trusts Company's Works.
- (37) Use of lac dye.
- (38) Prickly-pear.

II

PRESENTATION OF A PETITION.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Mr. President, I have been desired by some gentlemen of the Muhammadan community to present a petition to this Council, and I do so under Standing Orders Nos. 72 and 73. This petition relates to the Prince of Arcot's Endowment Bill which has been under the consideration of this Council, and is now being considered by the Select Committee. Rule 73 provides that I have to confine myself to the material allegations contained in it and read the prayer in the petition. It refers to the discussion which took place in this Council regarding the Bill, raises objections to the Bill and suggests that it be dropped. There are enclosures filed along with the petition. One is a memorial to His Excellency the Governor in Council and there are two appendices containing representations by and on behalf of the Muhammadan community. And again, there are two appendices containing extracts from the judgments of courts bearing on this question, and there is one enclosure which is a copy of the plaint which is proposed to be filed in respect of those properties by one Abdur Rahim Sahib and others and regarding which they applied to the hon. the Advocate-General for sanction. It is presented by Muhammad Abdur Rahim Sahib and by a large number of Muhammadans—about 350 to 400,—and it prays, that the above petition be fully discussed when the said Bill is read in Council. With these observations I present this petition."

III

MOTION FOR ADJOURNMENT OF THE BUSINESS OF THE HOUSE.

Mr. O. TANIKACHALA CHETTIYAR :—"Sir, I beg leave to make a motion for the adjournment of the business of the Council for the purpose of discussing a definite matter of urgent public importance, viz., the unsympathetic attitude of the hon. the Finance Member of the Government of India to the resolution for the reduction of the financial contribution from this province, among others, properly described as the 'iniquitous impost,' and the equally unsympathetic attitude of the Legislative Assembly in rejecting that resolution."

The hon. the PRESIDENT :—"Has the hon. Member leave of the House to move this resolution?"

The hon. Sir CHARLES TONKINTER :—"Sir, I am not quite sure whether the hon. Member is quite in order in moving a resolution criticising another assembly. If he would accept an amendment to the wording of his resolution, he would be in order. The amendment I would suggest is 'To move the

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Adjournment of the House to discuss a matter of urgent public importance, to wit, the further steps that should be taken as a consequence of the vote of the Imperial Legislative Assembly in the matter of the provincial contributions."

Mr. O. TANIKACHALA CHETTIYAR:—"I accept the amendment, Sir."

The amendment was put and agreed to.

The hon. the PRESIDENT:—"The subject will be discussed, under the Standing Orders, at 4 p.m. to-day."

IV HOUSE COMMITTEE.

The hon. the PRESIDENT:—"I have to inform the House that as Rao Sahib U. Rama Rao is unwilling to serve as a member of the House Committee, I have appointed Mr. Seturatnam Ayyar to be a Member of the Committee in lieu of Mr. Rama Rao."

V ANNOUNCEMENT REGARDING THE DURATION OF NOVEMBER MEETING.

The hon. the PRESIDENT:—"Probably it would be convenient if I inform the House of our next meeting. I have ascertained that there will not be Government business to justify a meeting next month. Therefore the next meeting will be held on Monday the 13th November, and it will run on to Friday the 24th November. There will be no meetings either on the Saturday or Sunday, so that the Council will work continuously for ten days, five days in the first week and five days in the next. I trust this will meet the convenience of the hon. Members, and I presume that ten days will be considered sufficient.

"The House will next proceed to resolutions on matters of general public interest."

At this stage the hon. the President vacated the chair and the Deputy President occupied it.

VI RESOLUTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

Resettlement in Anantapur and Bellary districts—cont.

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, if you would allow me, I will move the following amendment to the resolution. The amendment is:

"Add at the end the words 'in the current fasli'."

The DEPUTY PRESIDENT:—"Have you given notice of the amendment?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I have not given the prescribed number of days' notice as required by the Standing Orders. That is why I now beg leave of the House to move my amendment."

The Council having given permission, the hon. Member continued:—"Sir, I do not want to make a long speech on this matter. It is a well-known fact that some portions of the Bellary and Anantapur districts have been experiencing a very bad famine. It is also well known that even if a famine is over, people could not recover their normal capacity in the next

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year. It always takes two or three years before the people can recover their normal financial condition. It was stated yesterday by several hon. Members what the exact position of the affected portions of the districts would be during the current fasli. It is not certain that they have passed quite out of their famine difficulties. So, it was in view of that, that I thought that we should help the affected areas during the time of distress. It is in that view that I have given notice of the amendment. But if this amendment is not accepted and the resolution passed as it stands, the position will be that the Bellary and Anantapur districts will get the benefit of no enhancement for the whole term of the next thirty years. That is a large question and I do not think the Council is prepared for the moment to go into it. We are in sympathy with the districts of Bellary and Anantapur at the present moment on account of the famine that they have experienced. I do not think it will be fair to the members who come from those districts to take advantage of our sympathy at the present moment for gaining a permanent advantage, nor will it be fair for us to deny them the relief they are entitled to, because they are asking for more than what they are entitled to. The question of general enhancement and general resettlement policy will have to be considered separately when the Bill is introduced by the hon. the Revenue Member. We understand that the Bill is not yet introduced on account of the fact that the resolution which was passed by this Council regarding the permanent settlement is pending with the Government of India. But as I have already stated on account of the famine which is of a temporary nature, the districts of Bellary and Anantapur are certainly entitled to some relief from their distress and it is only with that view that I have ventured to move this amendment. I hope hon. Members will take the same view as myself about the situation in those districts and will consider the solution I have offered as about the best for the present. With these few words, I request the Council to accept my amendment unanimously."

Mr. V. P. PAKKIRISWAMI PILLAI:—"Sir, I give my hearty support to the amendment moved by my hon. friend Mr. Ramalinga Chettiyyar. It is admitted on both sides that there was a severe famine in the districts of Bellary and Anantapur in 1920-21. Even the people in Tanjore were affected to some extent by famine. Even if there had been plenty of rain last year during the north-west monsoon, it would not have assisted the people in the Bellary and Anantapur districts to get over the famine all at once. No doubt famine-relief works were started, but people do not generally come to work all at once. Even if there was some rain, we cannot know what amount of crop was harvested. Even if there was a bumper crop, it would not be sufficient for those people to tide over their difficulties, because they had been suffering for many years. It is well known that the Ceded districts are situated in the 'famine zone' and so whatever crops they might have harvested in previous years would have been utilised for discharging their debts which they contracted formerly. Therefore, they will be left to them by way of savings. After paying their creditors, the balance left would be barely sufficient for their sustenance. Therefore, I think it will not be just to impose fresh taxes on the poor people in those famine-affected areas. Resettlement always means paying. In the present instance, it is more than what we were previously paying. In the present instance, it is admitted that some percentage has been added to what the people in those

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districts were paying in former years. Now the question is whether they are able to pay the enhanced rate. If these two districts are allowed to pay this year nothing more than what they were paying before, it would be of great benefit to them. The codification of the principles of land revenue is also under the consideration of the Government. I do not know what their view in the matter is. If the Bill is introduced codifying the principles of the land revenue, then these two districts also will have that benefit. It is for these reasons that I give my hearty support to the amendment and second it and I hope it will be accepted by the House."

Mr. R. SRINIVASA AYYANGAR:—"Sir, I have very great pleasure in giving my support to the amendment before the House. I come from a district which has suffered very badly from the effects of resettlement. I take it that the present amendment was framed with a view to meet the opposition of the Government and to enlist their sympathy in this matter. Now it is not open to the objection to which the resolution in its original form might lend itself for it is rather drastic in its nature aiming at doing away with these things altogether. So far as the amendment is concerned, it is very modest in its conception and very reasonable in its operation as well. Lest our silence be misunderstood in this matter, as one coming from the middle south of this province, I think it my duty to extend to our suffering brethren in the north that amount of sympathy which they richly deserve at our hands. So far as resettlement is concerned, for some reason or other, good or bad, it is always viewed in the light of a visitation of Providence and as a scourge. Resettlement in ordinary parlance connotes and implies enhancement. Though under the rules it is possible for the settlement officers to reduce the assessment in deserving cases, experience has shown that in its operation it has always produced an opposite effect. That is my only justification for standing up before the House and pleading on behalf of our poor brethren in the Anantapur and Bellary districts. These two districts have been suffering very largely. No doubt we have listened with much pain and grave concern to the tale of suffering that has been unfolded to us by two hon. Members of this House who come from the affected area. Into the details of this question, it is not necessary for us to go at this stage. The question appears to have been discussed threadbare in February 1921, and I think hon. Members will do well to invoke on this occasion the weighty and convincing reasons that were urged then and bearing that in mind to give their unanimous support to this amendment which, I submit, is very modest in its character, for it only seeks to stay the hands of the Government for one year up to the end of the current fasli."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, from some of the speeches made regarding this amendment, one would perhaps be inclined to think that persons from the Ceded districts are asking for some mercy or for some doles at the hands of this Council. I think it is not a matter for consideration as to whether they are entitled to any favour, or generosity, at the hands of the Members of this Council; it is a question as to whether with due regard to the conditions of the tract which is to be resettled, it is fair and reasonable that the resettlement proposals should be put into operation or that they should be put off or suspended during the current fasli. I do not think that upon mere considerations of sympathy or generosity, we can deal with a question of this description. Sir, speaking for myself, I do not think there is any justification for accepting the amendment which has been brought

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to the original resolution. From the telling speeches of the representatives of the Ceded districts, this House is satisfied that the conditions of those two districts are very unsatisfactory and that owing to the frequent visitations of famine, it is not desirable that the rates should be enhanced. May I suggest, Sir, that there is nothing unreasonable in such a tract of country being given the benefit of fixity of rates for the time to come?

"I find it difficult to understand why this Council which by an overwhelming majority approved of the principle of permanent settlement should hesitate even to allow these Ceded districts to have fixity of rates when they are satisfied that the rates are reasonable with due regard to all the circumstances. I find it even more difficult to understand the mental attitude of the Government in dealing with these important questions. As was pointed out in the course of the discussion yesterday, when a motion was made in this House and accepted by it notwithstanding the opposition of the Government that the resettlement proposals should be postponed till the principles of land revenue settlement are embodied in legislation, the Government have not seen fit to give effect to it. We were reminded by the hon. the Revenue Member yesterday that in the course of the discussion regarding permanent settlement, he expressly stated—he also drew our special attention to it—that if the House comes to the conclusion that the Bill which is likely to be placed before it (referring to the Revenue Settlement Bill) would not satisfy them, he said that detailed investigation and examination should be made for the purpose of the introduction of permanent settlement, and that the House would have to realize that the Government would be under no obligation to continue the suspension of the settlement schemes which are ready to be introduced. I, Sir, find it difficult to understand the mental attitude of the Government when they stated that if we were not satisfied with the Settlement Bill and if the members were anxious to secure permanent settlement, then the Government would be absolved from the obligation to suspend those proposals without putting into operation. I am really at a loss to understand the mental attitude of the Government which induced them to take up that position simply because the permanent settlement was tried to be introduced and urged upon their attention notwithstanding their opposition.

"(Sir, another point which requires to be considered is this. It is true that the hon. the Revenue Member is not under any legal obligation to take us into his confidence and state to us the position regarding the introduction of permanent settlement. I quite realize that he is under no legal obligation to disclose the correspondence that has taken place between the Local Government and the Government of India regarding this subject. But still, we have not been given any indication as to the attitude taken up by the Government after the passing of the resolution regarding permanent settlement as we should have been given. The original resolution regarding the postponement of the resettlement proposals pending the introduction of legislation has evidently not been given effect to. The hon. the Revenue Member claimed credit that he had already stated that he was under no obligation to accept that position. Whether they have been in a position to view the resettlement proposals with sympathy and consideration we are at a loss to understand. In the present state of things, I do not find any justification whatever for opposing this resolution or for trying to limit its operation to this particular fasli.

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"Having said so much about my personal views regarding this question, I state that if there is no other way of solving this problem, the only practical course for us would be to let the hon. the Revenue Member accept this resolution as proposed to be amended instead of allowing the whole proposition to go to the wall. Therefore, Sir, it is rather in a state of helplessness that I would give my support to this amendment."

Mr. S. T. SHANMUGHAM PILLAI:—"Mr. President, I support the amendment. If the hon. the Revenue Member be pleased to postpone the introduction of the resettlement for another year, surely, as was the case last time, plenty of rain may fall in the affected area. If not for the ryots, there may be a fall of rain for the sake of the Sirkar. It would be called Sirkar rain for Sirkar purposes and such an occurrence is not rare. When a certain area of standing crop is declared to be on the point of failure, just then a shower of rain drops down and the crops put forth ears and become mature. So a good fall of rain may follow the suggested postponement when made, and the condition of the districts may very much improve, so much so that the Government may freely take up the question and deal with it."

Mr. P. SIVA RAO:—"Sir, the resolution I moved was that there should be no enhancement at all, but not for the present fasli only. What I meant to convey by this resolution was that the districts which I represent have been chronically in an unsatisfactory condition and they cannot possibly bear any more enhancement of the rates. In this resolution I was not referring to any transient or temporary state of things that prevail during this or that year, but I referred to a series of famine years, and I hope I have convinced hon. Members of the House that here is a case of no enhancement whatever, and the hon. Members of the House need not be staggered at the immoderation or exaggeration of my request. My request, I fully believe, is a very modest one because in the case of the Cuddapah and Kurnool districts there was no enhancement whatever. There seems to be some impression, Sir, that every resettlement means additional revenue to the coffers of the State. Resettlement is only a revision; it may be a confirmation of the old rates or it may be lowering of the old rates, or it may also be an enhancement of the old rates. I hope, Sir, that I have furnished hon. Members with full facts and figures to show that at any rate these districts deserve preferential treatment. There seems to be an impression that I asked for preferential treatment in favour of two districts. I may say that it is unfortunate that we should ask for concession in view of the peculiar condition, the peculiarly famine-stricken condition of these districts."

"Now, Sir, there is an amendment proposed by my hon. friend Mr. Ramalinga Chettiyar. Though most reluctantly, I would accept the amendment, but in accepting the amendment, let it not be understood that either myself or the House as a whole accepts the principle of the enhancement or accepts the reasonableness of the rates that have been proposed and that have now been adopted by the Government. I reserve to myself full option, full liberty at any future opportunity to raise the question as to the reasonableness of the rates. Probably I may bring up a motion that there should be no enhancement at all. As I have already explained, though most unwillingly, I accept the amendment with a view to afford temporary relief to the unfortunate people of these districts. Now, Sir, I only implore the hon. the Revenue Member to tour round in the districts once more. Rain is

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very badly wanted there. He certainly deserves the name of rain God, for yesterday I noticed when the hon. the Revenue Member began to speak there was rain, and when he ceased speaking, the rain also ceased (Laughter).

"The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Sir, I think I shall follow the course that has been adopted by the previous speaker, the hon. mover of this resolution in expressing that if I should accept this amendment, I would do so with the same reluctance with which he has done it (Laughter). His reluctance is probably based on the fact that he had built full hopes before coming into this House that he was going to secure a complete victory. My reluctance is based on the fact that all the officials whom I have consulted in this matter before I came up to this House for the purpose of speaking on this resolution have given me distinct and definite assurances that the condition of affairs in the Bellary district is not such as to justify any postponement of the settlement rates this year. I notice, however, a tendency on the part of the House to view the condition of the people in the two districts under discussion with sympathy, although the hon. mover objects to that word being used. But I maintain that the House merely wishes to view the case with sympathy, for most of the hon. Members of this House, I believe, do not possess anything like direct experience in regard to the condition of the people in those two districts but were influenced by the very pathetic appeals which had been made to them by the eloquent spokesmen on their behalf, particularly by my friends Messrs. Ranganatha Mudaliyar and Siva Rao. But, Sir, I possess some personal experience of these two districts. The officers whom I have consulted are living from morning till evening in the midst of these people. They are watching the condition of affairs there. They are fully aware of matters as they stand at present. And therefore anything that I say is based not merely on personal experience but also on the experience of a host of responsible officers whose duty it is to watch things. However that may be, Sir, I repeat that I find it is the sense of the House that some sympathy should be shown to these two districts."

"At the same time, Sir, I wish to draw the attention of the House to one or two facts. I believe that the House is aware that the settlement operations in the Bellary and Anantapur districts have been in full swing since somewhere about the year 1917, that as a result of these operations the expenditure to the general taxpayer has amounted to something between three and four lakhs. The sooner these operations cease, the earlier will it be possible for us to give relief to the general taxpayer. If it is the intention of the House that all operations which we regard as essential for giving the finishing stroke to the introduction of resettlement should also be suspended, then I would warn the House that it shall have to be prepared to incur some more additional expenditure for the purpose of continuing the settlement party there for another full year. But if the intention of the House and all that they aim at is that those ryots who live in areas which are regarded as unfortunate from their standpoint—those I mean who have just emerged from famine, and who, from that standpoint, are not able to bear any further burden, however small it may be—should not be called upon to pay any enhancement until fasli 1933, then I take it that the House really understands that the operations will go on but that effect will not be given to them until fasli 1933. Otherwise I would assure the House that they would be involving the taxpayer in unnecessary expenditure of money. The settlement

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party which is now engaged in the work of resettlement in the Bellary and Anantapur districts must have commenced its work in the matter of the issue of fair pattas. The fair accounts are, I assume, being rapidly written up and will be ready in a few months. Extents which were originally not taken up but have since been taken up during the last 30 years are being transferred in the names of sivaijama holders.

11-45 a.m. "Such of the poramboke which has been taken up by ryots and which has been cultivated by them is being assigned and patta issued; and wet lands which have been converted into dry and the dry lands which have been converted into wet are being given their proper nomenclature and pattas issued accordingly. And if I now accept the amendment, I hope the House will realize the position and do not allow it to be afterwards complained that in spite of the acceptance of the amendment, in spite of the assurances of the Revenue Member to postpone the additional tax till fasli 1333, the officers are still going on with their work in the districts of Bellary and Anantapur. I wish to make that point distinctly clear. I am not going into the various arguments which my learned friend opposite to me traversed as I am not now replying to the original resolution but I am speaking only on the amended resolution. It is not therefore necessary for me at this stage to go into the various matters which he has raised as regards the reasons for the delay in the matter of the Land Revenue Bill, the delay in giving effect to permanent settlement resolution, the attitude of the Government thereon, etc. I assume, Sir, that what was at the back of the mind of the hon. Mr. Ramalinga Chettiyar was that so far as the area where famine was definitely recognized by the Government to exist in the last fasli, the resettlement rates should not be given effect to in fasli 1332. If that is so, Sir, as I said, I shall accept it with reluctance."

The resolution was then put to the House and declared unanimously carried.

Conversion of certain elementary schools into part-time schools.

Mr. K. SARABHA REDDI :—"Sir I beg to move

37. That this Council recommends to the Government that immediate steps be taken to inaugurate for converting some of the elementary schools into part-time schools especially in the Ceded districts.

"Sir, the resolution that I submit to the consideration of the House is that some elementary schools, especially in the Ceded districts, be ordered to be open for at least two or three hours during a convenient part of the day and to excuse the absence of pupils for the rest of the day. My object in doing so is that all elementary education must be broad-based on the sympathy and goodwill of the villagers for whom it is intended and should conform to their needs and exigencies. It is clear from articles 20 and 21 of the Madras Educational Rules that the curriculum of studies should be drawn up to meet the needs of the locality and that the school hours should be regulated according to the conduct of the local agricultural activities of the village. In a district like Kurnool where the sole occupation of the bulk of the population is agriculture, and where the prevailing economic distress has no parallel in any other district of the Presidency, excepting perhaps the three other sister districts of Bellary, Anantapur and Cuddapah lying safely and soundly within the same zone—the zone of chronic famine. Even a boy

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f 7 or 8 years of age cannot possibly be spared to attend school all day long without seriously inconveniencing the parents working in the field or in the arm yard. I am a born cultivator and I can vouch for the fact that even a little boy contributes his own quota for the execution of the work in the field, carrying food to his father, tilling the land, looking after the little baby at home, while his mother is cutting grass for the returning cattle, stealing a few hours of the day to run to the adjacent hill to fetch a bundle of faggots for culinary purposes, keeping watch over the standing crops all through night or doing a little shopping at the neighbourhood. These are some of the common scenes witnessed by everybody who has an idea of rural life. If school hours are not cut short and if the present system of five hours' regular dull and lifeless schooling is insisted upon, it will not only be seriously handicapping the parents but doing a thing which is useful neither to the villagers nor to the Government. I can confidently aver from my experience that most of the schools suffer immeasurably from this difficulty and in very many cases schools are actually closed without the knowledge of the Government. Adi-Dravidas especially have been suffering most from this hardship and in the interest of the people of the backward district and the progress of elementary education, three hours of instruction at any part of the day may be declared sufficient in place of the nominal school hours that exist at present.

"From my experience of the Kurnool district for a pretty long time in varied capacities and as President of a taluk board, I can say without fear of contradiction that most of the boys are either absent or get away after attending the school for a few hours. The attendance of course is marked for the two sittings of the school day and the few that are actually in the school are seen dawdling on the vacant benches while the languishing semi-conscious teachers are snoring in the broken chairs. The teacher has no interest and he cannot be compelled to force the attendance of pupils and the progress of pupils at the time of inspection of schools is not at all commensurate with the regular attendance shown in the attendance register. Is it not therefore sheer waste to indulge in such a nominal show of doing things and is it not wrong to take the teachers to task for turning out poor work when he has no control over the state of things in his village? Even the protagonists of compulsory and free elementary education ought to take stock of the conditions prevailing in a village and I should feel highly satisfied if this instalment of reform was effected in elementary education before asking for the introduction of compulsory elementary education.

"With these words, I place the resolution for your kind consideration and acceptance."

Mr. M. NARAYANASWAMI REDDI :—"I second it."

The hon. Rao Bahadur A. P. PATRO :—"Sir, I agree very fully with the reasons given by my hon. friend Mr. Sarabha Reddi. But I am afraid he has mistaken the remedy for all those conditions which he has so pathetically described. The remedy lies in his own hands. As a member of the taluk board and, as its president, he has got the powers of regulating the school hours in consultation with the Inspector of Schools and the District Educational Council. He has therefore to place the matter before the District Educational Council and I may assure him that they will consider

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the grievances sympathetically. Moreover, it is said in some quarters that the District Educational Council is not doing things as it ought to do or they do not understand their powers; and if the Government will issue any order it would be taking away the powers vested in them. I am therefore sure that my hon. friend Mr. Sarabha Reddi will place all his grievances before the District Educational Councils and in consultation with the Inspector of Schools the whole matter will be examined and any defects in the regulation of the hours will certainly be rectified. They would also consider how far the grievances are real and make necessary arrangements to meet them. The remedy therefore really lies in his own hands and I believe the hon. the mover is satisfied with the explanation."

Mr. K. SARABHA REDDI:—"Sir, I am fully satisfied with the sympathy expressed by the Minister in charge and I withdraw my resolution."

The resolution was then by leave withdrawn.

The following resolutions were deemed to have been withdrawn, the hon. Members not being in their places:—

Mr. G. VANDANAM:—

38. That this Council recommends to the Government that school and hospital buildings on which no rents are earned may be exempted from taxes by local boards and municipalities.

Mr. C. RAMALINGA REDDI:—

39. That this Council recommends to the Government that the punitive police stationed at Sitanagram or other parts of the Gōdāvari district should be withdrawn forthwith.

The following resolution standing in the name of Khan Sahib Munshi Muhammad Abdur Rahman Sahib was not moved and was therefore deemed to have been withdrawn:—

40. That this Council recommends to the Government to open a high school for Muhammadan boys at Ellore, Kistna district.

Abolition of toddy-shops in accordance with resolutions of municipal councils.

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I beg to move

41. That this Council recommends to the Government that every resolution unanimously passed by any municipality, union board or taluk board for the abolition of any toddy-shops or arrack shops in their jurisdiction should be given effect to.

"Sir, this is one of the old subjects not only in the history of this Council, not only in the history of this country, but in the history of the whole world. It seems unfortunate that in spite of all these things in spite of the very loud call for temperance we have not had anything that is fairly satisfactory. It was a fond hope entertained by many of us that with the advent of the reforms and with the appointment of the Ministry there will after all be a change, especially in view of the fact that the present Minister in charge was in his pre-Minister days a very ardent advocate of temperance reform. Unfortunately, Sir, nothing practical has been done. Of course I am not forgetful of the fact that a special officer

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has been appointed for the purpose; but it would have been better that this investigation was asked to be undertaken by a larger committee. There seems to be always an idea that we non-officials do not want things to be done by the officials. That is not correct. It is always a question of the angle of vision that is always the trouble. We see that when a gentleman is appointed to a Government post, in spite of all the sympathy in any movement, the angle of vision at once changes and there is seen no further action. It could have been better if this preliminary investigation by the special officer was done by the appointment of a committee. However, a step has been taken and I do not know if it would be productive of good or evil. It may be that the preliminary investigation may go on for decades if not centuries and the drink will go on increasing. And then, Sir, we hear a theory that we should not curtail the independence of drunkards and prevent them from the drink habit. That is one of the latest theories recently strengthened even in America and its supporters say that it is an encroachment upon their liberty. It is my fear and the fear of some of my friends that the investigation might after all take a long time and the result might be that the preliminary inquiry and the report based thereon might after all end in nothing.

"Probably the hon. the Minister himself has got some fear in his heart about this, and therefore he went one step further and asked us for funds to enable him to appoint two people, one official and one non-official—I am afraid he also is quasi-official—to visit other provinces and ascertain how things are getting on there, whether there was a decrease or an increase of this drink evil. So far as the non-official that has been appointed, Mr. Shanmukham Chettiyar, is concerned, I have no doubt that he is a very great and ardent temperance reformer. I do not know if the atmosphere of his being connected with an official and the atmosphere of his having to move with his official colleague and the various other officials in other presidencies might convert him to the theory of liberty-to-drink.

"My other fear is that after all the enquiry into this matter in other provinces by a committee may not be very useful. We all know, and the hon. the Minister knows, that, so far as this Presidency is concerned, the drinking of toddy has been going on very much. I have not gone fully into the question, but I believe that in other provinces toddy-drinking is not very great. There the evil is more or less confined to drinking of arrack which can be easily controlled by various methods. Therefore I do not think that any report of these two gentlemen about arrack-drinking in other provinces might be of any use so far as our Presidency is concerned.

"One other fear I have got is the delay. This Council is nearly two years old, and so far nothing has been done in this matter. I am one of those who think that there was a very good opportunity last year when a movement was set afoot among the people to curtail this drink traffic. It was connected at first with the cause of non-co-operation, but every one, good, bad, or indifferent, non-co-operator or otherwise, was interested in it, but every one who worked on this line was unfortunately bracketed with non-co-operators and the whole police and abkari departments were set against him. It is most unfortunate, Sir, that the Government did not take advantage of a feeling in favour of temperance in the public mind. Instead of

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that, we know the result of the attempt which though begun by the non-co-operators was supported by strong feeling in the minds of a number of Europeans and Indians, not non-co-operators, in favour of this temperance movement. I am of opinion that if Government had taken advantage of the opportunity and helped the movement, then probably the drink question might have been solved a little more easily. Instead of that unfortunately, this scheme led to various things by which the drunkards were given the honour of being conducted by police officers to drinking places. It is a well-known fact that a number of police men were asked just to conduct, shall I say accompany or escort these drunkards to the various drinking shops, and what is more, I know of toddy and arrack contractors, some of whom are not of a very high status, had the honour of being visited by—and their visits being returned by—high revenue, abkari and police officers. Therefore, the dignity of drinking and the dignity of running drink shops was raised. Unfortunately, as I said, instead of taking advantage of the temperance movement in the country, the result was that the dignity of the drunkard and the dignity of the renter was enhanced, and that goes on even now, Sir. I know, Sir, it would be easily said that it was due to the fear of a reduction of income, that the chance of increase of income and the liberty of drinking were jeopardised, and that therefore the Government had to interfere. That is only past history and I do not think there is any use in lamenting over it at this late hour. But that gives the reason as to why we should be careful in advancing the reform if there is going to be any at all. We have wasted about two years, one of these years being a very good opportunity for temperance reform being pushed through. Then, the one big bugbear is the financial question. The Finance Minister is always coming and saying, 'my exchequer is empty and yet we are only in the middle of the year.' Of course this comes in the way of every good reform. I think it will be admitted that the revenue from drink is bad for two reasons, one that every pie that comes out of this drink evil is vitiated by sin, and secondly even supposing that the income of the Government is reduced it is not a bad thing; probably it would be reduced and we want it to be reduced and the Government have been proclaiming it day after day that the goal of the abkari department is not to get a large revenue, though the revenue is really going up and any attempt to diminish the revenue is opposed by various departments. Anyhow, this question of the exchequer is important, but I say that even though it may cause a temporary reduction in the income the economic position of the country will be increased very much, as is certainly the case in America and other places, that the Government taxes will increase in various other ways, income-tax especially, though it is a central subject, and various other taxes. Therefore, from the economic point of view, though there may be a temporary set-back it will not be much loss from the Government and people's point of view. What I am attempting to do is only to make the Minister and the Government see that this reform is not unnecessarily postponed. It may be easily postponed now because there is the excuse of this committee and its report and its consideration. These two members of the committee—unfortunately from that point of view there will be no meeting in October and we cannot discuss this question before November—these two gentlemen may be travelling for a number of months. I was watching carefully when the Minister spoke when he wanted a grant for the purpose, but he did not say anything as

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to how long they will travel. Of course it will be said that it is limited by Rs. 3,000 and they can travel only as long as that Rs. 3,000 last. But still the hon. the Minister may come in November saying that these gentlemen have been doing excellent work, but the sum of Rs. 3,000 is exhausted and that a little more grant is wanted, and that we should be generous enough to grant it. I simply want that such a danger should not exist. I want the Minister to see that instructions should be given limiting the programme so that we may expect the report in a month or so. As I said, apart from theories—theories have been in existence for centuries—apart from theories there may not be much good from these gentlemen visiting other presidencies. The chief trouble so far as this Presidency is concerned is toddy-drinking and I am afraid, Sir, that nothing has been done till now. I am aware of the fact that the Publicity Bureau issued a publication some time ago showing that the number of shops had been reduced. A friend of mine was with me when somebody read that Publicity Bureau's publication. Till about three-fourths of it was read we thought that the Government had changed its whole policy, for it was said in the beginning of that pamphlet that drink was very bad, a man that drinks would become sick and so on. It concluded saying that the Government had reduced the number of shops. But the reduction of shops has been of no use as the quantity of toddy and arrack that is drunk has gone up. So far as this reduction is concerned there seems to be one mistake and that is this: that if two shops are taken away from some unimportant places, one shop is located in an important place. There might have been in one corner of the town one shop and another in another corner, and in the place of these two shops existing previously one is allowed in the middle of the whole town, so that if there is any difficulty in getting drink from two shops before, now there is absolutely no difficulty for the people to get the drink easily from the centre of the town. Therefore reduction in the number of shops is absolutely of no use. They must see that the reduction of shops takes place on a much larger scale and at the same time reduction should not be followed by a transfer of the location of shops."

The hon. Sir CHARLES TUDHUNTER:—"May I ask the hon. Member whether he has any evidence to show that the reduction has been followed by a transfer of the location of shops?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"If the hon. Member had waited for two minutes, I would have shown that in Coimbatore such a thing has taken place. I do say, Sir, that if you look into these reductions you will invariably see that the locality has been changed from unfrequented quarters to more frequented quarters. I will presently explain the position. Well, there is the consultation with taluk boards and municipal councils about the reduction and the locality of the various shops. I am afraid all that has been merely a farce. Wherever the municipalities or local boards agreed with the recommendations of the Excise department or of the Revenue department their suggestions were accepted with grateful thanks. But wherever any material difference was suggested by them on that recommendation it was rejected on the ground that those are inexperienced people; because they have not got experience of drinking and they cannot say whether this shop will be useful to the drunkards or that shop will be useless! One gentleman argued with me and he was an excise officer. He said: 'I have experience of these drinking shops, I visit them every day, I know well whether the people

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would prefer that particular shop or this, and you do not know that, as you have no experience of drinking. You are not a friend of the drunkards and therefore you are absolutely useless.

"I will take the particular instance of Coimbatore. I am sorry the Minister in charge of the Local Self-Government administration is not here. Otherwise he will simply see with what scant courtesy these big municipalities and local boards are treated. In all those places you know, Sir, there is a committee called the headquarters advisory committee and in that advisory committee officials always predominated over others. It is always presided over by the Collector, the inspector of salt and abkari is there, some police officer is there and everybody is there, but the municipality has got only its chairman and probably another member in it. So far as the Coimbatore municipality is concerned, Sir, I will take the last three years. I am speaking on the authority given by the municipality itself. I have got the records and the copies of resolutions here. The municipality becoming desperate with the treatment they had, they asked the three members of this Council representing the Coimbatore district and Mr. Shanmukham Chettiyar who represents the Nilgiris and who was a member of the Coimbatore Municipal Council till recently, to see that something was done. They took three years—1920, 1921 and 1922—to consider this question. In the first year Mr. T. A. Ramalingam Chettiyar had the honour of being the Chairman, my humble self was the Chairman in the second year, and Mr. Ratnasabapathi Mudaliyar on whom the Government have conferred the title of 'Rao Sahib' has been the Chairman for the third year. This municipal council cannot be considered a non-co-operation municipality. It is the one municipality which had the credit of presenting an address to Mahatma Gandhi not for the purpose of saying anything in his favour but to say 'you are a great man, but we are still generally not agreed with your non-co-operation and we believe in co-operation.' That is the municipality with which I am dealing, and in that municipality Mr. Shanmukham Chettiyar, one of the council secretaries, was the vice-chairman and for a very long time he was a councillor when the whole matter was referred to. I do not want to trouble the House with all details. So far as the toddy shops are concerned, year after year they have been making attempts to reduce the number of toddy shops and also to change the location of some of those shops.

"The hon. the Finance Member challenged me to say if there was any instance of a toddy shop being transferred from its original locality to a more important locality. I will give one instance. There is one toddy shop called Udkadam toddy shop which is now located in a place where a very large number of people gather, where there is an important tank to which ladies, children and men resort both in the morning and in the evening. The Coimbatore municipality has been trying its level best to see that this toddy shop is not placed there. The municipality suggested its removal from the place, and when that suggestion was not accepted, they said that they did not wish to have that toddy shop on municipal site. On this, the Tahsildar was asked to find another place for the location of the toddy shop and now it is located in a private place.

"Our municipality (Coimbatore) is a co-operating municipality. They said, let our two representatives in the Council fight in the Advisory Board against the location of the Udkadam toddy shop in its present place. In this

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Advisory Council the Collector accepted the opinion of the majority against the wishes of the Council and located the toddy shop there only. Then the municipality appealed to the Board of Revenue, and the Board, on the report of the Collector, refused to interfere with the decision of the Advisory Board. The municipality then took the next possible step. They went to the Government. I do not know how that matter came to the hon. the Revenue Member's department. I thought that that was a matter to be dealt with by the hon. the Minister for Development."

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur:—"Sir, it did not come to the hon. the Revenue Member at all, but the Revenue Secretaries are also under the Minister for Excise."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I did not say it came to the hon. the Revenue Member. I said clearly it was dealt with by the Revenue Department probably under the orders of the Minister for Development. To come to my point, the Government also declined to interfere. Now, Sir, a municipality like Coimbatore which unanimously year after year, term after term, wanted a particular toddy shop not to be located in a particular place having failed in the Advisory Board presided over by the Collector, approached the Board of Revenue and then the Government itself, and failed everywhere. Does not all this show that there is no hope of temperance at all in the near future? Therefore you can very well understand the reason why I have tabled my resolution as follows:—'That this Council recommends to the Government that every resolution unanimously passed by any municipality, union board or taluk board for the abolition of any toddy shops or arrack shops in their jurisdiction should be given effect to.' I have used the word 'unanimously'. Of course among my friends in any municipality, there may be one nominated member or one Government servant who might be in favour of the Government and might say 'no'. I know that. So my proposition is a modest one. I say, if you are not able to convince your colleague and get a unanimous opinion, let us not press for a reduction. Last session, my hon. friend Mr. Ramalingam Chettiyar had suggested an amendment that instead of the words 'unanimously' the words 'passed by a majority' or something like that may be inserted in my resolution. But I stick to the word 'unanimously'. Is the hon. the Minister going to say that even if one of the biggest municipalities passes a resolution unanimously that a particular shop should not be located at a particular place, that resolution should not be given effect to and that the voice of a particular officer should alone be listened to? I dare say, Sir, that the hon. the Minister representing as he does, the popular side of the Government, elected as he is by a democratic constituency, will not go so far. It may be said as to whether the taking away of a shop from a particular place would be of any use. In getting a correct idea of this question various items have to be taken into consideration. For instance, as I said, the reduction of a shop need not necessarily lead to a reduction in consumption. Now, I will go one step further and say that the hon. the Minister should do something more than merely reduce the number of shops. The Bombay Government has seen this evil and they say that so far the reduction of the number of shops is concerned, it may not be of much use. Particular shops should be taken up and that 10 per cent in some places and

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5 per cent of the quantity of arrack sold in certain other places at least should be reduced every year. When this is done, a locality which consumed 100 gallons last year would be able to consume only 90 gallons this year. So that if this 10 per cent proportion goes on, probably after a few years there may be a very good reduction in consumption, though not total prohibition of course.

"Now in this Presidency we want not only that the number of shops should be reduced, but that the number of trees tapped should also be reduced. Now there is absolutely no limit to the number of trees to be tapped particularly when a very good canvasser or a very influential man takes a shop and expects a very large number of trees to be tapped. So, if we are to follow the analogy of Bombay we must have a reduction in the number of trees tapped and also in the distance to which this toddy can be carried. This is now transported to places 30 and 40 miles distant and so it is not only a temporary shop, it is a moving shop all along the way and particularly during night time this transportation is very injurious. There seems to be no prohibition for its transport during night time. From any point of view, I think that some important step should be taken at once to make certain that at least a decade hence we will have substantial reform and that the consumption of toddy and arrack will be considerably reduced. With these remarks, Sir, I beg to move the proposition."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Mr. President, I beg to second the resolution. I believe my hon. friend Mr. Venkataramana Ayyangar has at a very opportune moment brought forward this resolution with the object of making it clear that the policy of the Government ought to be the prohibition of drink and that it should take various steps to give effect to that policy. It may not be said and it cannot be said that the object of the Government can be anything other than that of working towards the gradual prohibition of this liquor traffic.

"Coming to the question forming the subject matter of this resolution it may be interesting to notice how far these Excise Advisory Bodies constituted in the local areas have been doing their work and how far their recommendations have been acted upon by the Government. We are all aware that these bodies have been constituted in municipal areas and other local areas. They have in them representatives of the local bodies, whether municipal councils or local boards, some of the leading local revenue officers and also abkari officers. If the Government cannot lay it down as their policy that they will accept the recommendations of these non-official agencies, I believe it is high time that they do away with these bodies altogether. If the Government cannot accept the views expressed by these bodies and give effect to them, unless there are grave objections for doing so, I cannot see the utility of these bodies continuing in existence any longer. The hon. mover has brought to our notice the way in which some resolutions of the Coimbatore municipality were not given effect to and were rather set at naught by the officers and the way in which their appeals to the Board of Revenue and to the Government were in vain. It is clear that these advisory bodies are to give their advice when they are consulted and that they have no effective voice in shaping the excise policy. I think the time has come when the hon. the Minister in charge of the department would, if he wishes to continue these advisory bodies, provide for a substantial

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majority of non-official members in them. If he cannot make up his mind to allow a substantial majority of non-official members on these bodies, if he cannot induce the Government to take up that position, I think he will be doing good to the country by suggesting the abolition of these bodies. Because if we are to have an advisory body consisting of representatives who can have no effective voice in guiding the deliberations of that body and whose conclusions need not be repeated, the earlier it is done away with, the better. With these few words I second the resolution."

Mr. M. RATNASWAMI:—"Sir, the hon. Members who have spoken on this resolution seem to think that this is a matter which affects only local boards and municipal councils; whereas this resolution has to do with the general matter of drink and as such it is a national or provincial question, and therefore it must be argued on general lines and on general principles and not as a matter merely within the competence of municipalities. This resolution affects what some at least call the right of the freedom to drink and I do not think any municipal body has a right to restrict that freedom unless it is authorized to do so by a national or provincial assembly. The hon. mover of this resolution seems to have suspected that there was something wrong with the resolution, for he has introduced the word 'unanimously'. Now, in all popular Governments a unanimous decision is by no means necessary. There is only one country in the history of the whole world where an attempt to arrive at decisions unanimously was considered and that was in the medieval state of Poland and we all know with what result. If a question can be decided by a public body, why should it be insisted on that a unanimous decision should be arrived at. Moreover, Sir, this is a question which affects the masses of the country, and I think our municipal and local bodies, however liberal may be the franchise, cannot at present be said to voice the opinion of the masses for they are of an aristocratic frame of mind, and unless the opinion of the masses is obtained, I do not think we are authorized in coming to a conclusion authorizing municipalities and local boards to deprive people of the right and privilege which they have enjoyed so long. Therefore I think this resolution ought not to be decided in any casual manner, but ought to be decided in connexion with the whole general question of the privilege or the right of freedom in regard to matters of drink. Of course, my hon. friends are animated by the desire to support the cause of Local Self-Government, and to none do I yield in my enthusiasm for Local Self-Government; but this is a matter which is certainly not within the competence of local bodies. It is a matter for national or provincial concern, and I do not think we should allow ourselves to give local bodies a right which they do not deserve to exercise."

The hon. Rao Bahadur A. P. PATRO:—"Sir, I am glad that my hon. friend opposite has stated very clearly that this question of temperance is a very ancient one and is not confined to one particular district or one particular country. It is as ancient as the days of the soma juice and it is as modern as we find in some of the States of America. Again my hon. friend has said that in dealing with this question of temperance, we have to be very careful in advancing any reform. These two principles, Sir, are such as no one will dispute. At the same time, we must recognize their value in their application to the conditions of things

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in various countries. The object of the Government and the object of the people is the same in regard to this matter of temperance. There is absolutely no conflict whatever in the aims and objects of the Government in the matter of temperance reform with those of the people. Just as the people want that the morality of the people should be improved, Government also want that the social condition of the people should be improved. The policy that has been pursued in the Madras Presidency, as you all know, has been to place as many restrictions on the consumption of liquor as possible. If you only refer to the reports of other provinces and the conditions that prevail here in this province, you will find that most of the other provinces are now adopting measures which have already been in force in this Presidency for the last ten years. In restricting the consumption, in trying to place as many difficulties as possible in the way of getting drink, in reducing the hours, in reducing the proof gallons, in the selection of places and in avoiding public places and in giving discretion to Collectors to refuse to give licence for road-side shops, and in various other methods Government have been pursuing a policy of temperance. Therefore, the object of the Government is the same as the object of the people in advancing temperance reform.

"Then, Sir, my hon. friend who has tabled this resolution said that whenever the municipalities and district boards pass a unanimous resolution, then the shops should be closed down or removed. This is by no means a fresh attempt on the part of my hon. friend. He has done it before and this has also been tried by Government elsewhere. The removal of shops from particular areas was tried by Government in the case of Salem, but the experiment was not successful. The hon. mover himself conscious of the difficulties pointed out that if the shops are reduced in one particular area, the pressure on shops in other areas will become very great. My friend from Anantapur will show from his experience in dealing with this question that there also he attempted to reform the people by way of closing down shops, or by not allowing renters to bid at auction, but that experiment also has not been successful. Therefore if you make any attempt in any municipal area to remove the shops, or to locate them in any other area, you are sure to be confronted with this difficulty that that particular area will be very much pressed for and the demand in that locality will become very great. So, my hon. friend is quite right in suggesting that in the matter of this reform, we must be very careful and very cautious in taking any steps, though the terms of his resolution are quite irrelevant to the principle of caution. He referred to the last year's attempt and said that that was a splendid opportunity for Government to have taken advantage of for pressing temperance reform. But I may assure him that it was not from the side of the Government that any pressure was used, the movement was left to itself and to take its own course. Many earnest and enthusiastic people worked in the cause of the temperance reform. I don't refer merely to non-co-operators. Most of them were honest and sincere men in advancing the temperance reform and they have done their best, honestly and sincerely, believing that it would be a very good step to take. But that even those honest and sincere workers have not been able to effect any change is apparent from the fact that they have abandoned most of their activities in this direction. It would have been very good on the part of those people if they

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had persisted in continuing in those methods of reform but they failed, failed because their activities were not originated in pure social service. They made tremendous effort and perhaps no enthusiasm can be compared with that which prevailed last year, yet, in spite of that great enthusiasm and in spite of the earnestness of the reformers, the results have not been at all to their satisfaction. So, we should be careful as to how we proceed in the matter of temperance reform. We have to see whether we should merely imitate any movement in any particular form that prevails in any country. If local option prevails in any country, we have to see before introducing that principle here whether the conditions here will be suitable for it. If we want to adopt prohibition, we have to see what form of prohibition can be adopted here. These are questions which we have to understand before we speak of advancing any principle. I don't minimize the importance of earnestness should be based on sound practical experience. I do say is that our earnestness should be based on sound practical experience. We should try and see in what practical form we may effect this change. The resolution suggests that soon after a municipality passes a resolution, then we may take away all the shops from the locality. I wish my hon. friend also suggested to me as to what the precautionary measures that should follow the closing of shops at a municipal or a taluk board area are. Mere closure of shops does not, by itself, improve temperance. Mere closure of shops by itself does not effect any prohibition. On the other hand, recent experience has shown that where there has been such a prohibition, there has been a lot of illicit consumption and it is most extraordinary to see how enormously some persons have profited by it. As a result of it, you find that a reaction has set in among the people themselves and that reaction has very much discouraged the enthusiastic workers in the cause of reform. Hence you find that the remedy that has been suggested by my hon. friend is not a practical one at all.

"Then, Sir, it has been suggested that there are advisory committees and that the views of these advisory committees have not been accepted by the department. My hon. friend has cited the instance of Coimbatore. On the other hand, Sir, may I be permitted to read what we have got in the reports to prove how far the advisory committees have been useful in effecting the necessary changes and the necessary reforms not only in the abolition of shops, but in changing the location of shops also? The district collectors, who are the presidents of these boards, have been very ready to accept the advice of these boards. We find from statistics that from 1914 to 1921 there have been a number of instances where advice has been given either for the change of the location of shops or for their closure. In the majority of these cases, the advice has been followed and adopted and therefore it is not correct to say that the views of these advisory boards are always set at naught. There may be instances where the advice has not been accepted, but there may also be special reasons in those cases. But unless I know what that special case is, I am unable to say that that particular case was not justified. Here I will read from the report of the Abkari administration. The figures show that in 1914-15 the advisory committee recommended the closure of 101 and the collectors have accepted the closure of 98 shops. In 1915-16 they advised eighty-seven shops to be closed and their advice was followed in 69 cases. In 1917-18 they advised 27 shops to be closed and their advice was accepted in the case of 24 shops. In 1919-20 they advised 72 shops to be closed and

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had persisted in continuing in those methods of reform but they failed, failed because their activities were not originated in pure social service. They made tremendous effort and perhaps no enthusiasm can be compared with that which prevailed last year, yet, in spite of that great enthusiasm and in spite of the earnestness of the reformers, the results have not been at all to their satisfaction. So, we should be careful as to how we proceed in the matter of temperance reform. We have to see whether we should merely imitate any movement in any particular form that prevails in any country. If local option prevails in any country, we have to see before introducing that principle here whether the conditions here will be suitable for it. If we want to adopt prohibition, we have to see what form of prohibition can be adopted here. These are questions which we have to understand before we speak of advancing any principle. I don't minimize the importance of earnestly taking the problem of temperance on hand, but what I do say is that our earnestness should be based on sound practical experience. We should try and see in what practical form we may effect this change. The resolution suggests that soon after a municipality passes a resolution, then we may take away all the shops from the locality. I wish my hon. friend also suggested to me as to what the precautionary measures that should follow the closing of shops at a municipal or a taluk board area are. Mere closure of shops does not, by itself, improve temperance. Mere closure of shops by itself does not effect any prohibition. On the other hand, recent experience has shown that where there has been such a prohibition, there has been a lot of illicit consumption and it is most extraordinary to see how enormously some persons have profited by it. As a result of it, you find that a reaction has set in among the people themselves and that reaction has very much discouraged the enthusiastic workers in the cause of reform. Hence you find that the remedy that has been suggested by my hon. friend is not a practical one at all.

"Then, Sir, it has been suggested that there are advisory committees and that the views of these advisory committees have not been accepted by the department. My hon. friend has cited the instance of Coimbatore. On the other hand, Sir, may I be permitted to read what we have got in the reports to prove how far the advisory committees have been useful in effecting the necessary changes and the necessary reforms not only in the abolition of shops, but in changing the location of shops also? The district collectors, who are the presidents of these boards, have been very ready to accept the advice of these boards. We find from statistics that from 1914 to 1921 there have been a number of instances where advice has been given either for the change of the location of shops or for their closure. In the majority of these cases, the advice has been followed and adopted and therefore it is not correct to say that the views of these advisory boards are always set at naught. There may be instances where the advice has not been accepted, but there may also be special reasons in those cases. But unless I know what that special case is, I am unable to say that that particular case was not justified. Here I will read from the report of the Abkari administration. The figures show that in 1914-15 the advisory committee recommended the closure of 101 and the collectors have accepted the closure of 98 shops. In 1915-16 they advised eighty shops to be closed and their advice was followed in 69 cases. In 1917-18 they advised 27 shops to be closed and their advice was accepted in the case of 24 shops. In 1919-20 they advised 72 shops to be closed and

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their advice was accepted in the case of 59. In 1920-21 they advised the closure of 59 shops and their advice was accepted in the case of 51. Again, Sir, in the case of change of sites, in 1914-15 the advisory committee recommended that the sites of 105 shops should be changed and their advice was accepted in the case of 89. In 1918-19 they advised the change of site for 120 shops and their advice was adopted in the case of 112. In 1919-20 they said that in the case of 134 shops there should be a change of site and their recommendation in respect of 127 cases was accepted. Similarly, in 1920-21, they advised change in respect of 155 shops and their advice was accepted in the case of 115.

"Again, Sir, even without reference to the advice of the advisory committee's report, the department itself has considered the question of closure of shops necessary in certain areas and change of sites as well in certain other areas. In the years 1916-17 and 1917-18, 861 arrack shops and 1,456 toddy shops were closed at the instance of the revenue authorities, as against the advice of the advisory committee for twenty and 37 respectively. From the statistics just quoted and referred to in the report of the Revenue and Abkari administration, it will be clear that in most of the cases the advice of the committees was accepted by the department. The hon. mover makes out a case with reference to the district of Coimbatore where the advice was not accepted. There may be special reasons for it. If my friend is good enough to bring the case separately to me, I would certainly investigate into the special reasons therefor. It is extremely doubtful if the resolution of the municipality was placed before the excise advisory committee. It is not correct to say that the advice of the committees regarding the abolition of change of sites has not been accepted by the district collectors. The figures I have quoted show beyond doubt that in a majority of cases their advice has been accepted and the necessary change effected in the abolition or location of the shops.

"The hon. mover has referred to the fact that by reduction of shops it would be possible to reduce the consumption of toddy. He thinks that by mere reduction of toddy shops consumption of the liquor would necessarily diminish and suggests that in the matter of arrack shops as well a reduction in supply could be effected. I understand that he wants us to adopt the practice followed in Bombay where they say that a reduction of 5 per cent on the total consumption in a particular shop of the previous year would effect the desired change. Whether from the distillery or from the warehouse the issue is weekly or monthly, the return showing the quantity of consumption is taken into consideration in fixing the quantity of liquor to be allowed for the succeeding week or month. If the 5 per cent is adhered to throughout there would be some meaning. But what the Bombay system does is that it does not stick up to the 5 per cent throughout the year; it is liable to be changed every month. Discretion is also given to the Collectors in Bombay to lower the percentage of reduction. These two conditions, viz., the variation in the reduction from time to time and the power given to the Collectors cannot be practically applied to this province, for we can very easily see what effect they would have on the sale of liquor in a particular shop and how much room it would give for the sale of illicit liquor. These restrictions are experimented upon in the Bombay Presidency and I leave it to the House to consider how the system would work here in practice.

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"Again, Sir, we have heard of the publication of a report from the United Provinces where a committee sat and investigated into the question how far prohibition could be carried into practice. In Bengal there is a fixed system. The official report being scanty on this question, I enquired of the Excise Minister of Bengal and found that the system was only very recent; even there the Commissioner of Excise said it entirely depended upon the honesty of the person to whom the licence was given. For he has to say whether a particular quantity was consumed in a week in a particular shop. The Government fixes a quantity, but it is revised from week to week. The fee, as originally fixed, is only nominal and if the rules are strictly enforced, much room will, I fear, be given for illicit traffic in consumption. To my mind the name 'fixed system' is a misnomer, for every month the consumption is increased the list is revised. I must say from the interview that I had on the matter with the Minister for Excise in Bengal that I am not at all satisfied with the method, and it did not either diminish the consumption or promote temperance. In the United Provinces they have been attempting to diminish the consumption and I have already referred to the system in Bombay. So far as this Presidency is concerned, a deputation is going round and studying the conditions in the several provinces, and I hope all the details will be placed before the advisory committee. A special officer has been appointed to study the conditions in this province and in other parts of the world as to how temperance reform is worked out, what the ways and means are that are adopted in different places. He has collected information from various sources and his pamphlet is ready. It will be given to the members of the excise advisory committees with a questionnaire which will be issued to all persons interested in temperance reform. Opportunity will be given to such people to place their views before the advisory committee. The information regarding the systems in Bengal, Bombay and the United Provinces will also be available to the Government and to the public as well. The committees will go into the matter fully and advise the Government. Various requests have been made for the adoption of a definite policy, and it is in deference to the resolutions that have been moved in this Council, and to the various requests that have been made, that this matter has been taken in hand and a special officer is appointed to enquire into it. As I told the House when the information is made available to the advisory committees, then it will be time for the Government to decide, on the advice of the committees, how the policy should be shaped in this province. I must, however, for the present, assure the hon. mover that an attempt is being made that practical steps have been taken to see how far we can change the present policy, how far we can adopt any other system followed in any other province. I may also add that our Presidency has been in advance of others in this matter since the latter have been just now trying one method for the past one or two years. As soon as the information is complete, I propose to take up the question of excise policy.

"There is also another matter to which my hon. friend has referred. He asks why arrack shops could not be closed where toddy is available. He pointed out that toddy drinking is a lesser evil than arrack drinking. It is also a matter which I would consider and see how far it would be possible to adopt the suggestion. It is desirable if in any particular area arrack shops may be closed without any illicit consumption or illicit manufacture. I will be glad to enquire into the matter. It is, of course, reasonable to ask why

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there should be arrack shops in places where there are toddy shops*. But the question is not within the scope of the resolution under consideration. Nevertheless, I may assure the hon. mover that I will enquire into it also in considering the report of the deputation.

"Sir, the trend of the speeches of the hon. mover and the hon. seconder was that we should begin anew, adopt a new policy because of the changed conditions of the Government. Without taking you through all the passages of the excise committee's report, which refers to the experiences gained in the investigation of the questions I may assure the House that it is our desire that we should come to a definite understanding as to the excise policy, but that, as I have told the Members, I am labouring under many difficulties. My enthusiasm for reform is inducing me to see what practical steps could be taken in the matter. Many practical difficulties lie in the way which have to be overcome before I find myself able to make a definite statement regarding the policy, and it is with a view to solving them that I have sought the aid of a special officer and a deputation which would collect all the necessary materials. Soon after they are available to me, I will be able to make a definite statement of policy. As to my intentions and the intentions of the Government, it is clear that we favour restriction of consumption, reduction of consumption and that the social conditions of the people should be improved. It is not the intention of the Government to make revenue out of their excise policy. It has been suggested by my hon. friends, Mr. Krishna Rao and the mover that it is the intention of the House that they are prepared to eliminate the revenue from abtari and recoup the loss from other sources. That state of things must be welcomed, and if the Government fail to co-operate with this House in this matter if the House takes the responsibility of fresh taxation, the blame lies with them. Government is liable to be severely censured."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I understand, Sir, the hon. the Minister for Excise to say that his heart was for the reform, but that many difficulties lay in the way which he would have to overcome. But for the present he has sought refuge in the appointment of a special officer to go round India. Hon. Members will see that whatever be the inclination of my hon. friend, for the present he has contented himself with the makeshift of appointing two special officers to investigate and report on the question.

"I would like to assure him that this Council will no longer be satisfied with any policy that passed muster with Government as constituted before this Council was started. We want a national policy and we want what my friend Mr. Ratnaswami has described as a provincial policy in this matter. Whatever policy is found in the excise committee's report and in the report which has been acted upon and in the policy which has been initiated hitherto is certainly not at all a national policy. It is the policy of my friend the hon. Sir Charles Todhunter, of the ministry and of the excise committee. Well, Sir, we have had a great stir from the hon. the Minister for Excise in regard to questions of policy and I am perfectly certain that in questions of excise administration we have to take pretty good care. My friend Mr. Patro has become a past master in the art of defending the departments in his charge. Well, Sir, with reference to a Bill that I wanted to introduce in this Council, of which the hon. Members of this House are not unaware, regarding local option, there was some difficulty.

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Excise, as the hon. Members are aware, is a transferred subject. But there are certain items of excise which are still controlled by the Government of India. They are those on which customs are imposed. When my Bill was submitted to the Government of India that Government discovered a clause which affected what was considered to be their own legitimate sphere of revenue, viz., the customs revenue on imported liquors. Therefore in framing a policy which will apply to the whole drink traffic, we have the Government of India on the one hand and we have the Provincial Government on the other, and between the two I do not think we have been able to get on far in framing a policy. And when my hon. friend will succeed in framing a policy after acquainting himself with the state of things in the other provinces, whether that will be a policy fit to be followed is also a question for your consideration. Mr. Patro referred to Bengal. I may inform him that I also discussed the question with the Excise Commissioner there, and the policy there seems to be that in letting out these shops he imposes an enhanced duty commensurate with the increased consumption. Assuming it sells 800 the duty will be very much higher, and it is that policy which has resulted in discouraging the shopkeepers from forcing up sales. That seems to be the gist of the Bengal experiment, and, I understand, that experiment has succeeded in taking away the inducement in sale; for if they sell more, the more will be the duty imposed on the whole liquor. That is the essential feature of the Bengal scheme. I understand it has been working fairly well. Mr. Patro said that there are persons in Bengal who are not satisfied with the system. There are persons everywhere who are not satisfied with anything."

The hon. Rao Bahadur A. P. PATRO:—"Experts."
Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"Experts are the last persons who will be satisfied with anything except their own special schemes."

Mr. A. RAMASWAMI MUDALIYAR:—"Am I to take it that the hon. Member is satisfied with the Bengal scheme?"
Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"If my hon. friend would induce Mr. Patro to bring forward such a scheme, I will examine the same and tell him what I feel on the matter. I am at present repeating what I heard about the Bengal scheme to which the hon. Mr. Patro referred. He has also referred to the United Provinces. As regards a national policy, my hon. friend said that Mr. Strathie and his colleague are studying how the question of temperance is dealt with all over the world. I hope they will continue to study and arrive at some definite conclusions sooner or later. I am somewhere in the building—that the policy which has been followed in most countries without total prohibition is a policy of local option. Almost in every part of the world where local option has been tried it has led to total prohibition. The way to begin is by local option. As regards this principle of local option the persons concerned have the option of saying whether they will have more shops, or whether they will reduce the number of shops, or whether they will have a change of place. Since you go by

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national conventions to total prohibition it is only reasonable to adopt local option. I believe that ought to be the policy adopted by the committee. As regards this particular resolution Mr. Venkataramana Ayyangar said that wherever a municipality—which after all represents the local rate-payers, though they may not belong to the drinking class as a body, yet they may have the welfare of the masses at heart—unanimously comes forward and says, 'Do not locate a shop at a particular place', that request should be acceded to. In what has been done in the past as regards the constitution of the advisory committees, the hon. Member himself has said that almost all the recommendations have been accepted and have been carried out. If that is so, I should like to ask him what are the difficulties that he finds. Well, Sir, questions like his are not decided by a single experiment. If a municipality says unanimously 'We do not want a shop in ward B', I do not see why anybody should force them to have a shop in that locality. Mr. Patro said that the result of such a state of things would be that the shop would be located in another ward and there would be an increase of drink. It is so under any system of local option. After enquiries made we found that in the Glasgow municipality some wards had adopted local option while others had not. The hope is that when one ward adopts local option it will be followed by others. On the other hand, Mr. Patro says it will intensify drink in the other wards. But sooner or later the example will be followed by the wards in which the shops are located and ultimately the whole of the experiment of taking away these shops from a particular locality will be accomplished. Otherwise you will have to adopt total prohibition. If you adopt that in Madras, it will lead to importation of liquor from Bombay. Every experiment has its defects, and therefore I do not think my hon. friend, who wishes to initiate a policy himself, should be frightened by the failure of a single experiment or by the possibility of future experiments which may be initiated."

The hon. Rao Bahadur A. P. PATRO :—"I only want to be cautious."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"A man who is too cautious will do nothing. I will ask my friend not to be too cautious in matters of social improvement, even if such experiments lead to failure. Certainly we shan't succeed in a single day. I do not want to remind him of the familiar adage and I will only trust that it is already two years since this Government have been in existence. He points to me that there is one year more. I recognize it as well as he does. He will have to go again and give an account of himself before the country and he will remember that it is a possibility which cannot be ignored."

Mr. T. SIVASANKARAM PILLAI :—"I have given notice of an amendment which I propose not to move after hearing what the hon. the Minister for Excise has stated. Since he has referred to the temperance work that was being carried on in Penukonda, and of which he had opportunities to know first hand when he came there, I should like to add a few remarks so that they may serve as guidance for him in directing the work of the advisory committee. The non-co-operation movement spread into the Anantapur district as in other places. Some younger spirits, attracted by an element of adventure in it, were about to swell its ranks when a few of the more sober-minded citizens at Penukonda formed an association with a view to wear

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them away from the militant aspect of the agitation and divert their energy into useful channels of propagandistic work in favour of temperance. As a result of such endeavour temperance ideas spread, and even to this day there are in the district over ten villages which have set their faces against drink. In Madakasira, an out of the way place, even Adi-Andhras began to feel awakened and many of them resolved to abstain from drink by taking vows in the temple. Just about this time toddy sales were, as usual, advertised. Hundreds of people gathered at different centres to bid in the sales. Many temperance workers thought it was a good opportunity to spread the propaganda and met the crowds as they proceeded to the place of sale, exhorting them to co-operate in temperance work by reducing shops which were temptations for people to drink. The local magistracy here and there prevented these workers by means of section 144 of the Criminal Procedure Code and some of them were even sent to jail on account of their alleged disobedience of the magisterial orders on their part. When the shops did not, in many places, fetch the usual prices, they had to be resold, the revenue authorities promising the bidders that they would be given every support against the temperance workers. In some places village munsifs and the police set up not only to dissuade them from their work, but also to actively help the renter by bringing the customers to the shop. This, in many cases, led the local police and the village headmen to profit at the hands of the renters in the bargain. Police actually invited people by beat of drum to come and drink in the shops. A magistrate prohibited workers from speaking of temperance within 400 yards of the toddy shop at Penukonda. According to his order it should have been an offence if the workers had gathered even in my own house to preach against drink. False cases were foisted on them with a view to intimidate. In this way the official attitude became detrimental to the advance of 'temperance movement'. The police and the village headmen delighted to oppose the anti-drink campaign out of a sense of triumph, being assured of the support of their superior officers in whatever they did. This state of things has left an impression in the people's mind that the Government wanted to encourage drink. I would request the Minister to bear these aspects in mind in setting to work towards the goal of total prohibition."

Rao Bahadur K. GOPALAKRISHNAYYA :—"Sir, the hon. the Minister 1-15 p.m. has been kind enough to hold out a promise that he will examine the question with the help of experts and also with his own study of the whole question. We know, Sir, that this question of temperance is an old one, as old as the policy of intemperance. Even in the old days there were reformers and the policy was recognized even by the Hindu States. In this cry of temperance that we advocate, we are liable to cut at the root of finance. This policy was promulgated by Chanakya or Kautilya of whom our friend the hon. the Finance Member is very fond. In his Arthashastra he says: 'Liquor shops should consist of many rooms furnished with cots and seats. The drinking place shall possess many comforts and should always have garlands of flowers, scent and perfume.' This is found in Arthashastra, book 2, chapter 25. Thus it will be seen that even in the 4th century B.C. they were raising this sort of revenue from the drunkards. As such it cannot be wiped out just by the wink of an eye. The policy has to be studied very carefully

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with an eye towards finance. If as the hon. the Minister says, the House has to be prepared for additional taxation in the event of loss of revenue, I for one will prefer the other alternative; let the revenue remain as it is and let the existing conditions continue if for the removal of the drink evil you cannot avoid additional taxation. If this House is to vote for additional taxation, it will have to fall on land; because land is perceptible to the naked eye and the burden will fall on that. There will be no other form of taxation. As most of the members of this House represent the agriculturists and land-owning classes, I don't think they will be prepared to vote for additional taxation on land. Let there be tax on lawyers, let there be tax on officials, but let there not be further tax on land. I am not prepared to vote for additional taxation on land. The hon. Member Mr. Ramachandra Rao has remarked that he has not been able to understand what the hon. the Minister was saying, whether he was opposing the resolution or accepting it. I am not able to make out anything from what the hon. Member Mr. Ramachandra Rao has said—whether he opposed the resolution or supported it. Unfortunately he is not now in his seat. The present resolution suggests that 'every resolution unanimously passed by any municipality, union board or taluk board for the abolition of any toddy shops or arrack shops in their jurisdiction should be given effect to'. It is rather very comprehensive. As soon as a municipality unanimously passes a resolution that all toddy shops in its jurisdiction should be closed, it means that they should at once be abolished. That means that there will be no revenue to the Government and then we will have to impose additional taxation, as the hon. the Minister suggested. The hon. the Minister has promised that he would look into any particular case. My friend Mr. Venkataramana Ayyangar has given us an instance from his own district and Mr. Sivasankaram Pillai also has given us another instance. No doubt, there are illustrations of this sort here and there; but there are also illustrations to the contrary. We know, Sir, that toddy shops are less harmful than arrack shops. Suppose we remove all the toddy shops, then people will visit arrack shops and this means more danger. We have to examine this question from that point of view. I know from personal experience that the present chivalry of the temperance movement has come into prominence with the non-co-operation movement. There were attempts made to have no toddy sales; but we know that there were several cases of illicit distillation. It is, therefore, clear that our object to see that people avoid drinking fails to a great extent. It is not that we do not support the policy of temperance; no one in this House will vote for a policy of inducing people to drink. We are all anxious to see that people avoid drinking as much as possible. But unless perhaps there is a provision in the Penal Code punishing these persons, I for one don't think that people will completely avoid drinking. Even then there will be illicit distillation. So this policy of temperance has to be very cautiously adopted. Preparedness to forgo revenue is not enough if by no practical method you are able to drive out the habit of drink from the country. The result would end in loss of revenue but permanence of the habit. Considerable amount of caution is therefore necessary. As the hon. the Minister held out hopes in this direction, that he will examine the whole question and adopt a policy suitable to our province, I hope my friend Mr. Venkataramana Ayyangar will feel convinced of the earnestness and honesty of the efforts of the hon. the Minister and withdraw his resolution."

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The Council then adjourned for lunch at 1-30 p.m. and re-assembled at 2-30 p.m.

Mr. C. V. VENKATARAMANA AYYANGAR:—"I must thank the hon. the Minister for the kind and the usual encouraging words with which he has replied. I want just to say one or two words as to why I brought this resolution. It is one of those cases where tenacity plays a part to see that some justice is done. As a matter of fact some of those resolutions which were defeated last year were carried through this year. I thought that though this resolution was not carried last year, it would have a better fate this year. Even though the attempt this year would not succeed I shall use my tenacity and bring it next year.

"As regards Mr. Ratnaswami's remarks, he observed first that this was a national or provincial question. Exactly so. Unfortunately the Local Option Bill that was to have been introduced by Mr. Ramachandra Rao Pantulu has not been allowed to be introduced. Therefore to have at least some mercy I thought that the representatives of the local bodies when they decide unanimously on questions they must be expected to have arrived at the right decision. I have not introduced the word 'unanimously' to help the temperance movement. I used the word 'unanimously' so that the bona fide of the actions of the local bodies might not be questioned. If they are in a position to pass a resolution unanimously we may rest assured that they did not do so in any party spirit."

Mr. M. RATNASWAMI:—"Why unanimous decision? Is not unanimous decision a denial of Government by assent?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"I was aware of the difference between unanimity and the absence of it. My hon. friend Mr. Ramalinga Chettiyar was also against the word 'unanimously'. Yet I preferred to have the word 'unanimously' because even with the word in the resolution there is so much opposition both from the hon. the Minister and some others. Without that word I may probably not have anybody to support me. It was only to lessen opposition that I introduced the word 'unanimously'."

"Secondly Mr. Ratnaswami contended that the municipalities did not represent all the classes of people, especially the lower classes. But they are the most representative and democratic institutions which we now possess at present. Anyhow a unanimous resolution will represent the wish of a very large majority of the people of the locality.

"I have no quarrel with advisory committees as such. But absolutely no useful purpose will be served by them if their personnel happens to continue what it is. The majority of them are officials with some official non-officials. The hon. the Minister asked me whether the advisory committee of Coimbatore was consulted in the matter. I am glad the hon. the Revenue Member and the hon. the Finance Member as also the Minister in charge have evinced an interest in the matter. I have shown them the Government Order I referred to. It is G.O. No. 2785, dated 14th December 1921. If they only call for the papers in connexion with the Government Order they will see that that municipality had been fighting not only with the Collector but also with the advisory committee. It instructed its representatives in the advisory committee to fight out the matter there, but they were in a minority in the committee and so they could not succeed. The correspondence will show that

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the Government insisted on having a shop at place where the municipality did not want to have one; in another case an arrack shop was put near a place where there was already a toddy shop in existence. If the hon. the Minister wants to examine it, Ramanathapuram is the place where this was done. I have got hopes of good things from this deputation especially as my hon. friend Mr. Shanmukham Chettiyar is in it. I appeal to the hon. the Minister to give some weight to the views of Mr. Shanmukham Chettiyar. I have not any confidence in the fixed fee system with reference to toddy. The question of toddy is different from the question of arrack and I agree with the hon. the Minister when he said that there is no use in restricting the sale of either toddy or arrack alone, because if a person has no easy access to the one he will certainly go in for the other. Sometimes the toddy contractors come to an understanding with the arrack contractors and would not sell toddy and thus force the poor people to go in for arrack and thus raise the drinking quantity of arrack. The whole question must be gone into thoroughly. Though toddy is less injurious than arrack, still the consumption of toddy also should be reduced. Unfortunately there is absolutely no limit placed for the production and sale of toddy, nor is there any limit on price fixed. It can be given as a free gift to any number of people; they can mix any quantity of water before selling—though this will be less injurious to the consumers, still there is no limit as to the strength of toddy. Mere closing of a few toddy or arrack shops will do no good.

"I knew that a deputation is to be sent out to study the question. I knew also that Mr. Shanmukham Chettiyar is to be a member of that deputation; yet I tabled this resolution because I wanted to give the hon. Members of this House an opportunity of giving out their views before the deputation started. I know that Mr. Shanmukham Chettiyar will do justice to his convictions. The object with which this resolution was tabled is served and hence I beg leave to withdraw the resolution."

The resolution was by leave withdrawn.

The following resolution was not then moved as it related to substantially the same subject as the one discussed a few days ago—

Mr. B. MUNISWAMI NAYUDU:—

42. That this Council recommends to the Government that a special tribunal consisting of one or more High Court Judges be appointed to examine into the legality or otherwise of the sentences passed in this Presidency in criminal cases instituted against non-co-operators in which the accused did not defend.

The following resolution was not also moved as the hon. Member was not in his seat—

Mr. B. P. DEVARAJULU NAYUDU:—

43. That this Council recommends to the Government the postponement of the construction of any more residences for district officials on the foreshore of Dongal cheruvu, in the town of Cuddapah, in view of the fact that the site chosen has been condemned by experts as malarious and unhealthy and for the reason that the anti-malarial measures so far carried out have proved a failure.

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Agricultural demonstration.

Mr. A. P. I. SAIVID IBRAHIM RAVUTTAR:—"Sir, I beg to move the resolution standing in my name:—

44. That this Council recommends to the Government that a demonstration scheme be devised at an early date so as to bring the fields of cultivation under the new models and machinery at the cost of the Agricultural Department.

"Sir, though the subject matter of this resolution is partly engaging the attention of the Government, there is still discontent prevailing among the ryots from whom the major portion of the revenue is accrued by the State. If the Government comes forward with a generous hand by supplying seeds and manure at a very cheap rate and brings to light the new models and machinery, I should think that this will, at least, relieve them from the hardship they are labouring under. The Government should clearly impress upon the minds of the ryots that the revenue they pay is not after all for nothing. I hope that the hon. the Minister for Development will give due consideration to this resolution."

Mr. S. MUTTUMANICKACHARI:—"I second the resolution, Sir."

The hon. Rai Bahadur K. VENKATAREDDI NAYUDU:—"I may assure the hon. the mover that so far as helping the ryots in introducing new methods in their own fields is concerned the Government have been doing that work already. The only difficulty is about the cost of doing it, the resolution wants it to be done at the cost of the Agricultural Department. That would be a great impediment in the work that we are doing. Because if the Government is to cultivate the fields of private owners they would have to acquire them for the Government or if we have to do it on the ryots' own fields at our expense we can never proceed beyond a few fields, for we must take into account the fact that the resources of the Government are limited. I do not suppose that my hon. friend really means to say that the Government should go on with all these improvements on the ryots' fields at Government cost. Now if that portion of the resolution is eliminated there remains the fact that we are doing our best since all the officers and demonstrators available are utilized for the purpose. To-day you will find a number of districts officials, demonstrators and others doing this work to the best of their ability and proportionate to our financial resources. It is only a question of money. We shall do all we can in this line if only money is available to us. I hope that this assurance will satisfy the mover of the resolution."

Mr. A. P. I. SAIVID MUHAMMAD IBRAHIM RAVUTTAR:—"On the assurance given by the hon. the Minister I withdraw the resolution."

The resolution was by leave withdrawn.

Committee to suggest retrenchments.

2-45 p.m. Mr. C. RAMALINGA REDDI:—"Sir, I beg to move

45. That this Council recommends to the Government that a committee consisting of not less than two-thirds of non-officials be constituted to enquire and report what retrenchments could be effected in the public expenditure of this Province.

"Mr. President, it is not necessary for me to argue at any length the case for retrenchments. The hon. the Finance Member and other Members

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of this Council are all in favour of retrenchments as far as possible. But it does not seem to me that mere official action, however efficient it may be, can meet all the demands of the situation. There is a popular side to the question which cannot be altogether ignored. The Government have reached a stage when it is more and more necessary for them to approach the people for additional money by way of additional taxation. This very House a few months ago adopted proposals for fresh taxation, and the people are not likely to be in a mood to tolerate fresh taxation unless they are convinced that every possible retrenchment has been made, and such conviction can be brought home to them only by a committee in which non-officials predominate and (with due deference to my hon. friend the leader, I must say the revered leader), specially appointed for the purpose. Well, I read with considerable interest the note circulated on this subject by the hon. the Finance Member. It shows what economies have already been effected by Government on their own initiative, and we must be extremely thankful for what has been achieved so far in the matter. But they have not gone far enough. At all events, people must be satisfied that it is not possible to go any further, and that can only be done, firstly by means of a committee in which non-officials predominate and which should be a committee appointed for this very special purpose, so that its attention may not be distracted by any other functions that they have to perform. At all events those were the ideas which were in my mind when I tabled this resolution. I find notices of similar resolutions by a large number of hon. Members and I hope that the principle underlying them will receive almost unanimous assent. There is another point which I shall consider after the amendment of my revered leader has been discussed. Now, with regard to the method, once again I emphasize the need for keeping in mind the two aspects, not merely efficiency but the capacity to carry conviction to the people that all that is possible has been done. If the members appointed to such a committee pronounce after sufficient investigation to what extent retrenchments have been effected, then alone shall we be in a position to see how our budgets in future will stand and whether we should go to the people for additional taxation. The case for retrenchment has been made all the stronger by the disappointment we have had in the Legislative Assembly regarding the iniquitous impost, relief from which we were eagerly looking forward to. I therefore commend this resolution to the consideration of the House."

Mr. B. MUNISWAMI NAYUDU :—" Sir, I have great pleasure in seconding this resolution. Sir, ever since this Council was constituted we have been experiencing financial difficulties in all departments, especially in the departments in charge of the Ministers by way of developing the institutions for which they are responsible. Unfortunately, the Legislative Assembly has rejected our demand for reduction. It has therefore become all the more necessary that retrenchment should be effected in a manner that the people should be satisfied that every possible attempt has been made in that direction. This resolution as worded wants the appointment of a committee consisting of officials and non-officials with power to inquire and report as to what possible retrenchments could be made. No doubt, members are aware of the note issued by the hon. the Finance Member showing the various possible devices that were adopted and showing also how in other provinces the retrenchment committees have not been able to do much. Considering all these things, it seems to me that the only possible way in which we can

COMMITTEE TO SUGGEST RETRENCHMENTS

[Mr. B. Muniswami Nayudu] 3th September 1922]

ave a committee appointed which will be satisfactory to the voters is to ave a separate committee with power to take evidence not only from officials but also from other non-officials or retired officers and then suggest ways and means for effecting retrenchment in the expenditure.

"There is no doubt a suggestion, in the shape of an amendment that the Finance Committee of this House might be constituted into a retrenchment committee and that it would be sufficient for the purpose we have in view. I would only observe that such a committee would not meet our requirements because any retrenchment committee must have a larger element of non-officials and it must be able to go round and take evidence. No doubt in the Finance Committee notes are put up and suggestions are made by the President of the Committee showing in what directions retrenchments may be effected. But they have not the power to call in witnesses and examine them. It is absolutely necessary that every one of the members of the committee should have the power to thoroughly investigate each scheme that is put forward and should have the power to examine witnesses and also find out what possible alternatives could be suggested and then each separate ad hoc committee must be appointed consisting of the members of the Finance Committee and other non-officials to go into the question, examine witnesses and then come to a final decision. It is necessary that the conclusions of the committee should be before the Council before February so that we may be in a position to discuss the budget.

"With these words, I commend this resolution to the acceptance of the House."

Sir P. TYAGARAYA CHETTIYAR :—" Sir, I beg to move for the words 'a committee consisting of not less than two-thirds of non-officials be constituted,' substitute the words 'the Standing Committee on Finance be requested,' and add at the end 'and that a special officer be placed at the disposal of the Committee for the purpose of preparing the ground and for such other work as they may deem necessary.'

"The object with which I move the amendment is this: we are all aware that there is a Finance Committee from the time this Council was formed. That committee consists of members elected by the Council and so it is really a representative body. That committee has been sitting, is sitting and will continue to sit for a long time to come. The chief function of that committee is to go minutely into every branch of the administration and suggest economy. In that capacity they have been doing very good work. In the course of a year and a half they have learnt a good deal of work that is required of a committee. At present, if a new committee is appointed as proposed by my hon. friend Mr. Reddi, with a few officials and non-officials it would take a long time for them to set about to work. I can bear testimony to the very arduous work the Finance Committee is doing and I do not think that the object of my hon. friend will be achieved by the appointment of a new committee. It is not possible that the conclusions of the committee proposed to be set up will be available before the next budget. As it is, the present committee will be able to do a good deal of work as they have been already doing, and the committee consists of members in whom we have confidence and who are experienced people. It will, therefore, be more convenient for this committee to examine the various

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branches of the administration with a view to economy. Under these circumstances, I think it is better that my amendment is accepted by the mover. I am strongly of opinion that this body should be utilized and if necessary, a few more non-officials may be added to it to facilitate its work; and a special officer might be placed at its disposal to prepare the ground and attend to other preliminary work."

Rao Bahadur K. GOPALAKRISHNAYYA :—"I beg to second the amendment proposed by Sir Tyagaraya Chettiyar. No doubt as observed by the mover of the amendment, the Finance Committee is trying to make economies in all branches of the administration and I think if some more members are added to that committee, it will serve the purpose splendidly. In making additions to the committee, I should like to suggest that it should be of a representative character. Some members from the mufassal also should be selected, because mufassal experience should be taken into consideration in the matter of effecting economies. I am aware that at present there are some members from the mufassal who are on the Finance Committee. But their number should be increased, for it is essential that the members should have a thorough knowledge not only of the workings of the Secretariat but also of the mufassal departments. If the committee consists of more members, they may go into more details and into all the branches of administration, for instance the engineering departments working in the districts and also other departments in charge of district officers. If there are two bodies as suggested by my hon. friend Mr. Ramalinga Reddi, it may not be possible for us to do good work. It is therefore that I second the amendment and suggest that some more members from the mufassal should be added to the present Finance Committee and they should be asked to undertake this work of retrenchment."

Mr. P. SIVA RAO :—"Sir, I oppose the amendment moved by Sir Tyagaraya Chettiyar and support the original resolution moved by my hon. friend Mr. Ramalinga Reddi. Having tabled a similar resolution, I take this earliest opportunity for saying something in support of the original proposition. Sir, even last year this cry for an enquiry into the expenditure of the province was strenuously raised and then this cry was silenced by the assurance that His Excellency the Governor would personally see that the pruning knife was used rigorously. On the strength of that assurance, the House did not press the matter further and we waited and waited to see what possible reduction in expenditure would be effected under the personal supervision of His Excellency the Governor. Now, Sir, the result has been achieved and I make bold to assert that it is rather disappointing. Coming to the details, they have been able to save only about 28 lakhs of recurring expenditure. The reduction of village menials, some non-gazetted officers and gazetted officers only resulted in a total saving of 26 lakhs out of a total of 1,700 lakhs."

The hon. Sir CHARLES TODHUNTER :—"May I call the hon. Member's attention to the fact that I expressly stated that it was a saving under establishment only."

Mr. P. SIVA RAO :—"That is a saving under establishment only; no other saving is apparently achieved in any other direction and it was therefore why I brought this to the notice of the Council. The necessity

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for an enquiry seems to be widespread. The hon. mover of the amendment, Sir P. Tyagaraya Chettiyar conceded that there is urgent necessity for retrenchment. Just remember in what evil days we have fallen, remember the black letter day alluded to by the hon. the Finance Member, the day on which the resolution for the reduction of provincial contribution to the Government of India was negated by a small majority. Now, Sir, we shall see where we are. We are in an almost bankrupt condition. It therefore behoves us, all the more to direct and organize an enquiry into the matter of our expenditure. Now, Sir, the necessity for an enquiry being conceded, it remains to be considered further what is the agency to which this task can be entrusted. Last year it was said that an enquiry would be made and that the economy machine would be run by the heads of the departments under the personal supervision of His Excellency the Governor. Now it is stated that the Finance Committee would quite suffice for the purpose. It is asked what is the necessity for a fresh committee so long as the Finance Committee is there to effect retrenchment. Now, Sir, the issue has narrowed itself quite considerably. The necessity for an enquiry is conceded; now the question is which is the agency best suited for carrying on this investigation. As for the Finance Committee, that was appointed for a special purpose. I am willing to say and I readily admit that it has done splendid work but it has to be considered whether that is best fitted for the task which will be imposed on the committee under the terms of reference or under the terms of the resolution. Now, Sir, whatever may be the functions of the Finance Committee, as the hon. the Finance Member has stated in his elaborate note, it is only an economy machine. What are the functions of the Finance Committee. To scrutinize the estimates or the proposed expenditure in a certain year. But what will be the function of the proposed committee. Its function is not merely to scrutinize the expenditure but also to suggest or indicate the policies which will bring about a fall or reduction in the expenditure. That aspect of the matter has to be borne in mind by the Finance Member. He seems to be under the impression that such indications and decisions of policies are solely left to the Cabinet and nobody else. I can quite conceive that in any system of Government, the decisions of policies must be left ultimately to the Government or the Cabinet for the time being. But it will be within the province of the retrenchment committee we are going to propose 'to review (in the terms of my resolution No. 146) the expenditure and to indicate the economies, if particular policies were either adopted, abandoned or modified'. Now, Sir, the functions of the Finance Committee are not of such a nature. As stated by the hon. the Finance Member it is only an economy machine. We do not require simply an economy machine but we want an organization to study and to take a comprehensive stock of the whole situation, to indicate the policies and also to suggest to the Government that if particular policies are adopted, there will be such and such reduction and if certain other policies are abandoned or modified, it will bring about such and such other reductions in the expenditure.

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materials for deciding upon having an *ad hoc* retrenchment committee and not the Finance Committee. Turning to the quotation from Lord Lytton's speech to the Bengal Retrenchment Committee, it runs thus:

All that Sir Rajendra Nath Mookerjee and his colleagues can do is to tell the Government, the Council and the public that certain services are to-day costing so much, the abolition of certain posts or the alteration of certain methods would effect a saving of so much and then it will be for the Government, in consultation with this Council, to decide what they think we can bear to do without, and what they think we can afford to keep.

"Again turning to the reference of the Inchoape Committee, the terms of reference are very similar to the one embodied in my resolution No. 146. So far as the question of policies are involved, these will be left for the consideration of the executive government; but it will be open to the committee to review the expenditure and indicate the economies if particular policies were either adopted, abandoned or modified. I respectfully ask the hon. the Finance Member to state whether the Finance Committee as at present constituted has the power to review expenditure and indicate economies which might be effected if particular policies were either adopted, abandoned or modified."

The hon. Sir CHARLES TODHUNTER:—"The Government have no objection to allow the Finance Committee to undertake these functions. As a matter of fact, as I understand Sir Tyagaraya Chettiyar, that is what his amendment proposes. He wishes to utilize the existing machinery for the discharge of those functions."

Mr. P. SIVA RAO:—"My point is simply this: the Finance Committee was established for a definite purpose. Why should we strain the point in its favour and give it this task also. The present purpose of the resolution is totally different. We want a different *ad hoc* committee solely entrusted with this task. No doubt the present Finance Committee has done splendid work. The second amendment proposed by Sir P. Tyagaraya Chettiyar suggests the appointment of a special officer to do the preliminary work. All the provinces in India have *ad hoc* retrenchment committees and it is only just that this province also should have a separate representative retrenchment committee. I may point out, Sir, that though the Government of India have a Finance Committee, yet they thought fit to appoint the Inchoape Committee for the purpose of retrenchment. In Bengal, for instance, they have a Finance Committee; why have they appointed a separate retrenchment committee?"

"All the world over, I may say, Sir, they have got such retrenchment committees; take, for instance, the Geddes Committee. In Parliament they have got a Select Committee, they have got a Committee on Public Accounts, and they have got also a Standing Finance Committee. The Parliament also appointed the Geddes Committee."

The hon. Sir CHARLES TODHUNTER:—"I am afraid, Sir, my hon. friend is not correct in saying that there is a Standing Finance Committee for any of the Houses of Parliament."

Mr. P. SIVA RAO:—"Whatever that may be, Sir, in every other province in India the Government have appointed *ad hoc* committees, and it is quite desirable that we also should have an independent committee to deal with this question."

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Mr. T. C. TANGAVELU PILLAI:—"Mr. President, I support the amendment, and in doing so I wish that every member of the House would remember that this Standing Finance Committee is a body constituted under the Statute, and we have given them every power, facility and opportunity for effecting retrenchments. I do not think there can be any objection whatever to submit any item for examination by the Finance Committee or the hon. the Finance Member, or to discuss any item with them. If so many committees are to be appointed by the House, I think it would result in some waste of public money and would be of no material benefit. The Finance Committee, as it is, has effected retrenchment to some extent, and further retrenchments can be effected by them, and it should be left to them to consider and decide on this question. I may suggest that my eminent friend Mr. Ramalinga Reddi may easily give the names of gentlemen who wish to discuss matters or submit items regarding retrenchment. Now we have spent nearly two years of our term in this Legislative Council, and we have got only a year more, and if this committee is to be appointed now, we do not know when it will report and when its recommendations can be given effect to. Hon. Members made many suggestions at the last budget session, and the Finance Committee is still going into them, and they have not been given effect to even now. The Finance Committee no doubt made some retrenchment, but still there seems to be room for further retrenchment, and any suggestions that any member may wish to make regarding economy may be made to the Finance Committee, and any member may give it the necessary information so that it may be helpful to the committee. With these few words, I support the amendment."

Rao Bahadur C. NATESU MUDALIYAR:—"Sir, Mr. President, I do not think there is any necessity for a retrenchment committee in this province; what can be done towards reductions is being attended to very carefully by the Finance Committee which is nothing but a creation of this very Council. The note supplied to us by the hon. the Finance Member clearly shows how every department is trying to make drastic changes in this direction for good or for bad (Laughter and 'Hear, hear'). Painful reductions are being made in the most useful of departments, such as the Public Works and the Medical and the possibility of still further reduction is staring us in the face, I do not know in what directions. Politicians who have preceded us while anxious to increase the pay of the Indian officers especially civil and judicial, thus creating a top-heavy system of administration, did not pay the least thought over developing our resources. Our industry and agriculture were neglected. In industry we are culling the shells on the shores of the Cape Comorin, while other nations are already on the top of Mount Everest ('Hear, hear'). Sir, I congratulate the hon. the Minister for Development for his coming forward now with his Bill regarding State aid to industries. In regard to industries, we are only just now having a hazy view of Manchester, and that too with foreign capital, while Birmingham and Liverpool are out of our sight and out of our imagination. Large irrigation schemes are to be undertaken to prevent waters from our splendid rivers wasting themselves into the sea and to make our lands more fertile and yielding. Sir, medical, maternity and sanitary relief which is being given to our people is completely inadequate to our needs, and there is a demand for elementary mass education. In all these departments, retrenchment is impossible. Sir, what appeals to me is this: if retrenchment is required according to a resolution of the Council you may pay

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two-thirds of the salaries of those drawing more than Rs. 500, if that is possible. Again, if any public servant drawing more than Rs. 500 is to retire and if his work can be managed by somebody else, it is better that that appointment is absorbed. Coming to the question of retrenchment committees all over the country in all the provinces, there are not two committees sitting. There is either a Retrenchment Committee or a Finance Committee, because their work is similar (Voices of 'Oh, oh!'). If retrenchment is carried on in the way in which I fear the departments of Government are carrying it on to-day, I am sure there will be the danger of unemployment, discontentment, inefficiency and loss of revenue."

Mr. S. SOMASUNDARAM PILLAI:—"Mr. President, we all know that the Finance Committee has been appointed for securing economy, but now there is a proposal for the appointment of another committee for the same business. We are all acquainted with the proverb 'Too many cooks spoil the broth', and I may say that retrenchment must be very carefully effected; otherwise it will bring ruin upon us and also upon the administration of the Government. I remember to have read somewhere that some wise minister suggested to a king that there was no need for a big army, and that it would be better to substitute for that army a number of blood-hounds. He said that in that way they could abolish the army and yet protect their country from danger of invasion. After a time the enemy came and threw some coconuts before all the hounds, and they kept quiet, with the result that the enemy had an easy victory. So, we should not do retrenchment in that way. The Finance Committee is fully and clearly aware of all the difficulties of the Government. They know where they can safely effect retrenchment and where not. If there are too many people and different committees, instead of having retrenchment or economy, there may be increase in expenditure. The members of the new committee will have to be paid batta, trainage, etc., and instead of retrenchment, there will be additional expenditure. I do not think that Mr. Ramalinga Reddi is very serious in suggesting a separate committee (Laughter). I am therefore of opinion that it is not advisable to appoint another committee, for the Finance Committee is discharging its duties honestly and earnestly with a view to help the Government in effecting retrenchment and it can safely be entrusted with this task and another committee is superfluous."

The DEPUTY PRESIDENT:—"I may just remind hon. Members that there are only 35 minutes more for the debate on the adjournment motion to begin. I hope hon. Members will finish this resolution before 4 o'clock."

Mr. K. P. GOPALA MENON:—"Sir, the resolution of my hon. friend is a very important one and recommends the formation of a committee to deal with a very serious matter; and the amendment proposed by Sir P. Tyagaraya Chettiyar also deserves consideration. From what Dr. Natesa Mudaliyar himself said, the retrenchment that has been effected till now through the advice of the Finance Committee is either for good or for bad. Taking him at that, I think there is every reason and every justification for us to inaugurate another committee, the functions of which will be only connected with retrenchment."

Rao Bahadur C. NATESA MUDALIYAR:—"I did not say, Sir, that the Finance Committee is doing as suggested, but I referred to the reductions that are being made by the departments of Government."

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Mr. K. P. GOPALA MENON:—"Whatever it be, Sir, he told us that the reductions made till now are either good or bad. That is all the more reason why we should have a committee which has got only this function of going into the best way of effecting retrenchment. I am sure that every Member of this House will be at one with me when I say that the functions of the Finance Committee are not restricted only to the question of retrenchment, and the resolution in the words of Mr. Ramalinga Reddi does not say that members of this particular committee which is to go into the question of retrenchment must be confined to Members of this Council alone. I think he has made the resolution wide enough for us to take into confidence also respectable people outside the four walls of this Council, and the committee can also take evidence if need be and see that some sort of retrenchment is effected. Ever since this Council has been inaugurated, retrenchment has been the cry. Of course everyone of us must admit that retrenchment in certain directions has been effected, if not in all possible directions. I would therefore think, although I have the greatest respect for the mover of the amendment, that we should evolve a committee which should go into the question of retrenchment, and I am sure that will help us a great way in achieving real retrenchment. By doing so we shall also be following the example which has been set by the other provinces, where though they have Standing Finance Committees, they have set up *ad hoc* committees for retrenchment. I think it would be advisable to follow in their foot-steps and have a separate committee composed of not less than two-thirds non-officials as members. I have therefore great pleasure in supporting this resolution."

Mr. M. RATNASWAMI:—"Sir, that there is great and urgent need for the question of retrenchment being considered at this stage has been proved by the financial history of our province this year. Great expectations were entertained of the Todhunter axe but I am afraid our hopes have been doomed to disappointment. No doubt the hon. the Finance Member has tried his best to effect economy, but the economies he has given us with one hand have been taken away by the other, by the curious device of supplementary grants, which is one of the queerest expedients known in the history of financial administration (Hear, hear). I am new to Legislative Assemblies, and therefore when at the time of the budget the Government with great alacrity accepted some of the recommendations made by this Council in regard to retrenchment, I was child-like enough to think that this Government was really going to carry out the wishes of the Council. But I had not reckoned with this device of supplementary grants. So, I think, Sir, that there is need, very great need for this question being gone into thoroughly especially at this moment. The principles upon which the Government or rather the Finance Department of the Government of Madras is conducted resemble very much the principles on which the household economy of Alice in Wonderland was managed. It was jam yesterday, jam to-morrow, but never jam to-day. The argument of the Finance Department seems to be based on this principle, namely, there should have been retrenchment in expenditure last year; there should be retrenchment in expenditure next year, but retrenchment in expenditure this year shall never be."

"It is useless, Sir, for us to count on the Government of India. If I may say so the Government of India is a mill stone hanging round our neck by Providence. We might as well try to swing

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blood out of a stone as get our request in regard to provincial contributions granted to us. Therefore we must take our deficit as a fact of nature and proceed to find out ways and means of reducing the expenditure. There is, I think, a very special need for this question being considered in this part of the year in a serious and businesslike manner."

Mr. C. RAMALINGA REDDI:—"Sir, after listening to the debate, I think it would be better that I agree to accept the amendment proposed by our revered leader Sir Tyagaraya Chettiyar. What I would like to say is that the powers of this committee should be enlarged so as to enable it to co-opt members if necessary. I was under the impression that the Finance Member had no objection to that, and I thought that he would feel that the Finance Committee had already powers to co-opt. The second reason is that my hon. friend Sir Tyagaraya Chettiyar will agree that in the matter of retrenchment it is more advisable to co-opt. members than leave the matter in the hands of the Finance Committee itself."

The hon. Sir CHARLES TODHUNTER:—"Sir, I should like to explain the attitude of Government in this matter and to say, first of all, that we are perfectly ready to have enquiries made. Our only doubt is whether it is desirable to entrust these enquiries to an entirely new body, with the result perhaps that, as in the case of the Punjab, the enquiry will not be completed for a matter of fifteen months. On the other hand, we have in the Finance Committee a very useful machine which has already done a great deal of the work and we want to get the best use possible out of that machine. There is no question, as some hon. Members have suggested, of the Finance Committee being a body with strictly limited powers and of our refusing to entrust them with any more. We are quite ready to place all our cards upon the table and let them make enquiries in any manner they think most suitable. Nor again is there any question, to quote the words of one hon. Member, of 'straining a point in favour of the Finance Committee.' I really do not know where he thought the favour comes in. Is it a favour, I should like to ask him, to ask a body of non-official gentlemen to undertake an exceedingly labourious task without any hope of reward, but with the prospect of being abused by one side or another whatever conclusions they come to?"

"The point immediately in issue is, however, a question of co-opting members to the committee. If by this proposal is meant the calling in of gentlemen who have special knowledge of particular branches of the subject in respect of which assistance is required, I am quite ready to agree. But I see a difficulty in the amendment as it stands. As I understand Sir P. Tyagaraya Chettiyar's proposal it is this: he wishes the Finance Committee to continue as a Finance Committee with its existing functions, but in addition to take up another separate function with another separate secretary and pursue a different enquiry in the way they think best. The enquiry will include matters of policy as well as matters of economy, subject only to the proviso that the decision on all matters of policy should be left in the hands of Government. And, as I have said, if that enquiry can be facilitated by co-opting particular gentlemen to assist in particular parts of it, by all means let that be done. Where I should see a difficulty, however, is if it is the intention of the present amendment to give the Finance Committee, to use a common phrase, power to add to their number, and so to assume the functions of this House in making appointments to the committee. I am quite ready

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that co-opted members should assist the committee, but the understanding should be that the report will be the report of the committee and not of the co-opted members also. On this understanding I willingly accept the amendment. To make it clear, however, it would perhaps be best to let the whole resolution read as follows:—

"That this Council recommends to the Government that the Standing Finance Committee be requested to enquire and report what retrenchment can be effected in the public expenditure of the province, that a special officer be placed at the disposal of the committee for the purpose of preparing the ground and such other work as they deem necessary, and that the standing committee be authorized to co-opt additional members from time to time, if necessary, to assist them with specific portions of their enquiry."

Mr. P. SIVA RAO:—"Sir, I wish to say a word on this amendment. That takes us exactly to the state of things we were in. I am not one of those who is carried away with shadowy concessions. If the Finance Committee should co-opt members only in particular matters, then these members are not members of the committee and that is made clear by the speech of the hon. the Finance Member. They are just like experts stepping in to give evidence and helping the enquiry by their evidence. They are not to be parties to the deliberation and they cannot sign the report, and they are merely reduced to the position of witnesses. What was really intended was that the personnel of the committee might be extended and that the co-opted members should have a voice in the deliberations of the committee. But I am now very much disappointed."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I want to say a word, Sir. I think there is no necessity for quarrelling with the Finance Committee, or as to who should sign the report. Last year the same objection was brought and then the Finance Member stated that we need not be afraid, that the matter would be placed before the Finance Committee which was doing splendid work. It was on that assurance that the House did not press the resolution. What has been the result? It is said there is a saving of 26 lakhs. The establishment costs seven crores or 700 lakhs. Is that really a retrenchment? Yesterday in a conversation across the bench, the hon. the Finance Member said that almost every appointment was on a graded scale."

The hon. Sir CHARLES TODHUNTER:—"May I correct the hon. Member? I said 'there is hardly any appointment that is graded. The appointments are on an incremental scale'."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Yes, all the grades of pay are incremental. What are the increments? If you look into the Quarterly Civil List you will see that people getting Rs. 300 get an annual increment of Rs. 50, people getting Rs. 1,000 have an annual increment of Rs. 100 and gradually it goes on. The annual increments come to at least 10 per cent of the pay. The establishment costs 700 lakhs, and the increment necessary will be 70 lakhs. Automatically without anybody saying a word they will be getting these increments."

The hon. Sir CHARLES TODHUNTER:—"May I ask if the hon. Member imagines that everybody has begun at the bottom of the scale?"

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Mr. C. V. VENKATARAMANA AYYANGAR :—“ Whether at the bottom or at the top, it is all the same. Why, if a man retires he will have to be given the pension and it will only mean increments plus the pension. Therefore, I am not wrong in saying that the annual increments will be at least 10 per cent. I only gave a very low figure. I am always afraid of the Finance Member trying to correct me. I therefore wanted to be on the safe side. The annual increments are not less than 10 per cent, and I am sure the Finance Member would not be able to correct me on this point. Therefore, having his own figures, 700 lakhs is the money spent upon establishment and 10 per cent of this will be 70 lakhs. I think the pensions will have to be added to it. Therefore, a reduction of only 28 lakhs by doing away with about 7,000 village officers, about 300 non-gazetted officers, about 20 gazetted officers, is absolutely nothing. What I want is that the Finance Committee or any other committee should go into the question as to whether they should not cut at the top instead of at the bottom. Unless a large number of appointments at the top is reduced, though it may be inconvenient to some people, there will be absolutely no use of any retrenchment. If you want retrenchment it must be done to find at least that 70 lakhs for increments. What are the possible ways? As for fresh taxation, it is out of the question; as for the Imperial Government assisting us that is gone; the only thing left is retrenchment. Therefore I appeal to the members of the Finance Committee and the co-opted members, if any—because I see these will be taken only if necessary—to do something substantial and not to give a report like the Retrenchment Committee in the Punjab by reducing one lakh and finishing the work. Unless a substantial reduction is made by way of retrenchment, there will be absolutely no use of any committee. We all support the amended resolution on this ground that we fully expect that this Finance Committee with the co-opted members will come forward with a report of retrenchment for at least one crore of rupees in the establishment. Unless this is done, there will be great disappointment in this House.”

Diwan Bahadur R. Venkataratnam Nayudu moved that the question be then put.

The motion for closure was put and carried.

The amended resolution was then put and carried.

Collection of kists in red-soil and black-cotton areas in Bellary and Kurnool districts.

Mr. A. RANGANATHA MUDALIYAR :—“ Sir, I beg to move the following resolution :—

‘ 46. That this Council recommends to the Government that the land revenue collections in the red-soil and black-cotton areas be commenced from February and March respectively in Bellary and Kurnool districts.

“ Sir, there are certain well-known principles which are to be observed in the matter of the collection of land revenue. One is that land revenues should be begun to be collected after the harvests are in, and that even then care should be taken that the cultivators are not put to the necessity of selling their food-grains in order to pay the dues of the Government. The cultivators need the food-grains for their own use; and it will be far better that the kists are so arranged that the ryots are enabled to sell other than food-grains, like cereals and castor, in order to pay the land revenue. Now, Sir, so far as the red-soil villages are concerned, the food-grains will be

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harvested generally about December and the beginning of January. Other crops will not be in hand till the end of January and the beginning of February, and so far as the black-cotton soil areas are concerned the harvests are very much later. So, in order to give effect to the principles I have enunciated above, it is desirable that, so far as the red-soil villages are concerned, the revenue collection should be made to begin from February, and for black-cotton soil areas from March. You may ask what would be the advantages thereby. For one thing this would spare the ryots the necessity of mortgaging their crops in advance and obtaining money at high rates of interest in order to pay the land revenue dues, and, for another thing, it would enable the ryots to keep their harvested grain for some time, wait till they get good prices for their produce, and then sell their grain to the best possible advantage. I am sure the Government are not thereby going to be put to any inconvenience. In the Anantapur district, owing to the intervention of that great and eminent officer, Sir Frederick Nicholson, the kistbandi months were changed not only for the black-cotton soil, but for the red-soil villages also. They were fixed from February, and I have it from the Board of Revenue, Sir, that they have had no complaint whatsoever as a result of the change of kistbandi in that district. So, I hope Sir, that the hon. the Revenue Member will be pleased to accept my proposition, and I may say that so far as the black-cotton areas of Bellary district are concerned, he has already issued a press communiqué to the effect that he has changed the kistbandi to begin from February.”

Mr. S. MUTTUMANICKACHARI :—“ I second it.”

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :—“ Sir, it is perfectly true that the fixation of kistbandi is not based on any thing like a scientific formula, nor certainly is it absolutely indiscriminate. The principal factors which determine the fixation of kistbandi are no doubt the ability of the ryot to pay with ease and facility and the necessity of the exchequer at the same time to collect as far as possible the full portion of the kistbandi before the close of the official year. In fixing the number of instalments in which the kist should be paid, in fixing the first month in which the kist payment must begin, and in fixing also the month in which the last instalment should be paid, the interest of the ryot as much as the interest of finance have to be kept in view. Of course, it will not be quite correct to say that Government must wait for the collection of the first kist until not only the ryot has harvested his produce, but until he makes up his mind to find the most favourable market at the most opportune moment, and then go and ask him whether he has disposed of all his produce, if he has converted his produce into money and if he is ready with the cheque for the payment of the kist. What we certainly like to know is whether the crop has been harvested. After it has been harvested, of course a reasonable time is allowed to the ryot to convert it into money and the payment of the first kist begins, but we cannot certainly wait indefinitely until he chooses to sell it to the best advantage imaginable. That would probably carry him even beyond the official year.”

Mr. A. RANGANATHA MUDALIYAR :—“ I did not suggest it, Sir.”

The hon. Khan Bahadur Sir MUHAMMAD HABIB-UL-LAH SAHIB Bahadur :—“ So far as the Bellary district is concerned we have already been told the whole

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of the afternoon of yesterday that there are two different varieties of black soils and red soils in that district. So far as the black soils are concerned the present kistbandi works out as January, February, March and April. We had some representation made to us that the fixation of the very first instalment in the case of black soil in the month of January was operating somewhat harshly, inasmuch as their principal crops were not ready until about January or February. So, in view of that circumstance, the Government quite recently issued orders changing the kistbandi from January, February, March and April into February, March and April, so that the first kistbandi will not begin until February so as to allow sufficient time to the ryot to reap his crop and to convert it into money, but surely not until he chooses to convert it into money.

"In the case of the red soil of the Bellary district the kistbandi is again divided into four instalments, the first instalment beginning in the month of December. As regards this I think I may state in parenthesis that the orders and instructions of Government are that the question of kistbandi should be investigated each time that a district is re-settled. It is one of the instructions to the resettlement officer that in his scheme report of the resettlement of any particular district he should give prominent consideration to the question whether the fixation of the kistbandi in the particular district is satisfactory, whether the ryots want a change, whether there has been any public opinion against the present system and whether he has any suggestions to make in regard to any alteration. So far as the scheme report of the red-soil tracts of the Bellary district is concerned, it has not yet been received by Government. We hope to receive it very soon, as I am told that the scheme report is now in the hands of the Board of Revenue. When it is received, I will certainly bear the recommendations of the hon. mover in mind before I pass any orders as regards the fixation of kistbandi in respect of the red-soil lands of the Bellary district.

"Then, turning to the Kurnool district, Sir, we find that this generally follows the same system as in the case of the Bellary district. The black-soil tracts here before the settlement of 1906 had four instalments, the first instalment beginning in December and the last ending with March. But on the occasion of the resettlement of this district, this question was considered by Government very carefully and as a result of it the first instalment of kist which originally began in December was altered into January. Therefore, at the present moment, Kurnool is paying its kist in January, February and March. I said already that in the case of the Bellary district I have recently altered the kistbandi to February, March and April. But I am sorry I shall not be able to do so in the case of the Kurnool district, for I have not yet been convinced of any reasons therefor. As regards the red-soil tracts, the definite opinion of the Special Settlement Officer was that the existing fixation, December, January, February and March, was quite reasonable inasmuch as the predominant crops were early *kurra* and early *cholan* and these two main crops being harvested in September and October, the first kistbandi is rightly in December. If the hon. Member is anxious that I should consult the Collector about it, I have not the least objection to that course."

MR. A. RANGANATHA MUDALIYAR :—"I thought the Collector of Kurnool had reported to the Government about the change of kistbandi in his district

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also. As the hon. the Revenue Member says that he will enquire into the whole question of kist payments in Bellary and Kurnool, I am willing on that assurance to withdraw my resolution."

The resolution was by leave withdrawn.

At this stage, it being 4 o'clock, the business of the Council was adjourned to discuss a matter of definite urgent public importance, a motion for which was carried earlier in the day.

4 p.m. The DEPUTY PRESIDENT :—"Before the hon. Member Mr. Tanikachala Chettyar begins to speak on his motion, I wish to inform the other hon. Members that there have recently been complaints from the reporters in the press gallery that speeches generally are not audible. The difficulty can be obviated if hon. Members will kindly follow the instructions contained in Standing Order No. 26, that is, if they address the President, and, if that is done, I hope there will not be any difficulty."

Motion for adjournment on the question of Provincial Contribution to Central Government.

MR. O. TANIKACHALA CHETTYAR :—"Mr. President, I must begin by thanking His Excellency the Governor for having allowed the discussion to proceed this evening.

"The object of this motion is to draw the attention of the House to the way our protests against the unjustifiable imposition of 348 lakhs out of a revenue of about 1,500 to 1,600 lakhs, have been treated and how the resolution for a reduction has been dealt with and to consider the further steps which should be taken to obtain redress for our indisputable grievances. "Out of a total deficit of 983 lakhs which has to be collected from nine provinces to meet the deficit in central revenues, Madras is alone asked to pay 354 per cent of the deficit against 17 per cent her legitimate share.

"Contrast Sir Maseoilm Hailey's speech on 30th September 1921 when moving that Bengal shall be excused her contribution for three years. It was characterized by sweet reasonableness and persuasive eloquence of the 'steel frame'. It was cold like steel, rigid and heartless. "The pettiness with which objection was taken to the circulation of the 'Milk cow' pamphlet by the hon. the Finance Member shows that the arguments therein contained stung him to the quick, had branded themselves on his soul and acted like a red rag.

"When pleading for Bengal on 30th September 1921, he spoke as follows :

"When you come here your hearts may remain in your provinces, but it is your task to lend your intellects, your political acumen, your sense of statesmanship to a larger cause, the national interest of India. I ask members of this House to view this question not as provincial parties, but as members of a jury assembled to try an important case between the general taxpayer and one particular province. I ask them to show all the mental detachment and the impartiality of such a jury, to clear their minds of all prejudice or pre-conceptions on the subject and to direct themselves to one end, viz., to find a solution for the difficulty in which Bengal now finds itself. It is a difficulty which in all truth is hard enough financially and any delay in its solution may prove to be an actual political danger.

"But in dealing with the claim on behalf of Madras he said :

"I ask them to realize their position not merely as provincial representatives, but as guardians of central finances. I ask them to reject the resolution which will favour certain provinces by injuring others."

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"As to the hollowness of the claim put forward on behalf of the members of the Legislative Assembly as to their being guardians of central finance, Dr. Gour exposed it fully. He pointed out how like the monkeys they were used for pulling the chestnuts out of the fire.

"Bengal made a pitious appeal through Sir Frank Carter. He quoted a telegram from the Bengal Chamber of Commerce:

Unless adequate relief be granted, fresh taxation for ordinary expenditure will be inevitable which will cause serious discontent endangering the Reforms and strengthening the non-co-operation movement.

"He continued:

Sir, on this House rests a great responsibility. By its vote to-day it will largely contribute to the making or marring the Reforms in Bengal.

A favourable vote will mean encouragement to the Ministers to press forward with their schemes for the welfare of the people. It will give confidence to the Bengal Legislative Council and it will go far to make the people of Bengal more contented with the Reforms; an adverse vote—Sir, I hesitate to imagine, what the effect of an adverse vote may be.

I refuse to believe that this House can be so unsympathetic or so ungenerous and I leave the whole matter in the hands of members with every confidence that they will do justice to a righteous cause.

"Needless to say in response to such appeals everybody yielded.

"It never occurred to Sir Malcolm Hailey that the sufferings of Bengal which he so vividly described caused by paying away 63 lakhs would be nothing compared to the sufferings of Madras caused by paying away 348 lakhs annually, i.e., 5½ times Bengal's share of contribution.

"What was Bengal's attitude yesterday? It joined the hon. the Finance Member in opposing the resolution.

"Can ingratitude go further?

"Whereas Madras with 17 per cent just liability starts with 35½ per cent initial liability in a descending scale. Bengal with 19 per cent just liability starts with 6½ per cent initial liability in an ascending scale. Before any payment is made she is excused her share for three years, rising from 6½ per cent to 8½ per cent to 10½ per cent. Bombay with 13 per cent just liability begins with 5½ per cent. Bombay also opposed the resolution. All initial contributions were started in the inverse ratio to their just liabilities.

"Sir Malcolm Hailey is reported to have compared himself to the early Christian Martyr thrown amongst lions. Would it not be a more appropriate figure of speech to compare Madras, United Provinces and Punjab to the gentle lambs which were thrown over to the hungry wolves of the Government of India?

"Do not those considerations which the Bengal Chamber of Commerce urged in favour of concession being shown to Bengal apply with greater force to Madras which has to pay 5½ times what Bengal has to pay? Could the supporters of the Reform complain when they are taunted that the Reforms are a gilded toy? The unequal distribution of the levy from the provinces was justified by the allegation that the revenue which Madras would derive from the provincialized sources of revenue would exceed its expending capacity or its requirements for some time to come and that in the meantime the inequality could be set right, but immediately with the grant of Reforms to satisfy the clamour of the higher services and to reconcile them to the diminution in their prestige which they foresaw in the Reforms.

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salaries, allowances, pensions were increased all round, time-scales of pay were introduced which caused an enormous increased burden on the taxpayer, the cry for increase spread from one branch of the service to the other, from each upper layer to the lower layer, that while the expenditure on the services stood at 525 lakhs in the year preceding the Reforms, in the year succeeding the Reforms it rose to 835 lakhs and there are reasons to believe that while the cry is for retrenchment, what is going on is addition to the salaries still more. With 835 lakhs for the service, with 348 lakhs taken away by the Central Government, about 300 to 400 lakhs is all that is left to provide for the various requirements which it is the duty of a Government to provide for its citizens.

"Could public works of utility such as irrigation, buildings, roads, could contributions for education, medical aid for men, women and children, for sanitation, for public health, for industrial development, could the various departments the charge of which has been transferred to Ministers usually called the *transferred half* be carried on with less than one-fourth of the revenue raised from the tax-payer? Could even Ministers make bricks without straw? Is the soil dried up for want of financial waters, congenial for the growth of anything useful? How could Ministers show a record of usefulness to the people under such unfavourable auspices? Are not the enormous addition to salaries, 310 lakhs and the financial contribution 348 lakhs, the mill stones round the neck of the Madras Government with which she has to run the race on the road to Self-Government? Could not the funeral dirge sung by David on the death of his friend Jonathan be appropriately sung by the Moderates and Co-operators who remained steadfastly loyal to Government and supported it against the persuasions of the non-co-operators?

Tell it not in Guntur how the Government of India treated the appeal for financial justice.
Publish it not in the streets of Madras.
Lest the non-co-operators rejoice, lest the Gandhies triumph.

"We are bound to pay a high tribute of praise for the bold and valiant fight made by our Financial Secretary now sitting in the Legislative Assembly (cheers). Likewise to Mr. Rangachariyar the elected representative of the people for the piteous appeals he made like the hungry beggar asking for alms (applause). But the question arises what became of the other representatives from Madras both elected and nominated, barring of course Mr. M. K. Reddy whose activities we fully appreciate. Why were the voices of Mr. Seshagiri Ayyar, Mr. Cotelingam, Mr. Subrahmanyam, Mr. J. Ramayya and Mr. Sambandha Mudaliyar hushed in silence? Was Mr. Seshagiri Ayyar nominated by a benevolent Provincial Government to the Legislative Assembly to enable him to sit on influential committees and tour all over the country at the rate-payers' expense, drawing fat allowances but to be mute, when he should have spoken loudly? When on a former occasion in the Assembly a similar opportunity arose, Mr. Seshagiri Ayyar distinguished himself by his silence. Does he believe in the doctrine that silence is golden?"

"Barring the few active workers, Madras has been ill-served by its representatives and the sense of disappointment at their failure at the hour of call to the cause of their province, must be expressed in unmistakable terms.

"While in Montford Report, in the Government of India's despatch of 5th March 1919 and in the Lord Meston Committee's award, the injustice

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of asking for 35½ per cent of the Imperial deficit from Madras is admitted and apologised for, in the tone of Sir Malcolm's defiant answer on behalf of the Government of India there is an attempt at justifying the continuance of this inequality in provincial burdens. It is sought to be justified on the following ground:—When the time for remission comes, if 33 lakhs are remitted out of 983 lakhs, Madras would get as much as 46 lakhs. Is this a reason for not remitting? To follow the analogy which the hon. the Finance Member used, viz., of creditors making a run on the Bank where they have deposited their savings, the liquidator in whose hands the assets are kept says to the largest depositors who ask for portion of the money they deposited 'when distribution takes place you will get the largest dividend, therefore you shall not be paid now.'

"Is it any satisfaction to Madras from whom 348 lakhs, being 35½ per cent of the whole of the deficit in central revenues, is taken away yearly, to say that when Government of India is in a position to remit, your share of reduction will be 46 lakhs? As Mr. Moir the Madras representative poignantly pointed out, such day is in the Greek Kalends.

"What pains the loyal subjects of Government in Madras more is the utterly callous, unsympathetic hectoring, bullying and cavalier style in which the hon. the Finance Member treated the claim of Madras and cleverly played on the inter-provincial jealousies in dealing with this resolution on the principle of 'divide and rule' to which the representatives of various provinces unfortunately succumbed. Most disappointing is the absence of feeling of gratitude on the part of the representatives of Bengal who sang a different tune from what they did in September last year about this time when they pleaded for exceptional treatment for their province. 'It would be criminal to agree to this resolution' said Sir Malcolm, 'the several provinces should be prepared for additional taxation'. Why should Madras contribute more than her own legitimate share for the Imperial deficit, I ask? Why should other provinces escape their share by allowing Madras to be robbed?

"The time has come for the Madras cow to kick against those who continue to milk her.

"Every time Madras made a representation to the Central Government about this inequality, every time the Central Government's heart became more and more hardened. Our local Government appealed from time to time in vain. It sent a deputation of its representatives to wait on His Excellency the Viceroy. The Deputation was led to believe that when a conference of Finance Members was held in a few months something would be done. The Conference has come and gone and nothing came out of it.

"Why should the Government of India continue to hold the provinces like Madras like the python with its coils tightly drawn round its victims to sap the vitality of an already over-bled province? Possibility of unholy combinations against helpless minorities like Madras in this case, will continue so long as the Government of India is allowed to continue as the citadel of the Bureaucracy. It is necessary to get ourselves freed from the control of the Government of India, securing provincial autonomy, at least in fiscal matters. If we are able to secure provincial autonomy as a result of this agitation, then the iniquitous impost will have been a blessing in disguise.

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"Madras, along with other provinces, was cajoled and flattered when the case of Bengal for special treatment was presented. It was said, similar requests from Madras, when made, would be considered fairly; but when a resolution was sought to be moved last session, technical objections were urged and prevailed. When now a resolution backed by a written protest from about 75,000 taxpayers was moved, a grossly unsympathetic attitude is taken by the Government of India through its spokesman the hon. the Finance Member.

"The time has arrived for saying 'put not your trust in the Central Government; your only hope lies in placing your case before the British Parliament and before the Joint Parliamentary Committee'; and to this end we must prepare ourselves. It is the last course open to us if we are to get justice, if we are not to lose all faith in British justice and sense of fairplay, and if we are not to sink in despair never to rise again."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I associate myself fully with all the sentiments that have been expressed by my hon. colleague who has made this motion. We have been crying 4-15 p.m. hoarse against this injustice both inside this hall and outside it for more than a year, in fact ever since Lord Meston's Committee made their award. But our cry has not been heard anywhere till now. Out of a deficit of 983 lakhs our legitimate share is only 167 lakhs, and because we are obliged to pay the additional amount of 181 lakhs, we are faced seriously with bankruptcy. All those departments which require money for their development are being practically starved. Agriculture is even now the chief occupation of the people, and the department no doubt has been doing a great deal for the improvement of that occupation; but it has not been able to make any headway till now for want of funds. An important laboratory has been established in Coimbatore and experts have been appointed, but in order that these experts may be enabled to make their experiments understood by the people, they want money, and the department is not able to provide them with adequate funds. Then again for the creation and improvement of new and old industries a great deal of money is necessary. My friend the hon. the Minister for Development has in his hands a Bill known as 'State aid to Industries Bill'. In all probability he will introduce it at the next sitting of this Council, and the chances are that it will be passed by this Council. But I ask him 'What is the use of passing such a measure as that if the State has no funds with which it can aid industries?' Again, for all the other nation-building departments also, like education, money is necessary. It is needed both for primary education and for higher education. Here again my friend the hon. Mr. Patro has in his hands a Bill for establishing a new university. If that measure is passed by this Council, how can that Act be of any use to the country if he has no funds wherewith to found Universities and to endow Chairs? Then again, Sir, at the time of the framing of the last budget, many works for the development of roads, bridges and buildings which are so very necessary for the development of the country had to be mercilessly stopped, and the department of Public Works, which is so very useful for the improvement of the country, is practically at a standstill. Then, again, yesterday and on other occasions we heard in this Council a great deal about the large number of deaths due to plague, influenza, cholera and other epidemic diseases. It is certainly in the

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interest of the Government as well as in the interest of the people to prevent as far as possible the spread of these diseases. For that, it is necessary to improve the sanitation. How can this be done without funds? Then, again, everywhere the local boards which are performing the functions of Government in the matter of water-supply, sanitation and medical aid, are crying out for funds, and the hon. the Minister for Local Self-Government is assisting them to the extent of his mite, but for want of funds that help is not very great. In spite of the fact that this Council and the Government are making strenuous attempts to avoid this threatening bankruptcy, we have not been very successful. Last year we raised the court fees, the stamp duty and the rate of registration fees, and to-day we passed a resolution to the effect that even in the rainless tracts of Bellary and Anantapur from next year forward enhanced settlement rates should be introduced. But what are we doing with the money that we are thus obtaining? We are sending all these to the coffers of the Government of India, and with this money they are bungling there, and bringing financial ruin not only to this Presidency, but also to the country as a whole. Day before yesterday in the Legislative Assembly Sir Malcolm Hailey threatened the Assembly with additional taxation if the motion before that House was carried. One of the Members promptly gave him the proper answer. He said that the remedy would be not additional taxation but economy in national expenditure. In fact, our answer to the hon. Sir Malcolm Hailey is 'Cease your financial bungling; reduce your military expenditure; carry on the administration of the country on normal healthy lines and then there will be no need for this presidency to give you as much as 348 lakhs'. He wanted to excite commiseration of the Assembly in his favour. He wanted to excite feelings of pity in his favour and compared himself to the early Christian martyrs who were thrown into the midst of the ferocious lions. No doubt, Sir, by this comparison, feelings certainly arose in our minds but not feelings of the kind which he wanted to rouse. The feelings that are naturally roused in our minds towards him are not the feelings which are roused towards Christian martyrs who are thrown to the ferocious lions but the feelings that are naturally roused against the tormentors, tyrants and oppressors who threw them to the lions. So that the feeling that he wants to rouse is not the feeling that is roused in the heart of his hearers and readers. Then again, he said it would be criminal to accept the resolution before the Assembly. But, I say, Sir, it was criminal to have rejected the resolution before the House.

"As my friend Mr. Tanikachala Chettiyar has pointed out, the only remedy that we have hereafter is to send an influential deputation to England to plead our cause and to demand our rights before the Joint Parliamentary Committee and if necessary before the Houses of Parliament.

"Before I conclude, Sir, I may be permitted to say one word to my friends, the Members of this House. Under the rules regulating this motion for adjournment of the House, it is stated that the discussion can go on till half past six and when that time arrives, the discussion will close automatically and after that no question can be put. Our object now is that the question should be put and the adjournment motion should be carried. My friend's motion is that the business of this House be adjourned for the discussion of an urgent matter of public importance, viz., the disallowance of the contribution resolution by the Government of India and the Legislative Assembly. It is the object both of the Government and of the non-official

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members to have a definite pronouncement on this motion for adjournment and this can be achieved only if the discussion terminates before half past six. It is necessary, therefore, Sir, for my friends to remember this, viz., that we should close the discussion, say before six so as to enable the votes of this House to be taken on this motion. The rule says:

The debate on a motion to discuss a matter of urgent public importance, if not earlier concluded, shall automatically terminate at 6-30 p.m., and thereafter no question can be put.

"Thus you can put the question, Sir, only if the discussion terminates—and I hope it will terminate—before 6-30, and at a time to enable the members to give their votes on the question."

The hon. the DEPUTY PRESIDENT:—"I think, the subject under discussion being an important one many members are anxious to speak on it. It is necessary also that we should hear all shades of opinion on the question and it would be highly convenient if the speakers would practise a little self-abnegation and confine themselves to a time-limit of five minutes each."

Mr. C. RAMALINGA REDDI:—"Mr. President, I also like to associate myself with the observations made on this subject by my friend, Mr. Tanikachala Chettiyar. I think this is also an occasion when I have to extend my sympathy to the hon. the Finance Member who has been so much calculating to get some relief for his budget by the agitation carried on in the Imperial Assembly on our behalf. Sir, I do not wish to traverse the ground already traversed, but I would like to concentrate my few observations on three or four points only.

"One is, in respect of this particular subject, there has been no difference of opinion between the different parties in South India or even between the Government of South India and the people. While therefore we are all absolutely united in seeking some kind of relief, it comes to us as a shock that an agitation in which every one took part ended in this manner and that an agitation in which every one took part ended in this manner and was treated thus at the hands of the Assembly where our own men predominate. That is a very curious thing which makes the students of contemporary politics stare in wonder. I ask, if constitutional agitation supported by every party in the Madras Presidency and one with which we have very little reason to believe Government would refuse sympathy ended in such failure, can we go and tell the people of the country to place confidence in the Government? Constitutional agitation has failed, has failed most miserably for the time being and unless in the subsequent stage something is done by which the confidence could be restored, it would be impossible to go and tell our countrymen: 'You place your faith in constitutional agitation and you will find that your rights are respected.' It would not be possible for us to hold that view unless at the subsequent stage of the story, the Government honour the feeling in this Presidency over this question.

"Then, Sir, we are not concerned in the motion under discussion, with the disappointment and indignation over the affair in the Imperial Assembly, but with devising further means for securing our common end. Three things deserve mention in connexion with this motion and I would like to mention them not in this connexion as it were but by themselves. I would like to concentrate the attention of the House on them. One is to carry the agitation to the Parliament and before the Joint Parliamentary

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Committee. Whether this has to be done by a deputation sought to be sent from this House or by means of written communications only is a minor matter. But agitation should be carried on further. But I am sure even that will not be the radical cure for the malady. Even if such an agitation does result in success it can only be a palliative and not a real cure for the malady which is constitutional in its character. Even if as a result of the agitation we get a couple or two and a half crores remitted to us, still it would not touch the real point in issue, namely that we are not masters in our own households as regards our finances. And unless that mastery is gained we shall never be rid of this difficulty. I, therefore, think that all parties in this House including the Government, if the Government will accept to be called a party, should unite in demanding full fiscal autonomy for the Madras province.

"This is the last point I wish to say. Supposing the hon. the Finance Member in the Imperial Assembly had been a responsible Minister instead of an irresponsible bureaucrat: would he have been able to flout the opinion of Madras in the manner in which he did? If he had been dependent for the security of his position on the votes of Madras and those who sympathise with her, I am sure he would not have used the language that he did, and his attitude would have been, whether he liked it or not, more sympathetic. I think therefore—I am not stretching the point beyond its legitimate limit—that one other thing that we should agitate for is the introduction of an element of responsibility in the Central Government. Here we have in the system of diarchy some elements of responsible Government and this semi-responsible Government has no complete control of its own purse as it were and if it must raise taxes, it can only raise them by these direct means which are very unpopular, means which no advanced country has found easy to utilize. There at Delhi, you have got a Government which is irresponsible, which has got power to raise taxation by many ways, by customs, etc., or raise what are called indirect taxes, in such manner as would not meet with the same amount of popular opposition as direct taxes. In one word we should ask for the complete federalisation of India and secondly for the introduction of responsible Government in Delhi also."

Mr. A. M. MacDOUGALL:—"I rise to associate my constituency as well as the European community of Madras with the protest made in this House to-day on what took place in Delhi two days ago. This is a subject which one may say has been discussed threadbare and to me it is difficult to find new language in which to clothe one's expressions. I congratulate my friend Mr. Tanikachala Chettiyar for the very able way he put this case forward. As I have said new words are difficult to find to express oneself and I shall therefore content myself with a very few words. Every one regrets the absence of the Madras members on that very important occasion. Mr. Tanikachala Chettiyar specially omitted to mention the representative of my community who unfortunately is sick in London. If he had been in Delhi, Madras would not have found a stronger supporter than himself, I mean Mr. Hardley Norton. Mr. Tanikachala Chettiyar's remarks about the Madras members would make one use the words of the late Lord Fisher, 'Sack the lot'. That is what I feel about the absentees. The people of Madras will remember when the next election takes place who failed them on this important occasion. I will also ask the Government to bear in mind this fact when

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they next make nominations to the Assembly. In other things, our members make a great fuss, and I certainly think they ought to have been present and supported Mr. Moir in his defence of this Presidency."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, it is very difficult to give adequate expressions to our feelings of indignation for the way in which this province was treated first by the Assembly and secondly by the hon. the Finance Member for the Government of India. I treat the Assembly as the body primarily responsible for this unfortunate decision passed without due regard to the circumstances of this province, its needs and its requirements. I find that the Assembly was neither fair nor honest in dealing with the difficulties in the financial condition of this province. Coming to the responsibility of the Finance Minister of the Government of India he has, as pointed out by the hon. the mover, adopted a different tune when he pleaded with this province. There has not been one question which has been agitated in this province more forcibly than this during the last few years. There has not been one question regarding which there has been more unanimity of opinion than this. There has not been one question regarding which persons of all shades of opinion have united with a common end in view as the one before us.

"Coming to the constitutional methods of agitation adopted, I may say this. Several resolutions were passed in this House, deputations waited upon His Excellency the Viceroy: there was a meeting of the Finance Ministers of the provinces; largely signed petitions to the extent of about one lakh of the ratepayers were presented, and some of the local bodies and the municipalities also made representations. But all of them have been in vain. Sir, those of us who are now in this Council as those wedded to a system of constitutional agitation, have begun to entertain doubts as to his utility. We have done our very best, by suppliant words and prayers to bring home to the Government of India our unfortunate position, but in vain. Suggestions have now been made as to the further measures to be adopted. One of them is that a deputation should go and make representations to the Parliament and the Joint Parliamentary Committee. Another suggestion is that we should make representations and carry on agitation for provincial autonomy and for responsibility in the Central Government. While I fully appreciate the value of these suggestions, if we are to be guided by our experience in the past I am somewhat doubtful of the utility of some of them. First coming to the question of deputation to England, I am rather against it because of the enormous cost it would involve with very uncertain results. When we sent a deputation to Delhi we thought that the expenditure which we had to bear would justify the results which were likely to be achieved. What has been our experience? Sir, unless we are satisfied that we have got sufficient support in England, I would request the House to pause before undertaking such a large scheme of expenditure. It is not easy within a short time of the decision of the Assembly to come to a definite conclusion as to the means to be adopted. May I throw out a suggestion that there may be an informal conference of all sections of this House of as few members as possible to devise some effective means of carrying home to the Parliament and to the Joint Committee the feelings of indignation in this country because of this iniquitous impost.

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4-45 p.m. "Let a small committee consisting of the various representatives of this House consider the advisability of taking effective measures which it is difficult to suggest at a moment's notice based, more upon ourselves and based upon the principle of self-reliance, for the purpose of carrying out the object in view. It is open to this House to consider whether it is not possible for us to so regulate our finance, to so regulate the various departments as to put some pressure upon the Government of India as to induce them to come to more reasonable terms. I cannot within the short time of five minutes go into further details as to the measures—I may say retaliatory measures—to induce other persons to come to reasonable terms. If only all persons of all shades of opinion in this country consider it desirable to have an informal conference to decide as to the further steps to be taken to carry our agitation, I think some good might be done."

Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"I wish to associate myself with all that has been said by the previous speakers. We are here to-day to protest against not only the action of the Government of India but our own countrymen, who do not sympathize with the sentiments and feelings of the people of the Madras Presidency, the United Provinces and the Punjab. These men must realize that they are there by the votes of the people, and that they have gone down in public estimation. When to-morrow they try to speak in the name of Indian public opinion, Government will say, 'You who yesterday flouted the public opinion of the people of the Madras Presidency, the United Provinces, and the Punjab, have no right to tell us that you represent the whole country.' Sir, it is a matter for regret that there was no concerted action on the part of those who represented the Madras Presidency. I hope the people and the Government will take the suggestion thrown out by Mr. MacDougall and sack those who did not do their duty to our Presidency whether they are nominated or elected members. What is to be done at the present moment? We are now in a good fix and our hopes have been shattered. The only thing that is left to us is, as Mr. Tanikachalam Chettiyar pointed out, that a deputation should immediately proceed to England to place our case before the Joint Committee of Parliament, and a strong resolution passed on this subject by our Council should be communicated to the British Cabinet. I think we must take these stern measures. There is no use of palliatives. We must, in this matter, non-co-operate with the Government of India and, so to speak, appeal to higher authorities in England."

Mr. A. RAMASWAMI MUDALIYAR:—"Mr. President, Sir, I am afraid I have to strike a rather discordant note in this debate. My hon. friend Mr. Tanikachalam Chetti and those hon. Members who followed him have, in the course of their speeches, tried to point out a parallel between Bengal and Madras and have contrasted the treatment which Bengal received at the hands of Sir Malcolm Hailey with the consideration which the hon. the Finance Member extended to the case of Madras. Sir, I am afraid I must frankly confess that I see no parallelism in the cases of Madras and Bengal. If hon. Members have read the speech of Sir Malcolm Hailey in the course of his debate when Bengal was remitted her contribution of 68 lakhs they would have noticed that Sir Malcolm Hailey put it that one of the chief conditions why he extended sympathy towards Bengal was because

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'immediate political reaction might extend far beyond the province itself if the relief was not granted.' Can hon. Members say the same thing of Madras? We, Sir, to our misfortune have been a perfectly loyal lot. We did not boycott His Royal Highness the Prince of Wales when he graced this Presidency with his presence. We had no volunteers to obstruct business and create chaos in the Presidency. We did not enjoy the doubtful privilege of having the Criminal Law Amendment Act applied to Madras. We did not did not have the Seditious Meetings Act applied to Madras. We did not have all these things which the Haileys of Simla would recognize as showing our right for considerate treatment. We did nothing which would call the attention of Finance Members of the Government of India, nothing which would force the Government of India to pay heed to our representations and to make them feel that unless the contribution from Madras was waived or reduced, that province would be in a state of revolt. As I said before we are a peace-loving people, and, how can Sir Malcolm Hailey or those that administer this continent from the heights of Simla have any regard or respect for us. Sir, the hon. the Finance Member says that he recommends the grant of the concession to Bengal, because political consequences would follow. In September, on the assurance of the hon. the Finance Member and to avert these political consequences, the Legislative Assembly granted the concession to Bengal and excused the contribution of 68 lakhs for a period of three years. What followed? In October, in November and in December, political agitation of the very worst type of the most extreme form—political agitation which shook the very foundations of British Government in the Presidency of Bengal—was the immediate return which Bengal gave to the Government of India. During the visit of His Royal Highness the Prince of Wales, members of the Legislative Council, judges of the High Court, eminent citizens of the Presidency who wanted to witness the opening of the Council by His Royal Highness the Prince of Wales were not able to attend. Thousands of volunteers who broke the laws of the land and to whom the application of all coercive processes in the possession of the Government of India had to be used, brought the Government almost to a stand-still. Could these things be said of Madras? Could we say that we have embarrassed the Government of India? We have not focussed the attention of the hon. the Finance Member and the members of Government on us by our illegal and unlawful actions. If we have not done so, why then should Madras be treated in the same way as Bengal so long as we have Sir Malcolm Hailey in the Government of India? Again, Sir, let us look at the attitude of Madras. We had a series of fiscal measures in the early part of this year before the Council. We saw that there was a deficit. We forced our Government to take every possible step to retrench and we tried our best also to do some contrivances which would augment our revenue and wipe off any deficit. We have passed the amended Stamp Act. We have passed the Court Fees Act. We have passed a number of measures which bring more than 70 lakhs of rupees into our exchequer. Look at what Bengal has done. A tax on amusements which will not affect the poor, which will not touch the condition of those impoverished, poverty-stricken people of Bengal, was proposed in the Council. That tax which would have fetched 115 lakhs to Bengal, which would have wiped out its deficit completely, and by which Bengal could

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have paid over and over the present provincial contribution twice the amount if necessary, this tax was rejected by the members of the Bengal Legislative Council. That is the attitude which appeals to Sir Malcolm Hailey, an attitude which threatens the Government with dire political consequences, which in fact embarrasses the Government and makes the visit of such a distinguished Royal personage the subject of acute political controversy instead of extending every hospitality and a cheerful, warm and loyal welcome as we had done, an attitude which refuses to help itself even by taxing the amusements which its wealthy citizens enjoy, thanks to the Haileys, at our expense. That, Sir, is the attitude which the Christian statesman views with approbation. Sir Malcolm Hailey evidently wants that Madras should show the same attitude as Bengal has done. Probably the Finance Minister of the Government of India expects that by the tone that he levelled at us in his famous speech, Madras also should be brought into line with other provinces. I do not want to pursue the matter further. Sir Malcolm Hailey speaks of the Christians being thrown to the lions. Daniel, when he was compelled to feast with the lions, had one consolation that there was no necessity for him to make a post-prandial speech. The latter day christian Sir Malcolm Hailey, dining with the lions, makes a feast of them and unfortunately delivers a speech which in its levity cannot be beaten by any post-prandial speech. After that speech of Sir Malcolm Hailey, what is it that is left to us? I am aware, Sir, that the vote which went against us is the vote of our own countrymen ably assisted by the Finance Member. I am aware that in the Legislative Assembly, even in these days of nationalism and national unity, by playing on interprovincial jealousies and rousing the greed of one province as against another, Sir Malcolm was able to get the majority for himself and defeat our resolution. Our arguments, the unrefutable arguments of the famous 'Milk Cow' pamphlet were not attempted to be answered. The 75 thousand petitions, which were presented to the Legislative Assembly, were treated as so many scraps of paper. There were the 75 thousand signatures in the body of the House, and through those inanimate things could be seen the 75 thousand hearts and souls eagerly expecting the results of the day's debate, 75 thousand people whose ambition was that they should be relieved of some of this contribution, so that the progress of the Presidency may be assured, 75 thousand souls as I said who were anxiously waiting for the flash of the Associated Press, whose hearts were beating with eager hope. These 75 thousand souls were but mere scraps to the steel-framed Sir Malcolm Hailey. If this is the sort of unit that goes to make the steel frame, I am afraid, Sir, it is a steel frame which crushes the very hearts of these people, not a steel frame which protects them. What then is the remedy? There is only one remedy left to us. The Government of India have turned a deaf ear to us. Sir Malcolm Hailey treats the whole subject in such a cavalier way that there is no hope of reconverting him. We must appeal from Philip Drunk to Philip Sober. We must appeal from the Finance Minister of the Government of India to a higher tribunal. We must appeal from the sun-dried bureaucracy on the heights of Simla to a nobler tribunal, a tribunal which has human feelings, human impulses, human emotions and human aspirations, a tribunal which can understand the anxiety of the people who have been honestly doing their level best to preserve peace, order and law in this Presidency, who have been fighting the battle of constitutional advancement

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against terrible odds, fighting against misrepresentation, fighting against obloquy, fighting against the most obnoxious criticisms, a people who have stood by the Government of the land in the firm belief that British justice and British fairplay was not a thing of the past. We must appeal from the divinities of Simla to the British nation to their sense of justice, of fairplay, of equity. We must appeal to the illustrious representatives of the House of Commons and the House of Lords. We must appeal to that august body, the Joint Committee, of the two Houses which once before did not turn a deaf ear to even an insignificant and humble individual like myself, and I trust we shall not be appealing in vain. That, Sir, is a committee in which I have the amplest faith, the fullest confidence, and in this dark hour there is one ray that shines through one glimmering hope which comes from the West, from the knowledge that the Joint Committee have once before been fair and impartial. To those who feel despair creep over them in this dark and dismal hour, to those who feel that they have come to the end of their efforts and could do no more to avert the great wrong to remedy the great injustice, to those who feel that they are fast losing all confidence in constitutional agitation and think that there is no chance to get back this contribution, and to him in particular who has been the life and soul of this agitation who has helped onward in this great and glorious struggle, who has always cheered us with hope and given us a message of courage in our most despondent moments, to him in particular I would say in the language of the Poet:—

Say not the struggle not availeth.
The labour and the wounds are vain.
The enemy faints not nor fleeth.
And as things are they remain.
If hopes were dupes, fears may be liars.
It may be in yon smoke concealed.
Your comrades chase even now the fiends.
And but for you possess the field.
For, while the tired waves vainly beating,
Seem here no painful inch to gain.
Far back through creeks and inlets gaining.
Comes silent flooding in the main.
And not by eastern windows only,
When daylight comes, comes in the light.
In front the sun climbs slow—how slowly.
But westward look, the land is bright!

The hon. the RAJA OF PANAGAL:—“Mr. President, if I rise to speak at this stage of the debate it is more with a view to appeal to my friends to restrain their feelings and avoid using harsh language than with the idea of pronouncing any opinion upon the debated question. I am aware, Sir, that the mind of every thinking man in this Presidency is at the moment agitated; grievously agitated, by feelings of disappointment. The resolution regarding relief to the Madras Finance has been defeated in the Legislative Assembly. Our petition has been dismissed unnoticed. Our complaint, the pamphlet which so cogently and so eloquently presented our case, has been shown scant courtesy. Sir, at a time like this it is no wonder that the people feel disappointed. All the same I appeal to them, I appeal, to quote from Sir Malcolm Hailey, to their intellect, to their political acumen, and to their sense of statesmanship, to be calm and considerate. Sir, I know that our province is left in a state of penury. It is where it has been. The Ministers and the Members are unable to carry on any measures of improvement in this Presi-

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sidency. I have been recently touring through several districts. Wherever I went I found the need for greater medical relief, the need for better arrangements for sanitation and the need for improved facilities for communication. Well, Sir, there were moments when my heart sank within me when I found myself unable to get on with the schemes for improvement. The Ministers are called upon to administer important branches of Government. How are they to carry on the administration without provision for necessary funds? What are they to do with empty hands? Without further hope of relief to the Provincial Finance, I am afraid there is no justification for Ministers continuing in office. They are being ridiculed by extremist politicians for trying to work the reforms loyally. The result of the resolution will encourage them to taunt the Ministers all the more. It is said that this Province has a great deal in the shape of land revenue. What does this mean? It means that the lands in the Province are taxed to the hilt. (Hear, hear). The collection of land revenue in this Presidency costs a great deal. The maintenance of peace and order and the administration of justice in an extensive province like ours are also costly items of expenditure. There is little left for the development of nation-building departments. People living under such conditions will be naturally resentful after the treatment which the Assembly has given to their prayer for relief. I appeal to the hon. Members to be calm and reasonable, to think of the steps to be taken in future. Madras has shown its sobriety on other occasions and I hope she will show it on this occasion.

"Sir, the only remedy for this financial malady is in securing financial autonomy for the Province. I am sure the people of the Presidency will carry on the agitation for Provincial autonomy on strictly constitutional lines. I have no doubt there is still hope for us. There is a higher tribunal than the Legislative Assembly upon whose sense of justice all of us can rely."

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, I deem it my duty to add my feeble voice to the general chorus of protest and indignation that has been raised at the ungrateful and unreasonable attitude of the Legislative Assembly in regard to the resolution that has been brought before it with reference to the contribution made by this Presidency to the Central Government. On an occasion like this one finds it very difficult to speak with considerable restraint. But, however, to maintain the dignity of this House and also having regard to the earnest appeal that has been made by the hon. the Raja of Panagal asking us to be sober and temperate in our remarks, I refrain from indulging in language which otherwise on account of the feelings that are uppermost in my mind, I would have been tempted to employ.

"I regard the decision of the Legislative Assembly as a direct and deliberate affront offered by that body to the resolution of this Council, to the deputation that recently waited upon His Excellency the Viceroy and to the public opinion reflected in this province in the shape of a monster petition and in the shape of various resolutions that have been passed by the various local bodies and municipalities in this province. That decision was unjust as the iniquitous impost and has placed this province in a very difficult position. The question naturally arises now, bearing in mind the attitude of the Assembly, whether we are to put up with this insult; are we effeminate and are we to sit quiet and sit tight with folded arms leaving everything to the

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assemble very soon, to take up this question of re-examining the Meston award. Whether the Joint Parliamentary Committee has done so or not, we can ask it and the Secretary of State for India to depute the Inchcape Committee to go into the whole question without any further delay and submit a scheme which would satisfy the financial requirements of all the provinces.

"There is only one word about the Joint Parliamentary Committee which I have to say. Almost every Member referred to that Committee and pinned his faith to it. I am somewhat pessimistic. We had a great friend in the late Sir John Rees and we have sustained a great loss to our cause by his death. It is a pity that he should have died just at this juncture. But there is Mr. John Bennett and—I believe, the hon. the Finance Member referred to him—he must be fully alive to the needs of Madras. Colonel Wedgewood is also a member of that Committee and he seems to know our case. Whatever it is, I should think that a well-reasoned representation should be immediately drawn up and every Member of this Council should sign that representation which should be sent up not only to the Members of the Joint Parliamentary Committee, but to all Members of Parliament.

"I have already exhausted my time. I will ask the Council to consider these three ways, first of all, a deputation to Earl Winterton, secondly a request that the Inchcape Committee should re-open the Meston award and go into the whole matter, and lastly a well-reasoned representation signed by all the Members of this Council should be sent to the Joint Parliamentary Committee, if necessary to the Secretary of State for India and to all Members of Parliament. We have to put up with this injustice for a little while, but we must do everything in our power constitutionally to get a reversal of this vote. I trust that with persistence we may succeed. I had great expectations from the agitation set up during the last six months. Cross currents, one working for a Royal Commission and another pressing for the immediate settlement of the question seem to have caused an impasse, and the only result to be expected was that we should lose our case."

The hon. Sir CHARLES TUDHUR:—"Sir, I am very glad to express entire concurrence with the hon. Mr. Ramachandra Rao in urging the House to deal with this matter in a dignified and businesslike manner. It is true we have received a very serious set back, but all is not lost. And I therefore think he was very right in adhering to the terms of the resolution, namely, that the House should consider the further steps that should be taken in view of the action taken by the Legislative Assembly.

"Sir, I need hardly say that this great matter is one in which the House has the full support of both sides of the Government, and I should like to add that in considering the further steps that may legitimately be taken what we want to secure is not favouritism or doles or sympathy or anything, but justice. (Hear, hear.) Our case rests on justice and we hope that through its inherent justice it will prevail.

"It was for this reason that we rejoiced when we saw that the authors of the Reforms Report had at long last recognized in the words that have been so often quoted 'the inequality of burden which history imposes upon the provinces,' and had given utterance to their famous proposition that 'if the provinces are to be really self-governing, they ought to adjust their expenditure, including therein their obligations to the common interests of India,

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the state of excitement which we have all got into. My hon. friend the hon. the Raja of Panagal appealed that we should view this matter in a more calm and dispassionate manner, and work in a more statesmanlike way. This point deserves a careful consideration. Sir, I was waiting to see whether there would be any suggestions for work in the future. I think it was my hon. friend Mr. Ramalinga Reddi that suggested that we should go on continually agitating for provincial autonomy and for the introduction of responsibility in the Central Government. That agitation has already been started. But the question is what immediate action should be taken in the matter of relieving ourselves from this impost. Various other hon. Members made suggestions for continual agitation. I agree that continuous agitation is necessary if the cause of progress is to be accelerated. But the point for your consideration is whether, after the debate in the Assembly, we can take steps to get a reversal of that vote. Sir, I consider that we in this Council should not be very inconsiderate in our language towards the Central legislature however wrong, unjust and harmful that decision may be. I do believe, with great respect to those who have already spoken, that those gentlemen in the Assembly who have acted in this manner are discharging their duty according to their lights just as we are discharging ours by raising this protest. I do not think that we as a legislative body should say things disrespectful to another and superior legislative body. I do deplore the vote which shows that people there never understood the depth of our feeling in this matter and the lack of funds from which we are now suffering. We should do our level best to get a reversal of that vote. The name of Sir Malcolm Hailey was referred to in the course of this debate. I do not think that he has realized that Reforms as reforms are bound to fail unless the financial aspect of the Reform scheme is put on a satisfactory footing without the slightest delay. The Assembly, as a whole, by rejecting our demand has placed us in a very awkward position. Our position before the Joint Parliamentary Committee is made worse by that vote. It will be an uphill task to convince that body that a popular Assembly in India has given a vote which is not fair to all the provinces. Our work is much more complicated than otherwise it would have been on account of the rejection of the whole of our demands. There are two rays of hope: one is that the Earl of Winterton has arrived in India. I believe I also saw in the papers a statement to the effect that he is coming to Madras as a guest of His Excellency the Governor."

Sir P. TYAGABAYA CHETTI :—"The visit is private."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I am not quite certain that this visit is quite private. Private or not private, I venture to think it should be the aim of this Council to interview him or at least that a few representatives of this Council should interview him and explain the position and the urgency of getting a reversal of this decision. I trust the hon. the Leader of the House, if he cares, can get a representative committee appointed to move in the matter. The second point is that I saw also a statement that the Joint Parliamentary Committee was considering this matter, and there was a letter to the 'Hindu' from its London correspondent stating that the case of Madras is being considered by the Joint Parliamentary Committee on a representation to that body by the Madras Members of the Legislative Assembly and the Council of State. I do not know how far that is true. If that is so, there is also another possibility that the Joint Parliamentary Committee, is likely to ask the Inchoape Committee, which is to

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Madras are not cowards; it is our armies that conquered the whole of India for the British. (Hear, hear). As a matter of protest we may even refuse to pay taxes; let them take what they want from us."

Mr. G. VANDANAM :—"Mr. President, Sir, there are several schemes which are not carried into effect owing to want of funds. There is the scheme for the reorganization of the University, secondary and elementary education; there are several schemes for the improvement of irrigation and sanitation in the Presidency which are not yet taken up owing to want of funds which we have a right to utilize but which we are deprived of by the Government of India. We have tried several means of appealing to the Government of India; we have sent petitions and deputations; we have passed resolutions and made protests; and all of them have been of no avail. Is it not time for us to show that we can do something active so that we can make the Government of India understand that Madras and the Madras Legislative Council do mean business? It is time for the Members of this House to say that we are not willing to work the Reform to a success, if we are not allowed to use the funds rightly belonging to us and without which Reforms will not be worth working. It is time for us to pause and consider whether we can at all work the Reforms scheme under the circumstances in which we are placed. If we could not work it successfully without the necessary money, we should show to those in authority over us that our appeals mean business; that we are earnest about what we say and about the resolutions we pass. Then only will the Government of India and the Parliament in England understand our point of view."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Sir, the excited speeches to which we have listened to-day show the depth of disappointment of the whole Presidency at the decision of the Imperial Legislative Assembly. Sir, I distinctly remember the discussion on the question of non-co-operation two or three days ago in this Council. Every one of us vied with each other to show that we dissented from the position enunciated by Mr. Gandhi. But to-day in a moment of excitement several hon. Members have either endorsed the principle of non-co-operation, or said something more or less savouring of it. Mr. Muhammad Usman suggested that we should non-co-operate with the Government. I hope I am right."

Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur :—"... with the Government of India." (Laughter.)

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"Mr. Vandanam suggested that we should hold aloof, that we should no longer fulfil our functions as a Legislative body till our demands are satisfied. I think another hon. Member suggested retaliatory measures—I do not know what they would be in the case of a Provincial Government against the Government of India. Then Sir, Mr. Ramaswami Mudaliyar referred to the state of things in Bengal and said that because Bengal took steps which he said were manly, it got a remission."

Mr. A. RAMASWAMI MUDALIYAR :—"I am afraid the hon. Member entirely misunderstood the whole tenor of my speech."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU :—"I clearly understood the whole tenor of his speech. I am only referring to what my friend was near to saying. I am only referring to these speeches to show

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mercy of Providence? Is there no constitutional means whereby we should try to get rid of this grievous wrong that has been inflicted upon us? The position of this province may be compared to that of a calf in relation to the milch cow. So far as the Central Government is concerned, it is like a greedy milkman who is anxious to take away all the milk practically leaving nothing for the calf. So far as this province is concerned it is a calf not getting enough supply of milk, and it is starving, and its bones may be counted easily. We are asking the milkman to be considerate and to give us some more milk. But the attitude of the milkman is unbending, and he is not prepared to allow sufficient milk for the calf to survive. We are left without sufficient money. What is the result? Some of our schemes have to be held up, several of our projects have to be abandoned, and various acts of public utility have been relegated to the background for want of funds. This is not a satisfactory state of things. We have got funds but we cannot touch them, just as a passer-by who cannot touch the money in the treasury, though he contributes to it. We are not permitted to utilize the funds as they are ear-marked by the Central Government. That is the reason why the transferred subjects have not become popular, and that is the reason why the Ministers are not able to show good work. If this state of things continues, these transferred subjects will in course of time become strangled subjects and we will suffer beyond the limits of endurance. We must get their decision reversed if we are to exist. The Assembly has shown its pettiness and narrow-mindedness. Let us carry on the fight undaunted by these set backs, and as our cause is just we are sure to win in the long run. With these words I bring my remarks to a close."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, if there is any part of this Presidency which has greater reason to be dissatisfied with the decision of the Legislative Assembly, it is, I submit, those districts called the Ceded districts which are periodically subject to famine, plague and pestilences of that sort. Yesterday I recounted to you the tale of woe of those districts, how they were subjected to famine and how that had not been overcome. There are no irrigation schemes worth mentioning. Hardly two per cent of the area is protected. Huge schemes likely to be successful are held up for want of money. The hon. the Minister for Local Self-Government, Sir, said that in the course of his tour he found it very difficult to afford medical relief, or to improve sanitation. May I add to his list another,—a necessity and not a luxury of the kind he mentioned? We are without even water in very many of our villages to quench our thirst under the scorching sun. There are many villages without wells and the condition of the depressed classes is very deplorable. They have to wait at wells for a pot of water and they cannot well blame their neighbours if they have to wait long when the others are hard put to meet their own needs. For these and other reasons it is high time, that we do whatever is possible to get ourselves relieved of this exorbitant demand. Not only should we go and agitate for this in England but—I merely throw out a suggestion—we must approach the Members of other provinces and tell them how they have grievously erred in denying us the justice that is due to us."

Mr. S. SOMASUNDARAM PILLAI:—"Sir, I am at a loss to know whom to blame. Am I to blame our Madras representatives who seem to be invertebrate, or am I to blame the representatives of other provinces, or am I to blame

[6th September 1922] [Sir Charles Todhunter]

according to their resources, and not to draw indefinitely on more enterprising neighbours.' And it was for this reason that we ventured in our budget for 1920-21 to abandon for once the policy of cheese-paring and to embark for once upon a prosperity budget regarding which in a moment of confidence, which now appears to have been unwarranted, I made the following remarks:

The reforms have opened up a new era for India as a whole in many respects, but for Madras in particular a new era of prosperity which those of us who were brought up in the parsimonious ways of the past can hardly realise, which those of us who knew the circumstances had almost ceased to hope for. Many of us were aware in a more or less definite way of the injustice inflicted on Madras under the provincial settlements. But our protests had been in vain and it was left to His Excellency Lord Chelmsford and to the Rt. hon. Mr. Montagu to proclaim the injustice and to declare their intention of putting an end to it. If and when it is righted it means an enhancement of the amount allotted for expenditure in this province by something over 50 per cent, an enhancement which opens up visions to dream about. From the year the Reforms take effect the benighted presidency will have the means to forge ahead in a way that will astonish her critics, and under Your Excellency's guidance she will forge ahead and she will astonish them.

"Sir, the authors of the Reforms Report promised us justice, but the Meston Committee did not fulfil that promise. Still they did something, and I want it to be realised, when people talk of the Meston settlement, that, what we are now up against is not the Meston settlement at all. If we had the Meston settlement, we should be infinitely better off than we are. If we had the Meston settlement, we should be paying in 1922-23, 319½ lakhs, in 1923-24, 290 lakhs, in 1924-25, 261 lakhs, in 1925-26, 226 lakhs, in 1926-27, 197 lakhs and in 1927-28, 167 lakhs. Instead of which, as matters appear at present, we are paying 348 lakhs, and so far as can be seen we shall go on paying that.

"Therefore, if the Meston Committee gave us less than justice, they gave us a measure of justice. It was the India Council and the Joint Committee that took away the measure of justice that the Meston Committee gave. If we had the Meston Committee's terms, we should at least have had the assurance of an increasing revenue against which we could borrow to tide over the bad times between. But what have the Joint Committee given us? No assurance, no guarantee, no promise, but a statement of their intention to abolish the contributions altogether. I am afraid, Sir, there is nobody in this House who would not exchange this bird in the bush of the Joint Committee for the bird in the hand of Lord Meston. An intention is not a negotiable instrument. (Laughter.) It is not a thing we can borrow upon. We are therefore entirely at one with the hon. the mover in recommending that every step that it is legitimate to take should be taken to induce the authors of our undoing to see that steps are taken to ensure that their declared intention is fulfilled. And I hope that their reply will be more favourable than that of the Assembly. I hope it will not be such that we shall be forced to conclude that this declared intention of theirs is of the kind that Hell is paved with."

Diwan Bahadur R. VENKATARAMAYUDU:—"Sir, as I rise to speak on a resolution of this kind, I dare say there are several in this House who would ask: 'Is Saul, too, among the prophets?' I confess, Sir, that I understand matters of this kind very imperfectly; but even to my imperfect understanding it has been made clear most unmistakably that a very serious crisis has arisen. At the same time, I do desire to associate myself with the hon. the Raja of Panagal to exhort that, under the existing circumstances, we shall be cool-headed. Extremely entertaining as it was, and immensely diverted

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This latest decision comes to us all the more galling when we remember that five of the representatives of Madras chose to absent themselves when the fate of our Presidency was under discussion. It is all the more humiliating to me to remember that two of these representatives come from the district which I represent, viz., Bellary."

Diwan Bahadur M. RAMACHANDRA RAO PANTULU:—"I read in the papers that Mr. Subrahmanyam went into the lobby."

Mr. P. SIVA RAO:—"Perhaps it is so. I may say, Sir, that I had the good fortune to appear as a Member of the Finance Committee before Lord Meston's Committee. With the help of carefully prepared memoranda supplied to us by the courtesy of the hon. the Finance Member, we argued our case very hard. But our pleading was not heeded to. When there was a proposal to abolish the doles to the provinces we thought that our difficulties were at an end and that millenium was in sight."

What was our disappointment when the Government of India kindly decided to exact the contribution of 348 lakhs from us. Madras has suffered and suffered grievously on account of its very virtue, the virtue of economy, in the past. Madras has shown surplus year after year which was appropriated by the Government of India. All talk of Reforms and all talk of improving the transferred subject will be a moonshine if the Government of India insisted on the exaction of 348 lakhs of rupees a year. We require a large sum of money for the expansion of the Development departments, Sanitation and Medical departments. How will it be possible for the Ministers in charge of these departments unless you give them the money necessary for the purpose? If the Government of India wanted to reduce the Reforms to a fiasco as far as this Presidency is concerned, they could not have done better than by insisting on this iniquitous impost. We should go on agitating and agitating until we secure provincial autonomy, full financial autonomy, until we are able to husband our resources and utilize every rupee available for provincial purposes and get everything that is our due and utilize it ourselves. No doubt we must contribute something to the Government of India in critical times and only then. I have still faith in the Joint Parliamentary Committee of both Houses of Parliament and our endeavour must be to send a strong deputation to place the whole question before them."

Sri Mekha V. APPARAO Bahadur:—"On behalf of the constituency which I have the honour to represent, I must join my voice with the hon. Members who have spoken on the subject. In every map of India, as every school boy knows Madras, being the southernmost province, is placed undermost, and the Government of India seem to have derived full help from that analogy. There is also the other analogy which the Government of India seems to have taken advantage of: there is the pictorial representation of mother India; she is supposed to be light-winged and to place one leg on Ceylon and the other on the Southern Presidency. Ceylon should thank her stars that she is not under the mercy of the Government of India; else she might have fared worse if not as bad as Madras. (Hear, hear and laughter.) We must carry on a constitutional agitation, and we must prefer an appeal to the Joint Parliamentary Committee. I must draw attention in this connexion to the work carried on by the *Madras Mail*. Sir, the feeling is strong on the subject. We have been only murmuring till now. We

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Sir Malcolm Hailey? I don't think any of these people are to blame. The defect is in the very constitution. We are given certain reforms to work out. The new reforms are bound to the old constitution. They are not free. The Government of India don't ask us "how much will you pay, how much are you able to pay?" But they say "how much are we willing to take from you?" This is the kind of relation that exists between a slave and his master or between a highway man and the passer-by. Does the highway man ask the people "how much are you willing to pay?" Again, a slave too has no right to his property. No law can justify this, except perhaps the Code of Manu, according to which a Sudra has no right to his property which a higher caste man can take away forcibly. We are in that position. We have no voice; we are entirely dependent on the Government of India, and they in their turn are dependent on the Secretary of State for India, and our Secretary of State is not our spokesman like other Secretaries of State for dominions and colonies. But he is our ruler. We will have to work out successfully the new reforms with this old constitutional building. It is not like new wine put in old bottles. We are asked to successfully work the reforms and at the same time we are deprived of the means of doing so. Suppose a man is asked to swim and at the same time a stone is tied round his neck. What can he do? Perhaps it may be the mischief of non-co-operators in the Assembly; because non-co-operation movement had failed here. For, they know that Madras Government is the only Government that has succeeded in working out the reforms so far. I think they became very envious of that. Sir Malcolm Hailey is unwittingly helping such people, because they want to make our reforms fail. I do not know if I am right or wrong in saying this; but that is what I think probable. We are quite willing to pay our proper share of contribution. But if what little we have for our own business is also taken away from us, what is the use of calling ourselves a Government? So, Sir, first of all we must ask for provincial autonomy, if not in all details, at least in financial matters. Again, the Government of India must be free from the clutches of the Secretary of State. I do not want that there should be Indians in all grades. Let there be the iron or steel frame. It is not so hard as has been stated. Let them have their winks and nods and soothing smiles. I don't resent great statesmen's speeches, for it is their policy. Great statesmen always say what they do not mean. So we should not be angry with great statesmen. Anyhow that is my opinion. When they say something, they don't want that it should be immediately acted on. Otherwise Government cannot get on. Therefore, what we have to do is that we should agitate, agitate and agitate. If this Indian Government with the help of the Indian representatives in the Indian Assembly cannot help us, let us go to England to the Joint Committee where you find the representations of the British nation. There we have better hopes. I have great confidence and faith in the integrity and honesty of the British nation as a whole. I am sure they will do us proper justice. That is the only means by which we can attain our object. With these few words I protest, protest and protest against the action of the majority of the members of the Legislative Assembly."

Mr. P. SIVA RAO:—"Sir, I have to raise my humble voice of protest against the decision of the Legislative Assembly. Their attitude is most disappointing. After all, the cry of Madras has been a cry in the wilderness."

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as I was with it, I really wished that a good portion of my hon. friend, Mr. Ramaswami Mudaliyar's speech had not been delivered. He says he delivered it in a certain vein, in a certain tone. True, perfectly true. Yet, like a book-worm, I recall that scene in Shakespeare, where a plate of beef and mustard is first proposed; but soon the beef is withdrawn and the mustard alone remains. As the speech goes out in cold print, the tone will be lost but the language will be remembered; and there will not be wanting those who will avow that even from the floor of this House 'Gandhism' has been emphatically preached. Such an unhappy misconception we should avoid. My hon. friend, the Zamindar of Vuyyur, has referred to the army. Without immodesty, perhaps I may claim that in my veins runs quite as much of the military blood as there does in the veins of any other hon. Member in this House. For four generations, immediately before me, my ancestors were officers in the Indian army. I, therefore, am among those who know what an army is really intended for; they will be very slow and very careful in making such an appeal. Non-co-operation, either in fun or in seriousness, either partially towards the Indian Government or completely towards the whole British Empire, is a word that ought to be anathema from the floor of this House. (Hear, hear.) Then, Sir, coming to the possible courses that are open to us, may I, as a humble pedagogue whose ideas are always impracticable, venture to suggest one or two things? The telegram communicating the result of the debate in the Legislative Assembly said that the vote had gone against us by a majority of only 10,—48 against 38. If out of the thirty-eight who were with us we should deduct a dozen as the Madras Members, it appears to me that we have friends, well-wishers and sympathisers to the appreciable number of 26 in other provinces. Can we not reach them? May we not try to work through them in influencing the vote of the other provinces? The last word has not been said on this question. This matter must be taken before the Imperial Legislative Assembly once again; and those supporters of ours might bring their influence to bear on their colleagues, and thus we might get better results than we have been able to obtain. Another suggestion immediately connected with it is this. There are one or two other provinces, of course not quite so unfortunate as we are, but, as compared with the rest of the provinces, in the same boat with us. Can we try to secure joint action so that it may be not one but two or three provinces moving together, shoulder to shoulder, in this matter of a demand for fair treatment? Then again, the third suggestion that I have to make is this. I may look like a bird that is soiling its own nest; but I venture to think that, after all, the petition or the memorial or whatever it is called has not been so widely, so extensively and so influentially backed as it ought to have been. I remember to have read in a speech of Mr. Lal Mohan Ghose years ago that in the House of Commons they attached absolutely no importance to petitions unless they were backed by one million signatures. We say that we have worked wonders in obtaining 75,000 signatures. Seventy-five thousand signatures from the people of the Madras Presidency, numbering about 41 millions—that, I fear, is a poor out-put. I know that in a single district, during the last elections, there were many more rate-payers and voters than the total supporters of this petition. Therefore, I believe, that we should start that work again; and this time we should so strengthen our petition with an overwhelming number of signatures that even the distant British Parliament will be arrested in

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thought and compelled to pause. Another small suggestion I should like to make is this. We have already in England some stalwart, faithful Madrasis; I mean Madrasis not merely in the ethnical sense of natives of this Presidency but also Madrasis in the larger sense of those who have served in Madras, Madrasis by adoption, to whose hearts the interests of Madras are dear and who will be quite willing to do cheerfully all that lies in their power to assist us in this matter. There are not only Indian gentlemen like Sir P. S. Sivaswami Ayyar and Sir C. Sankaran Nayar, but also several others, many of them retired members of the Indian Civil Service and other services, who will be very willing to succour us at this juncture. Let us, therefore, start a strong agitation at once, even as a preliminary, as preparatory, to the deputation that we might ereafter resolve upon sending to England. These are the methods which I beg to suggest for the kind consideration of the House. But, anyhow let it not be said that we shall resort to retaliation and that we shall practise non-co-operation. I know it is said only in a momentary spasm of anger; but it had better not be said at all."

Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur:—"The word non-co-operation was used by me. I said that we must go to the joint committee in England and not to the Government of India. I was very clear about it."

Diwan Bahadur R. VENKATARATNAM NAYUDU:—"I am not referring, Sir, to any particular hon. Member just now. I only regret that a note of that kind should have been struck for any end and in any strain. What I wish to lay emphasis on is this; there are not wanting very many outside this House who will exclaim: look at these hon. Members, they are at last conceding the very point we have been emphasizing all along. That is a charge to which we should not lay ourselves open under any circumstances."

The hon. the DEPUTY PRESIDENT:—"May I submit for the consideration of the House that we should finish the debate and adjourn the House? This will have a better effect than merely talking out the motion. Of course, many hon. Members are extremely anxious to speak on the motion; but I beg of them to forgive me, if I do not call on them to speak. This is a very important debate; and I think the wisest course will be to close it and proceed to vote. The motion made by the hon. Member Mr. Tanikachala Chetti is: to adjourn the business of the House to discuss a matter of urgent public importance, to wit the further steps that should be taken as a consequence of the vote of the Imperial Legislative Assembly in the matter of provincial contribution."