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TO THE PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL

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PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

His Excellency the Rt. Hon. Sir FREEMAN FREEMAN-THOMAS, BARON WILLINGDON OF RATTON, G.C.S.I., G.C.I.E., G.B.E. Took his seat on 10th April 1919.

Members of the Executive Council.

1. The hon. Sir CHARLES GEORGE TODHUNTER, K.C.S.I., I.C.S., Finance Member. Took his seat on 17th December 1920 and is in charge of the following portfolios:—

Central Subjects—
 Archæology and epigraphy.
 Customs (including trade).
 Income-tax.
 Marine.
 Meteorology.
 Opium.
 Post Office.
 Salt.
 Telegraphs and telephones.
 Conduct of business in Council.
 Finance.
 General (i.e., questions of a general nature which cannot be allocated to any particular department).

Government Servants' Conduct Rules.
 Indian Civil Service—Questions other than leave and appointments.
 Move of Government to the hills.
 Office procedure.
 Pensions.
 Petition rules—General questions.
 Publicity including Editors' table.
 Public Services Commission and service questions including examinations and special tests and land returns.
 Reforms—not being legislative.
 Warrant of precedence.

2. The hon. Sir ARTHUR ROWLAND KNAPP, K.C.S.I., C.B.E., I.C.S., Home Member. Took his seat on 1st April 1922 and is in charge of the following portfolios:—

Administration report.
 Agency and Laccadives.
 Air-craft.
 Arms and explosives.
 Civil supplies.
 Criminal Tribes Act.
 Depressed classes.
 Ecclesiastical.
 Emigration.
 European education.
 Foreigners.
 Forests (including cinchona).
 Government Houses.
 Jails.
 Labour (including factories).

Malabar affairs (including law and order in Malabar).
 Military.
 Passports.
 Pilgrims to the Hedjaz.
 Political (other than matters relating to Indian States).
 Press and registration of books.
 Railways.
 Reformatories.
 Rewards for saving life and property.
 Staff and household of His Excellency the Governor.
 Survey, Land Records and Settlement.

3. The hon. Mr. CHETPUT PATTABHIRAMA RAMASWAMI AYYAR, C.I.E., Law Member. Took his seat on 12th February 1923 and is in charge of the following portfolios :—

Breach of Contract Act.
Certificate of age and qualification.
Civil Justice.
Criminal Justice (including petitions for mercy).
Elections.
Fortnightly report.
Electricity (including hydro-electric schemes).
Irrigation.
Landlord and Tenant.
Legislative.

Magistracy.
Miscellaneous Judicial heads.
Police including Criminal Investigation Department.
Report on matters of political and administrative importance.
Regulation of medical and other professional qualifications and standards.
State prisoners.
Translators to Government.

4. The hon. Raja V. VASUDEVA RAJA, C.I.E., Valiya Nambidi of Kollengode, Revenue Member. Took his seat on 1st November 1923 and is in charge of the following portfolios :—

Boilers.
Census.
Constitution of districts, divisions and taluks.
Court of Wards and zamindars.
Economic condition (including prices and wages).
Escheats.

Famine.
Land Revenue.
Mines.
Pounds and special funds.
Stamps.
Treasure trove.
Wild animals.
Yeomials and hereditary pensions.

Ministers.

1. The hon. the RAJA OF PANAGAL, Minister for Local Self-Government. Took his seat on 19th November 1923 and is in charge of the following portfolios :—

Adulteration of foodstuffs.
Local.
Medical.
Municipal.

Light-feeder Railways and Tramways.
Public Health.
Religious and Charitable Endowments.

2. The hon. Rao Bahadur Sir A. P. PATRO, Kt., Minister for Education and Public Works. Took his seat on 19th November 1923 and is in charge of the following portfolios :—

Education.
Excise.

Public Works.
Registration.

3. The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI Avargal, Minister for Development. Took his seat on 19th November 1923 and is in charge of the following portfolios :—

Agriculture.
Co-operative Societies.
Fisheries.

Industries.
Veterinary.
Weights and Measures

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

The hon. Diwan Bahadur L. D. SWAMIKANNU PILLAI, C.I.E., I.S.O.

Deputy President.

Diwan Bahadur P. KESAVA PILLAI.

Panel of Chairmen for the First Session.

The RAJA OF RAMNAD.
Mr. M. RATNASWAMI.
Diwan Bahadur M. KRISHNAN NAYAR.
Mr. K. V. RAMACHARI.

Secretary to the Council.

M.R.Ry. R. V. KRISHNA AYYAR Avargal, B.A., M.L.

Assistant Secretary to the Council.

M.R.Ry. C. SATAGOPA ACHARIYAR Avargal, B.A.

ALPHABETICAL LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL.

Name of member.	Name of constituency.
1. Abbas Ali Khan Bahadur ...	Madura, Trichinopoly cum Srirangam M. Urban.
2. Abdul Hye Sahib Bahadur ...	Ceded Districts M. Rural.
3. Abdul Razack Sahib, Khan Sahib, Saiyid Diwan.	Central Districts M. Rural.
4. Abdul Wahab Sahib, Munshi ...	Northern Circars M. Rural.
5. Abdulla Ghatala Sahib Bahadur.	North Arcot cum Chingleput M. Rural.
6. Abdulla Qasim Sahib Bahadur, Haji, Khan Bahadur.	South Kanara M. Rural.
7. Adinarayana Chetti, T. ...	North Arcot N.-M. Rural.
8. Anjaneyulu, P. ...	Guntur N.-M. Rural.
9. Ankinedu Prasad Bahadur, S. R. Y.	North Landholders II.
10. Appavu Chettiyar, D. ...	Salem N.-M. Rural.
11. Ari Gowder ...	Nilgiris N.-M. Rural.
12. Arpudaswami Udayar, S.	Tanjore cum Trichinopoly Indian Christian.
13. Arumuga Nadar, P. K. S. ...	NOMINATED for Nadars.
14. Bhanoji Rao, A. V. ...	Vizagapatam N.-M. Urban.
15. Biswanath Das, Sriman ...	Ganjam N.-M. Rural.
16. Bradford Leslie ...	NOMINATED. (Special Member for the Tuticorin Port Trust Bill.)
17. Chidambara Nadar, A. ...	Madura N.-M. Rural.
18. Congreve, Mr. C. R. T. ...	Madras Planters.
19. Cruz Fernandez, Rao Bahadur.	Ramnad cum Tinnevely I.Ch.
20. Davies, R. W. ...	NOMINATED. (Secretary to Government, Finance Department.)

Name of member.	Name of constituency.
21. Davis, J. A.	NOMINATED for Anglo-Indians.
22. Devendrudu, N.	NOMINATED for Adi-Andhras.
23. Ellappa Chettiyar, Rao Sahib S.	Salem N.-M. Rural.
24. Ethirajulu Nayudu, Rao Bahadur P. C.	Guntur N.-M. Rural.
25. Gangaraju, M.	Kistna N.-M. Rural.
26. Gopala Menon, C.	S. I. Chamber of Commerce.
27. Gopalan, Rao Sahib P. V. ...	NOMINATED for Mukkuvans or Fishermen.
28. Guruswami, L. C.	NOMINATED for Arundhatayas.
29. Hawkins, P.	NOMINATED. (Special Member for the Irrigation Bill.)
30. Kesava Pillai, Diwan Bahadur P. (Deputy President).	Anantapur N.-M. Rural.
31. Khalif-ul-lah Sahib, Khan Bahadur P.	Madura cum Trichinopoly M. Rural.
32. Knapp, K.C.S.I., C.B.E., I.C.S., The hon. Sir Arthur.	EX-OFFICIO.
33. Koti Reddi, K.	Cuddapah N.-M. Rural.
34. Krishna Rao Pantulu, Rao Bahadur A. S.	Nellore N.-M. Rural.
35. Krishnan Nayar, Diwan Bahadur M. (Chairman).	Malabar cum Anjengo N.-M. Rural.
36. Krishnaswami Nayudu, Rao Bahadur K.	North Arcot N.-M. Rural.
37. Kuppaswami, J.	Guntur N.-M. Rural.
38. Leech, Arthur J.	Madras Chamber of Commerce.
39. Legh, E. W., C.I.E., I.C.S. ...	NOMINATED. (Secretary to Government, Revenue Department.)
40. Madhava Raja, V.	Malabar cum Anjengo N.-M. Rural.
41. Madhavan Nayar, C.	NOMINATED. (Advocate-General.)
42. Madurai, Hony. Lt.	Do. for Adi-Dravidas.
43. Mahabala Hegde, B.	South Kanara N.-M. Rural.
44. Mallesappa, T.	NOMINATED for Lingayats.
45. Marakkayar, V. Hamid Sultan.	Tanjore M. Rural.
46. Marthandam Pillai, P. N. ...	Tinnevely N.-M. Rural.
47. Maruthavanam Pillai, C. ...	Tanjore N.-M. Rural.
48. Mathai, Dr. John	NOMINATED.
49. Moidu Sahib, T. M.	Malabar cum Anjengo M. Rural.
50. Moore, P. L.	NOMINATED. (Secretary to Government, Local Self-Government Department.)
51. Moosa Sait Sahib, Muhammad ...	Madras M. Urban.
52. Muhammad Sahib Bahadur, T. N.	Ramnad cum Tinnevely M. Rural.
53. Muniswami Nayudu, B.	Chittoor N.-M. Rural.
54. Murugappa Chettiyar, Rao Bahadur A. M. M.	Nattukottai Nagarathara.
55. Muttayya Mudaliyar, S.	Tanjore N.-M. Rural.
56. Muttayya Mudaliyar, C.	Chingleput N.-M. Rural.
57. Muttu Chettiyar, P. C.	Ramnad N.-M. Rural.
58. Narasimhachariu, Rai Bahadur T. M.	Cuddapah N.-M. Rural.

Name of member.	Name of constituency.
59. Narasimha Raju, Rao Bahadur C. V. S.	Vizagapatam N.-M. Rural.
60. Narayanan Nambudripad, O. M.	NOMINATED for Nambudiris.
61. Natesa Mudaliyar, Rao Bahadur C.	Madras N.-M. Urban.
62. Nicholson, C.	Madras Trades.
63. Obalesappa, B.	NOMINATED for Maruthuvakulars (Barbers).
64. Paddison, G. F., C.S.I., I.C.S. ...	Do. Commissioner of Labour and Protector of the Depressed classes.
65. Pantulu Ayyar, V. alias Venkatarama Ayyar.	Tanjore N.-M. Rural.
66. Partridge, P. W.	Madras European.
67. Patro, The hon. Rao Bahadur Sir A. P. (Minister).	Ganjam N.-M. Rural.
68. Peddiraju, P.	Kistna N.-M. Rural.
69. Pethachi Chettiyar, Diwan Bahadur S. Rm. Ct.	Trichinopoly N.-M. Rural.
70. Ponnuswami Nayudu, C.	Madura N.-M. Rural.
71. Ponnuswami Pillai, K. S.	NOMINATED for Protestant Christians.
72. Prabhakaran Tampan, K.	West Coast Landholders.
73. Premayya, G.	NOMINATED for Adi-Andhras.
74. Raghuchandra Bellala, A. K. ...	Do. for Jains.
75. Raja of Kollengode, The hon. the.	EX-OFFICIO.
76. Raja of Kurupam	Northern Landholders I.
77. Raja of Panagal, The hon. the (Minister).	North Central Landholders.
78. Raja of Ramnad (Chairman) ...	Southern Landholders.
79. Rajan, P. T.	Madura N.-M. Rural.
80. Rajappa Tevar, P. S.	NOMINATED for Kallars.
81. Rama Rao, Rao Sahib U.	South Kanara N.-M. Rural.
82. Raman, Rao Bahadur P.	NOMINATED for Tiyyas.
83. Ramachandra Reddi, B.	Nellore N.-M. Rural.
84. Ramachari, K. V. (Chairman) ...	Madura N.-M. Urban.
85. Ramalinga Chettiyar, Rao Bahadur T. A.	Coimbatore N.-M. Rural.
86. Ramalinga Reddi, C.	Chittoor N.-M. Rural.
87. Ramaswami Ayyar, The hon. Mr. C. P.	EX-OFFICIO.
88. Ramaswami Mudaliyar, A.	Chingleput N.-M. Rural.
89. Rameswara Rao, G.	Anantapur N.-M. Rural.
90. Ranganatha Mudaliyar, A.	Bellary N.-M. Rural.
91. Ratnaswami, M. (Chairman) ...	Central Districts Indian Christian.
92. Rencontre, A. E.	Anglo-Indian.
93. Roche Victoria, J. L. P.	NOMINATED. (Special Member for the Tuticorin Port Trust Bill.)
94. Sagaram, P.	NOMINATED for Setti-Balijas.
95. Saldanha, J. A.	West Coast Indian Christian.
96. Samuel, J. D.	Northern Circars Indian Christian.

Name of member.	Name of constituency.
97. Sarabha Reddi, K.	Kurnool N.-M. Rural.
98. Sarvarayudu, K.	Kistna N.-M. Rural.
99. Sriman Sasibhushana Rath Mahasayo.	Ganjam N.-M. Rural.
100. Satyamurti, S.	Madras University.
101. Seetayya, M.	Kistna N.-M. Rural.
102. Seturatnam Ayyar, M. R. ...	Trichinopoly N.-M. Rural.
103. Sitarama Reddi, K.	South Arcot N.-M. Rural.
104. Siva Rao, P.	Bellary N.-M. Rural.
105. Sivagnanam Pillai, The hon. Diwan Bahadur T. N. (Minister).	Tinnevely N.-M. Rural.
106. Srinivasan, R.	NOMINATED for Adi-Dravidas.
107. Srinivasa Ayyangar, R. ...	South Arcot N.-M. Rural.
108. Subbarayan, Dr. P.	South Central Landholders.
109. Subrahmanya Pillai, K. Chavadi.	Tinnevely cum Palamcottah N.-M. Urban.
110. Sundaramurti, P. V. S. ...	NOMINATED for Adi-Dravidas.
111. Suryanarayanamurti Nayudu, Diwan Bahadur K.	Cocanada N.-M. Urban.
112. Tangavelu Pillai, Rao Sahib T. C.	Trichinopoly cum Srirangam N.-M. Urban.
113. Tanikachala Chettiyar, Rao Bahadur O.	Madras N.-M. Urban.
114. Tireman, H.	NOMINATED. (Chief Conservator of Forests.)
115. Todhunter, K.C.S.I., I.C.S., The hon. Sir Charles.	EX-OFFICIO.
116. Tyagaraya Chetti, Kt., Diwan Bahadur Sir P.	Madras N.-M. Urban.
117. Uppi Sahib, K.	Malabar cum Anjengo M. Rural.
118. Veerian, R.	NOMINATED for Adi-Dravidas.
119. Vellingiri Gounder, V. C. ...	Coimbatore N.-M. Rural.
120. Venkatachala Padayachi, K. ...	South Arcot N.-M. Rural.
121. Venkatachalam Chetti, S. ...	Madras N.-M. Urban.
122. Venkatarama Sastriyar, T. R. ...	NOMINATED. (Special Member for the Irrigation Bill.)
123. Venkatarreddi Nayudu, Kt., Rai Bahadur Sir K.	Godavari N.-M. Rural.
124. Venkataramana Ayyangar, C. V.	Coimbatore N.-M. Rural.
125. Venkataranga Reddi, Rao Bahadur C.	Kurnool N.-M. Rural.
126. Venkatapati Razu, P. C. ...	Vizagapatam N.-M. Rural.
127. Venkataratnam, B.	Godavari N.-M. Rural.
128. Vijayaraghava Mudaliyar, W. ...	North Arcot N.-M. Rural.
129. Virappa Chettiyar, Rao Bahadur P. K. A. C. T.	Ramnad N.-M. Rural.
130. Wood, C. E.	Madras Chamber of Commerce.
131. Yahya Ali Sahib, Janab Muhammad.	East Coast M. Rural.

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL.

OFFICIAL REPORT.

First Session of the Second Council under the Government of India Act, 1919.

VOLUME XVI.

Tuesday, 5th February 1924.

The House met in the Council Chamber, Fort St. George, at 11 o'clock.

I

NEW PRESIDENT.

The hon. Diwan Bahadur LEWIS DOMINIC SWAMIKANNU PILLAI AVARGAL, C.I.E., I.S.O., the newly appointed President, took the prescribed oath of allegiance to the Crown and took his seat in the Presidential Chair amidst applause.

The hon. Sir CHARLES TODHUNTER :—" Mr. President : Before we proceed with the business of the day, I ask your permission, on behalf of the Members of this House, to offer you our very sincere congratulations upon the high office for which you have been selected, not yet by the vote of the Members of this House themselves, but on their behalf by His Excellency the Governor.

" It is only a few short weeks since we made our farewells to our late President, when the whole House joined with me in appraising the qualities of the ideal Speaker and deciding that he had them in full measure. And having regard to all that was said on that occasion, I can understand that any one who takes his place will do so with a feeling that it will be an extraordinarily difficult place to fill.

" But I believe that I shall have the whole House with me when I say that out of the gentlemen available to fill his place no better choice could possibly have been made than that which has been made by His Excellency the Governor. You have already shown us that you possess many of those qualities—courage, industry, patience, sympathy and humour. You have ever been ready to help, and more ready to listen than to speak, and you have preserved an attitude of complete detachment from party politics. You have given much study to the securing of a complete mastery of the forms of the House, have a scrupulous regard to them, and will, I am sure, display a stern sense of justice in applying them. Nor can we forget your strenuous work on our behalf in the British House of Commons, where it has been said that you were so assiduous in your attendance in the particular corner you had chosen for yourself that you came to be regarded almost as part of the furniture of the building (laughter). I will refer only to one of the results. You came back resolved to teach us among other things, to make question time more lively. If one may judge by the number and the nature of the questions on the paper to-day, you have succeeded in this object beyond your and our wildest hopes or expectations.

[Sir Charles Todhunter]

[5th February 1924]

"And while I feel that I shall have the whole of the House with me in congratulating you on your accession to your great office, and in stating the belief that you will fulfil its many and difficult functions in the best possible manner, I feel also that I can assure you that you will have the assistance of all sections of the House in performing those functions, in maintaining its rights, privileges, honours and dignities, and in accepting and enforcing your rulings and supporting the authority which by common consent you will be exercising for the common good. I need not remind the House that the dignity of the Chair is the dignity of the House itself, and that the dignity, the respect and the honour in which it is held, is the foundation on which the respect and the authority of the Council itself must depend.

"Sir, in the times in which we live, your great office is encumbered by heavy and growing responsibilities, but it offers opportunities that are equally great, opportunities of building up the traditions and the conventions of a greater body than that over which you now preside. You enter upon it with the most heartfelt good will and the most sanguine hopes of the whole House and I feel sure that when the time comes for you to lay it down it will be said by common consent that you found foundations well and truly laid and have builded on them equally truly and equally well." (Applause.)

The hon. the RAJA OF PANAGAL:—"Mr. President, I have very great pleasure to join my hon. Colleague in offering congratulations to you on this occasion of your assuming of the office of the President of this House. Sir, it is only the other day when we last met that we gave expression to our sense of appreciation of the successful career of Sir P. Rajagopalachariyar as the President of this Council. To-day you have been chosen to the high office. A better choice, I dare say, is impossible to think of. Your superior intellectuality, your high character and your study and your experience will enable you to carry on the duties appertaining to the high office with distinction. I have no doubt, Sir, that under your able guidance this House will have a brilliant career, and I am sure that you will maintain the excellent traditions which your worthy predecessor has established."

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, Mr. President, may I request you to allow me to associate myself with the Leader of the House in offering my hearty congratulations on your elevation to the position of the President of this august body? Sir, the choice of His Excellency could not have fallen on a better person. I have been watching your career ever since you were the Latin Professor of the Presidency College—even then a reputed scholar. Since then you were dubbed an Indian Webster. Your erudition, your experience in the administration of the varied departments with which you were connected as a civil servant, your acquaintance with parliamentary procedure when you were in England recently, your knowledge of law, and, above all, the work you have been doing in this Legislative Department for occupying to-day. Sir, I hope you will zealously maintain the traditions left by your predecessor. I hope you will discharge your duties independent of and without caring for the frown or favour of even His Excellency or the Members of his Cabinet.

"Now, Sir, I request your permission to extend my congratulations to your Secretary. I learn, Sir, that Mr. R. V. Krishna Ayyar was brought into the Secretariat solely for his legal knowledge. I have been hearing of

[Mr. C. Natesa Mudaliyar]

5th February 1924] him as an amiable and good-natured gentleman. My personal contact with him teaches me that the more one knows him the more one will love him. He is really an acquisition to this Council."

The hon. Sir CHARLES TODHUNTER:—"Hear, hear."

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, let me also crave your indulgence to offer my congratulations to the newly appointed Assistant Secretary. Sir, this is a matter of personal gratification to me; for, we are class-mates and intimate friends. But this title comes to him without equivalent remuneration. I hope the hon. the Finance Member will kindly look to it."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I have great pleasure in associating myself with the hon. the Leader of the House and giving expression to our feelings of gratification on your appointment as the President of this Council. I have a hope that with the excellent precedent which has been set before you and the splendid opportunities you have had of working with our ex-President who distinguished himself so ably, it will be possible for you to lay the foundations of constitutional practice deeper and even show definite improvement in various directions. Let me also inform this House that I had an opportunity of working with our distinguished President, not as President of this Council, but as president of a district board. If I can recall to my memory the way in which he succeeded in satisfying the desires of almost all members concerned, if I can bear personal testimony to the fact that he did not give on any occasion any slightest offence to any one individual in the House, I am quite certain that with the increased opportunities he has had, he will be able to produce a much better and a marvellous record in this Council. Time will come when, at the close of his career, we shall be in a position to judge more of the work and offer our thanks for the distinguished services which are still in store for us.

"I believe I will be within my rights if I make a suggestion before I close, and it is this: that the chief and the only consideration which every one will have is how far the rights and the privileges of the Members of this House are safeguarded. We have every hope and confidence that we are quite safe in your hands and we will come out much better in the future than in the past."

The hon. the PRESIDENT:—"I am sure hon. Members will understand me when I say that I am exceedingly indebted to the hon. the Leader of the House, to the hon. the Minister for Self-Government, to Mr. Natesa Mudaliyar, and to the hon. Member for Nellore, Rao Bahadur A. S. Krishna Rao, for the very kind words with which they have welcomed me. It is hardly possible for me to say anything more because in the first place I have had no notice that these remarks were going to be made. I will avail myself, however, of this opportunity to say one thing. And that is in reply to the kind words that have been said with regard to my Secretary and my Assistant Secretary who are still less able than I am to speak for themselves. On their behalf as well as on my own I thank the hon. Members who have made such kind references to us."

II

POINT OF ORDER REGARDING THE HOLDING OF THE PRESENT MEETING OF THE COUNCIL.

Mr. S. SATYAMURTI:—"Sir, may I submit to your ruling a point of order? My point is that this meeting is not properly convened, and I will give my

10 POINT OF ORDER REGARDING THE HOLDING OF THE PRESENT MEETING OF THE COUNCIL

[Mr. S. Satyamurti] [5th February 1924]

reasons for it. If you will kindly turn to section 72-B, clauses 2 and 3 of the Government of India Act, you will find that they read thus :

'(2) A Governor may appoint such times and places for holding the sessions of his Legislative Council as he thinks fit and may also, by notification or otherwise, prorogue the Council.'
'(3) Any meeting of a Governor's Legislative Council may be adjourned by the person presiding.'

"You will remember that you first gave notice to us for a meeting of the Council on the 28th last and I believe two or three days before that we had notice that that meeting was postponed and a fresh notice was issued for the meeting of the Council to-day. My submission is that when once a meeting is convened it is competent only to the person who is presiding over the meeting to adjourn it and it is not open to the Governor or the Government, or even to the President when he is not actually presiding at the meeting, to adjourn the meeting. I have also to inform this House that this is the first time in the history of the Madras Legislative Council working under these Standing Orders that a meeting for which a notice was given was adjourned without that meeting being summoned and a fresh notice issued. Since it is a matter that seems to be very important whether the President can go on adjourning under such circumstances, I request, Sir, that you will kindly give your considered ruling on this matter."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, Sir, my answer to it is this, that every meeting after a prorogation or dissolution has to be notified by the Governor himself. The last notice that was given must be taken to have been tentative and it was open to the Governor to suggest another date for the meeting. Once the session is started and the Legislative Council has begun to function, undoubtedly it is a fact that the person presiding can alone exercise that privilege."

The hon. the PRESIDENT :—"With reference to the point of order raised by the hon. Member, Mr. Satyamurti, viz., whether this meeting is properly convened, is being properly held and can properly go on with the business appointed for it, I have absolutely no doubt that we are properly met and that we can go on with the agenda. If the hon. Member wishes me to consider any other point, e.g., as to who can convene a meeting and who can change a date once fixed, I shall deal with such matters later on when and as they arise."

III

ALLOTMENT OF DAYS FOR NON-OFFICIAL BUSINESS.

Diwan Bahadur M. KRISHNAN NAYAR :—"I wish to raise another point of order. As the non-official Members of the Council have not been given the number of days which they are entitled to for the transaction of private business"

The hon. the PRESIDENT :—"I think this point of order will come properly later on. We have to go on with the orders of the day at present and after question time, if the same question is raised, I shall certainly be prepared to consider the same."

Diwan Bahadur M. KRISHNAN NAYAR :—"May I do it immediately after question time?"

The hon. the PRESIDENT :—"Yes, after question time."

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IV

NEW MEMBERS.

The following Members were then sworn in :—

Mr. PERCY HAWKINS.
M.R.Ry. T. R. VENKATARAMA SASTRIYAR Avargal.
Sriman SASIBHUSHANA RATH Mahasayo.

V

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 and answers shall be arranged in order of subjects.

The Secretary shall call the name of each interpellator in the order in which the names are printed, 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.]

Agriculture.

Agricultural propaganda work in Ramnad.

57 Q.—Rao Bahadur A. M. MURUGAPPA CHETTIYAR : Will the hon. the Minister for Development be pleased to state—
(a) whether there are any agricultural officers in the Ramnad district to do propagandist work in agriculture ; and
(b) whether the Government propose to appoint such officers in the immediate future?

A.—(a) There are two agricultural demonstrators and one assistant agricultural demonstrator working in the Ramnad district.
(b) Lack of staff and funds prevent any more men being posted to the district at present.

The area under cultivation in the Bellary district.

58 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Revenue be pleased to state—
(1) the area fixed in B.P. No. 2299, dated 1st November 1919, as the area normally under cultivation in the Bellary district under first and second crops ; and
(2) the actual areas, respectively, under cultivation under first and second crops in each of the subsequent years?

A.—(1) 2,384,660 acres, of which 34,750 acres were fixed as the area cropped more than once.
(2) The information asked for is contained in the following statement :—

Year.	Area sown.	
	Area sown.	Area sown more than once.
	ACS.	ACS.
1919-20	2,240,541	34,604
1920-21	2,214,873	24,606
1921-22	2,239,277	94,958
1922-23	2,233,107	33,547

[5th February 1924]

Assessment.*Penal assessment in Coimbatore.*

59 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(i) whether it is a fact that penal assessments were levied from several ryots including one S. K. Sundaram Ayyar of Sular for alleged encroachments by them on certain lands, and that they protested against the collection of the said assessment and filed suits in the civil court against the District Collector and the Secretary of State;

(ii) whether the said assessment has been given up only this year; and if so, the reasons for the same; and

(iii) whether the Government would be prepared to make an inquiry into the matter and to pay adequate compensation in all reasonable cases?

A.—(i), (ii) & (iii) The Government have no information. A copy of the question will be communicated to the Collector who has got full powers to deal with the case.

Bench Courts.*Bench Courts in the Ramnad district.*

60 Q.—Rao Bahadur A. M. MURUGAPPA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) the number of the Bench Courts introduced in the Ramnad district, and the nature of their working; and

(b) if their working has been satisfactory whether the Government have any proposals to establish such courts in other parts of the district also?

A.—(a) Twenty. The working of these courts is generally speaking satisfactory.

(b) A proposal to constitute a Bench of Magistrates for certain villages in the Tiruvadanai taluk has just been sanctioned. There are no other proposals now before the Government.

Cabinet.*Distribution of portfolios among Members of the Cabinet.*

61 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state the portfolios administered by the several Members of the Cabinet?

A.—The information is given on pages 1-2 of Volume XV—No. 1 of the Proceedings of this Council, dated 26th November 1923.

Civil Suit No. 527 of 1919.

The hon. Mr. Justice Coutts Trotter's judgment in C.S. No. 527 of 1919.

62 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether on Mr. Justice Coutts Trotter's judgment in C.S. No. 527 of 1919 delivered on 15th March 1921, the attention of the Madras Government

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was drawn by the Government of India to the matter of engaging particular persons as special public prosecutors and whether the Government of Madras undertook to see that that practice was put an end to?

A.—No.

Mr. S. SATYAMURTI:—"Sir, may I ask as a supplementary question whether the hon. the Law Member's attention has been drawn to it?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Yes."

Congress Office.*Trespass of Policemen into the Congress Office, Trichinopoly.*

63 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(i) whether it is a fact—

(a) that policemen trespassed into the Congress Office at Trichinopoly and removed the flags therefrom; and

(b) that policemen trespassed into Mr. M. Singaravelu Chettiyar's house in Madras and removed the flags therefrom;

(ii) if the answers to the above questions be in the affirmative—

(a) under whose orders the policemen acted; and

(b) under what provisions of law such orders were issued?

A.—The Government have no information.

Mr. S. SATYAMURTI:—"May I ask a question whether the Government will call for the information in view of the importance of the allegations made?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"They have done so."

Court of Wards.*The Sivaganga zamindari.*

64 Q.—Rao Bahadur A. M. MURUGAPPA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether the present financial condition of the Sivaganga zamindari under the management of the Court of Wards is not satisfactory, and if so, why;

(b) whether the Court of Wards has applied for any loan, and if so, the nature and the extent of the loan; and

(c) whether the Government have any proposal to hand over the management of the zamindari to the direct management of the zamindar in the near future and if so, when?

A.—(a) The estate is unencumbered and perfectly solvent but has taken a temporary loan from the Imperial Bank equivalent to about one-third of its annual income to finance work of permanent benefit to the estate and its tenants.

(b) The estate has applied for a Government loan of Rs. 5 lakhs, to complete the repayment of the loan mentioned above and its programme of work.

(c) The Government are not prepared to answer this question.

[5th February 1924]

Depressed Classes.

Depressed classes pupils in Satyamangalam Elementary Board School and Dharapuram Municipal Schools.

65 Q.—MR. R. VEERIAN: Will the hon. the Minister for Education and the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that no free school books, slates and pencils are being supplied to the pupils of the depressed classes who are reading in the Satyamangalam Elementary Board School run by the Gobichettipalayam Taluk Board, Coimbatore district; and

(b) whether it is a fact that no free school books, slates and pencils are being supplied to the pupils of the depressed classes reading in the Dharapuram Municipal Elementary Schools, though the Coimbatore District Educational Council made a recommendation to the Dharapuram Municipality to that effect?

A.—The Government have no information but understand that there is no general practice in the Presidency of local bodies supplying free the articles referred to.

District Board.

Election of district board presidents.

66 Q.—RAO Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) what district boards in this Province made representations to the Government during the last three years for the grant of the privilege of electing their presidents, and when; and

(b) what orders were passed by the Government in each of these cases and when and for what reasons?

A.—The following statement is laid on the table:—

Name of district board that applied for the privilege of electing its president.	Date of the resolution of the district board.	Orders of Government with reasons.	Date of Government Order.
Anantapur ..	January 1923 received 4th March 1923.	The President had already been appointed, and the resolution of the board was that the elective privilege should be granted when the Presidentship again fell vacant. No orders were necessary.	8th March 1923.
Bellary ..	July 1922 ..	The Government considered that the condition of the Board required that the President should be nominated by them.	16th October 1922.
Chittoor ..	Date not given.	Do. do.	6th July 1923.

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Name of district board that applied for the privilege of electing its president.	Date of the resolution of the district board.	Orders of Government with reasons.	Date of Government Order.
Coimbatore ..	May 1923 ..	The resolution was simply recorded as a President had been appointed before the receipt of the resolution.	22nd June 1923.
Ganjam ..	July 1921 ..	The Government considered that the condition of the Board required that the President should be nominated by them.	12th September 1922.
Godavari (1) ..	March 1921 ..	The privilege was not allowed as the taluk boards in the district had not then been reconstituted.	23rd May 1921.
Do. (2) ..	March 1923 ..	The Government considered that the condition of the Board required that the President should be nominated by them.	11th May 1923.
Kistna ..	October 1921.	Do. do.	18th August 1922.
Vizagapatam (1) ..	July 1921 ..	The privilege was not allowed as the taluk boards in the district had not then been reconstituted.	20th August 1921.
Do. (2) ..	August 1923.	The Board was asked to renew its request after the expiry of the term of its present President.	24th September 1923.
Tanjore ..	September 1923.	The privilege has been allowed with effect from 8th January 1924.	1st December 1923.

Sriman BISWANATH DAS Mahasaya:—"I should like to know whether the Government have received subsequent information about the feeling in the district on this matter?"

The hon. the RAJA OF PANAGAL:—"I do not quite understand what the hon. Member means by subsequent information. Up to the time of the preparation of the draft answer I do not think there has been any agitation. I must make enquiries whether subsequent to that there has been any."

Sriman BISWANATH DAS Mahasaya:—"Then, Sir, will the hon. the Minister be pleased to state what the condition is to which he refers in his reply when he speaks of the Ganjam district?"

The hon. the RAJA OF PANAGAL:—"One of the conditions referred to is whether, if the privilege is given, there are qualified men to be elected as presidents."

MR. S. SATYAMURTI:—"Do I understand him to say that with regard to Bellary, Cuddapah and Godavari, in his opinion, there are not competent men to be elected as presidents of district boards, because I find the hon. Member saying 'The Government considered that the condition of the board required that the president should be nominated by them'? I now ask him to just think a while with regard to all these three districts—Bellary, Cuddapah and

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Gōdāvari—and say whether he, as the hon. the Chief Minister, takes the responsibility of saying that none of these large districts can find a single man to be elected president of the district board.”

Mr. A. RAMASWAMI MUDALIYAR :—“ May I ask the hon. the Chief Minister whether the financial condition of each district has not also to be taken into consideration ? ”

Mr. S. SATYAMURTI :—“ I am much obliged to that answer ! ” (Laughter from the opposition benches).

The hon. the RAJA OF PANAGAL :—“ The conditions are various. In some cases competent persons may not be available. In some cases the boards may be financially unsound and have deficit budgets and so forth. So if the conditions are satisfactory, Government will be prepared to grant the privilege.”

Sriman BISWANATH DAS Mahasayo :—“ Are we to understand that out of the 48 members of the Ganjam District Board no one is able to run on the district board ? ”

The hon. the RAJA OF PANAGAL :—“ It is a question which requires an expression of opinion and I am not prepared to answer it.”

Rao Bahadur C. V. S. NARASIMHA RAJU :—“ Is it the view of the Government that in case of a deficit budget the nominated president will discharge his duties more efficiently than an elected president responsible to the board and through the board to the electorate of the district ? ”

The hon. the RAJA OF PANAGAL :—“ In that case the Government can expect a certain standard of ability.”

Mr. S. SATYAMURTI :—“ Does the hon. the Chief Minister realize that those districts have returned hon. Members to this Council and if they can return Members to this Council to help the Government in the administration of the whole Presidency, does he seriously suggest that they cannot elect presidents of district boards ? ”

The hon. the RAJA OF PANAGAL :—“ I do not think it requires any answer.”

Education.

The Board and Municipal Muhammadan elementary schools.

67 Q.—Mr. K. ABDUL HYE SAHIB : Will the hon. the Minister for Local Self-Government, the hon. the Minister for Education and the hon. the Minister for Development be pleased to state the number of Board and Municipal Muhammadan Elementary schools for boys and girls opened during the past three years in the Ceded districts ?

A.—Information is not available. It will be called for.

Aid to Arabic schools.

68 Q.—Mr. K. ABDUL HYE SAHIB : Will the hon. the Minister for Education be pleased to state—

(a) the number of schools opened by the Government and the amount spent during the last three years for the spread of Sanskrit Education in the Presidency ; and

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(b) whether the Government intend to extend the concession to Arabic by aiding purely Arabic schools and employing a Superintendent of Arabic schools on the analogy of the Superintendent of Sanskrit schools ?

A.—(a) No Sanskrit schools have been opened by Government. The expenditure on grants-in-aid and on inspection of Sanskrit schools during the three years 1920-21, 1921-22 and 1922-23 is as follows :—

	1920-21.	1921-22.	1922-23.
	RS.	RS.	RS.
Teaching grants ...	24,200	25,000	29,900
Furniture grants ...	1,453	186	...
Building grants ...	100	...	...
Superintendent of Sanskrit schools, establishment and contingencies ...	9,563	8,169	8,512
Total ...	35,316	33,355	38,412

(b) The Government do not propose to aid schools which do not provide secular instruction. Since there is only one recognized Arabic institution, the Government do not consider that there is need at present for the employment of a Superintendent of Arabic Schools.

Mr. K. ABDUL HYE SAHIB :—“ Will the hon. the Minister kindly state whether there is any Sanskrit institution which was giving secular education and for which grant was given ? ”

The hon. Rao Bahadur A. P. PATRO :—“ Yes.”

Muhammadan representation among Deputy Inspectors of Schools.

69 Q.—Mr. K. ABDUL HYE SAHIB : Will the hon. the Minister for Education be pleased to state the number of new appointments of Muhammadan Deputy Inspectors of Schools made during the past three years and the number of promotions made to that grade in the Ceded Districts and how many of them were given to natives of the Ceded Districts ?

A.—The following persons were newly appointed as Deputy Inspectors of Muhammadan Schools during the last three years in all districts including the Ceded Districts :—

1921—No new appointments.

1922—(1) Muhammad Usman Sahib, Tinnevely Muhammadan range.

(2) Saiyid Durwish Muhi-ud-din, Vizagapatam Muhammadan range.

(3) S. A. Ibrahim Ali Sahib, Madura Muhammadan range.

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- (4) Muhammad Muzaffar-ud-din Sahib, Bezwada Muhammadan range (resigned his post).
(Ceded Districts—Nil.)

- 1923—(1) A. Abdul Qadir Sahib, Bellary Muhammadan range. } Ceded Districts.
(2) Muhammad Mahbub Ali Sahib, Kurnool Muhammadan range. }
(3) U. S. Abdul Aziz, Ponnani Mappilla range.
(4) Ahmad Ali, Bezwada Muhammadan range.

The following persons were promoted to act in the Deputy Inspectors' cadre :—

1921 and 1922—Nil.

- 1923—(1) Saiyid Nizam-ud-din Sahib, Coimbatore Muhammadan range.
(2) P. Muhammad, Badagara Mappilla range.
(3) C. Ahmad Unni, Ottapalam Mappilla range.
(4) N. Kunhalan Kutti, Calicut Mappilla range.
(None in Ceded Districts.)

None of the above officers belongs to the Ceded Districts.

There was only one application from a graduate of the Ceded Districts (in 1922) for either a school assistant's or a Deputy Inspector's post. He was offered a school assistant's post which he refused to accept unless he was started on a salary of Rs. 100. As the minimum of the scale of pay of Deputy Inspectors and School Assistants is only Rs. 75 and as the applicant is moreover an untrained graduate, his application was not considered favourably.

Opening of a first-grade College at Palghat.

70 Q.—**MR. V. MADHAVA RAJA**: Will the hon. the Minister for Education be pleased to state—

(1) whether, with reference to the observations of His Excellency the President on Resolution No. 5 moved at the meeting of the Legislative Council held on the 5th February 1920 regarding the raising of the Second Grade College at Palghat into first grade, inquiries were made as to the place where the First Grade College for Malabar should be located and whether the Government have come to a decision on the point;

(2) whether, with reference to any such decision, the Government asked the Director of Public Instruction to submit proposals for starting the College;

(3) whether the Government will consider the claims of Palghat as being the place best suited for locating the College for the reasons urged by me in my speech on the above resolution; and

(4) whether provision will be made in the next year's budget for opening the College?

A.—(1) & (2) Some inquiries have been made and Government have decided to await a decision by the reorganized University authorities on the status of mufassal colleges and general University policy.

(3) Palghat will be considered.

(4) The answer is in the negative.

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Empire Exhibition.

Liabilities of the Madras Government on account of the British Empire Exhibition.

71 Q.—**MR. S. SATYAMURTI**: Will the hon. the Minister for Development be pleased to state—

(a) what were the liabilities of this Government on account of the British Empire Exhibition on the 12th of December 1923;

(b) whether any subsequent liabilities have been incurred; and

(c) whether the Government have accepted the resolution of the Legislative Council on this matter?

A.—(a) As stated in the answer to the question put by the hon. Member at the meeting of the Council on December 15th, 1923, the net liabilities on that date amounted to Rs. 2,53,038-8-6.

(b) The answer is in the negative.

(c) The answer is in the affirmative. The Chairman of the Executive Committee has been informed accordingly.

Famine.

Mahazars to the Collector of Anantapur regarding remission of kists and starting of famine works.

72 Q.—**MR. G. RAMESWARA RAO**: Will the hon. the Member for Revenue be pleased to state if the Government are aware of the fact that mahazars have been sent recently to the Collector of Anantapur district praying for remission of kist and starting famine works; and whether the Government intend to start relief works for giving facilities for drinking water in villages and in support of sanitation and irrigation?

A.—(1) Yes.

(2) One test work was opened in the Gooty taluk on 15th January 1924, and more works will be opened if found necessary.

Floods.

Ganjām floods.

73 Q.—**SRIMAN BISWANATH DAS MAHASAYO**: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that loss of life and property has occurred in Ganjām in consequence of the heavy rains in the Ganjām district;

(b) whether they have received any official report on the subject; and if so, to place the same on the table; and

(c) the relief measures that they have already taken and also those that they propose to undertake?

A.—(a) Yes.

(b) Yes. The reports have already been published in the Madras dailies.

(c) Timber for repairing the houses damaged by the cyclone is being given to poorer ryots as far as possible. Advances under the Agriculturists' Loans Act will be made where needed and remission of ryotwari assessments will be granted where the circumstances require it.

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Sriman BISWANATH DAS Mahasayo:—"Are we to understand that the grant of one lakh of rupees for flood relief in the last session is to form no part of the relief?"

The hon. the RAJA OF KOLLENGODE:—"I want notice."

Forests.

Forest panchayats in Cuddapah district.

74 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Home Member be pleased to state—

- (a) how many forest panchayats are working in Cuddapah district;
- (b) whether any of them are working efficiently; and
- (c) how many reserved forests have been disafforested during the years 1922-23 and 1923-24 in the Cuddapah district?

A.—(a) & (b) Forty-six forest panchayats were organized in the district till 30th September 1923 and of these 24 are reported to have been working well and three to be deserving of special mention.

- (c) In 1922-23 one reserved forest measuring 3,390 acres and portions of three reserved forests measuring 232.95 acres and in 1923-24 portion of a reserved forest measuring 72.50 acres were disafforested in the district.

Government Press.

The staff of the Government Press.

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

(1) whether the Government Press employees are overworked and whether the Surgeon of the First District has remarked that most of the employees are anæmic;

(2) whether the Superintendent, Government Press, Madras, is granting leave without pay to employees of long service when they are unable to attend the office in times of epidemic, such as influenza, when they are eligible for other kinds of leave;

(3) whether the Superintendent, Government Press, is withholding increments and promotions from those who are obliged to take leave owing to illness;

(4) whether the Government have received memorials to the effect that, in view of the fact that reorganization has not taken place for the last thirty years, the present revised scale is most unsatisfactory, and that the present revision makes no distinction between skilled and unskilled labour, etc.;

(5) if so, how many such have been received and what are the orders passed in each case;

(6) whether the present revised scale is far below that existing in other Government Presses, and if so, whether the Government would consider the advisability of introducing uniform scales;

(7) whether the Government have sanctioned the scheme of amalgamation of stationery and printing offices in view of economy, and if so why it has not been given effect to;

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(8) what is the pay of the present Lino-mechanic operator and what necessitated his appointment when retrenchment is going on in every department; how many lino-mechanics there are in the Government Press and what is the value of each machine and its outturn; and

(9) if the Government have no information on any of these points, whether the Government will be pleased to call for a report and lay it on the table?

- A.—(1) The Government have no reason to believe that the employees in the Government Press are generally overworked. There is, of course, considerable pressure of urgent work about the time of each Legislative Council meeting and a good deal of overtime was necessitated in connexion with the elections. The Surgeon, First District, did once remark to the Superintendent that a number of the men were anæmic, but he did not attribute this to overwork. A more probable cause lies in the surroundings in which they live. A further contributory factor is perhaps to be found in the state of the Mint Buildings for the reconstruction of which the Council refused a grant in the budget debate of 1921-22 on the motion of the hon. Member who has asked the question.
- (2) The Superintendent reports that 97 per cent of the applications for leave with pay are granted. It is only in the case of men who are attempting to shirk work that leave is given on loss of pay.
- (3) The answer is in the negative. The Superintendent withholds increments only from persons who have been warned at least four times for bad work.
- (4) & (5) Some memorials were received in the years 1920, 1921 and 1922. A reorganization has since been made. No memorials of the kind indicated in the question have been received.
- (6) The Government have no information as to the scale of pay given in places like Calcutta, Bombay and Delhi. It is not usual to level up the rates of wages in cities in which expenses of living differ. Nor, since the rates vary from place to place, would it be possible to make the Madras rates uniform with them all.
- (7) The scheme referred to was not designed in the interests of economy. It has been deferred for a variety of reasons, among which were the appointment of the Stores Purchase Committee and the discussions regarding the abolition of the Madras Collectorate. It is probable that it would not be found suitable to present conditions.
- (8) The appointment of a linotype operator was necessitated in order to bring the equipment and working of the Press more up to date than it is. There was no question of retrenchment or of additional expense since the officer appointed takes the place of a Deputy Superintendent in the Press. There are four linotype machines at present in the Press valued respectively at Rs. 11,000, Rs. 9,000, Rs. 7,000 and Rs. 7,000. There are no lino-mechanics employed and it was in order to train some that an operator was brought out from England in place of a Deputy Superintendent. The outturn of the machines was 1,141 pages

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in 1921-22 and 301 pages in 1922-23. It is hoped that, as soon as a sufficient number of operators have been trained, the output will be very greatly increased and there will be in consequence a large reduction in compositors' and supervision charges.

Employment of ex-war men in the Government Press.

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

(1) what special concessions are given to passed candidates in the Government Press who have volunteered themselves for war service before the Armistice; and

(2) whether they are now being offered the minimum salary as if their sacrifice and war service count for nothing and whether they are treated as passed candidates fresh from school or college?

A.—Ex-service men in the Government Press have been given the same concessions as were given to similar men in other Government offices. The details of the concessions will be found in G.O. No. 74, Public, dated 5th February 1923, which has been laid upon the Editors' Table.

Harbour.

Disembarkation of deck passengers at the Madras Harbour.

77 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state—

(1) whether deck passengers from the Straits Settlements are not allowed to get down from the steamers on any wharf in the Madras Harbour and discomfort;

(2) whether deck passengers are not allowed the use of the doorways and the ladders in the steamers built for the use of passengers, but are loaded and unloaded through holes intended for the loading and unloading of sheep and coal, by lascars without any reference to the passengers' comfort or decency; and

(3) whether the Government propose to take any steps to alleviate the sufferings of these unfortunate passengers?

A.—(1) The answer is in the negative. Whenever a quay berth is available, the passengers embark or disembark direct by the quay. When the exigencies of traffic are such that no quay berth is available, the passengers are embarked or disembarked in boats. This occurred during 1923 in the case of about half the passengers.

(2) Deck passengers are embarked and disembarked through the entry ports, which are constructed for this among other purposes. It would not be safe to allow a large number of passengers hampered by quantities of luggage to utilize the gangways provided for first and second class passengers.

(3) The Government have already sanctioned the construction of three new deep water quays, and when these have been constructed, it is hoped that all vessels having passengers will be

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able to lie alongside. Meanwhile, the present arrangements are the outcome of many years' experience under local conditions and the Government have received no complaints that they have been the cause of suffering on the part of passengers.

Hindu Religious Endowments.

The Hindu Religious Endowments Bill.

78 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to lay on the table a statement showing the number of, and the persons or institutions from whom, memorials or representations against the Madras Hindu Religious Endowments Bill have been received, since the introduction of the Bill up to date?

A.—Since the introduction of the Bill up to the 22nd January 1923, the date fixed by the Select Committee for the receipt of representations about the Bill, 249 representations were received and considered by Government. The representations received after 22nd January 1923 and before the passing of the Bill were not considered by Government as they were received too late.

After the passing of the Bill, 185 representations have been received and considered by Government. It is not possible to classify these according as they are in favour of or against the Bill as in many cases the same representation is in favour of some provisions of the Bill and against others. It is not therefore possible to give the names of persons or institutions from whom representations against the Bill have been received.

The Hindu Religious Endowments Bill.

79 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) in what stage the Hindu Religious Endowments Bill which was passed by the last Legislative Council is; and

(b) whether it has received the assent of His Excellency the Governor of Madras and His Excellency the Governor-General?

A.—(a) & (b) The attention of the hon. Member is invited to the message from His Excellency the Governor read by the President in the Council on 10th December 1923.

His Excellency the Viceroy's Visit.

Expenditure in connexion with His Excellency the Viceroy's visit.

80 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state the amount of expenditure by the Madras Government and by the local bodies in the Presidency in connexion with His Excellency the Viceroy's visit to this Presidency?

A.—The Government have not yet received a final account of the expenditure incurred in connexion with the visit, but they have sanctioned expenditure up to Rs. 85,839 and also the payment of batta to village servants who guarded the railway line. The Corporation of Madras incurred an expenditure of Rs. 906. The Government have no information regarding other municipal bodies. The District Board, Madura, applied for sanction to incur an

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expenditure of Rs. 500, but the Government are not aware whether this amount was actually spent. No other board has applied for sanction.

Mr. S. SATYAMURTI:—"May I ask whether the Government will be pleased to lay on the table the final account in respect of the Viceroy's visit when they do receive that statement?"

The hon. Sir ARTHUR KNAPP:—"Yes, Sir, the Government are prepared to place it on the table."

Arrangements at Madura in connexion with His Excellency the Viceroy's visit.

81 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether it is a fact that—

(a) the owners of houses in the streets along which His Excellency the Viceroy passed in Madura were warned not to allow strangers into or in front of their houses;

(b) such owners were prohibited from getting on to the terraces of their houses while His Excellency the Viceroy was passing;

(c) patients going to the hospitals were turned back on the day previous to the visit as the roads were closed for hours for police rehearsals;

(d) students could not go to their colleges for the same reason;

(e) worshippers were not allowed inside the Sri Minakshi temple on the day previous to the visit and those who were inside for worship were turned out; and

(f) one thousand five hundred reserve policemen of Ramnad and Madura districts, all the Deputy Superintendents of Police of the two districts and the District Superintendent of Police of Tinnevely were brought to Madura and made to camp there for nearly a week before the visit?

A.—(a) to (e) The Government have no information.

(f) Reserve policemen—The Ramnad Reserve was ordered to send only 108 men.

Deputy Superintendents of Police—One Deputy Superintendent was brought to Madura from Ramnad district.

Superintendents—The Superintendent of Police, Tinnevely, was brought in to Madura.

The officers and men camped in Madura for 4 days.

Mr. S. SATYAMURTI:—"May I ask the hon. Member to call for the information as he was good enough to say in the other case? It was an important allegation made by a Vakil of the High Court who is practising there."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Yes."

Imperial Bank.

Conduct of the Imperial Bank Fraud case by the Crown Prosecutor.

82 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the reasons why the Crown Prosecutor declined to appear and conduct the Imperial Bank Fraud case in the Presidency Magistrate's Court; and

(b) whether the Government propose to take any action thereon?

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A.—(a) The reasons, as already stated in my answer to a supplemental question asked by the hon. Member, are more or less personal to the Crown Prosecutor.

(b) The Government accepted the reasons and therefore do not propose to take any action.

Mr. S. SATYAMURTI:—"May I ask the hon. Member to kindly state whether it is a fact that the Crown Prosecutor voluntarily declined to appear and conduct the Imperial Bank Fraud Case in the Presidency Magistrate's Court or whether negotiations went on between him and the Government either private or informal?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, in answer to a series of 19 questions on this subject put by the hon. Member for the University the Government has sent an answer that the Government do not propose to answer just now but propose to issue a communiqué after the proceedings are terminated."

Mr. S. SATYAMURTI:—"I have not received it."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I take it that it will be laid on the table to-morrow or day after."

Irrigation.

Amount spent on new irrigation schemes in certain districts.

83 Q.—Diwan Bahadur P. KESAVA PILLAI: Will the hon. the Law Member be pleased to state the amount spent on new irrigation schemes during the last fifty years in the districts of Anantapur, Bellary, Kurnool and Cuddapah, respectively?

A.—The amount spent up to March 1923 on schemes for which capital account is kept is over 2½ crores. Figures of expenditure incurred on new schemes for which this account is not kept are not available.

Diwan Bahadur P. KESAVA PILLAI:—"May I know if the hon. Member could not give statistics for each district?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is quite easy and it will be done."

Mr. A. RANGANATHA MUDALIYAR:—"Does it include the Kurnool-Cuddapah canal?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Yes."

The irrigation sources of the Madura and Ramnad districts.

84 Q.—Rao Bahadur A. M. MURUGAPPA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether the Government have made any investigation to develop the irrigation resources of the Madura and Ramnad districts, and if so, to place on the table the report of such investigation; and

(b) whether the Government propose to undertake any irrigation project in the above two districts in the near future?

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A.—(a) The only important irrigation system in the tract is the Periyar system. Proposals for extension of irrigation under the system to the full irrigable area are under consideration of the Chief Engineer for Irrigation.

A project known as the Purandalar project, Palni taluk, Madura district, for impounding the flood waters of the Purandalar and Palar was investigated some years back. As the financial prospects of the scheme were very unfavourable, it was decided in 1909 that it should be included in the famine relief programme of the district as an additional item.

An estimate for improving the Elandrakondam tank and supply channel, Srivilliputtur taluk, Ramnad district, is being prepared by the Chief Engineer for Irrigation.

There will be no advantage in placing the papers relating to these works at this stage on the Council table.

(b) There are no large irrigation projects in Madura and Ramnad districts likely to be undertaken in the course of the next few years; but the Chief Engineer will be prepared to discuss with hon. Members the prospects and feasibility of any schemes which may be suggested by them.

Capacity of the Periyar reservoir.

85 Q.—Rao Bahadur A. M. MURUGAPPA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) the capacity of the Periyar reservoir and the area irrigated by the Periyar project;

(b) whether the capacity of the project could be increased and the project extended to the Thiruppur taluk of the Ramnad district; and

(c) if so, whether the Government propose to take up the project in the near future?

A.—(a) The capacity of the Periyar reservoir is 9,605 million cubic feet. The area irrigated in fasli 1332 is 130,799 acres against the irrigable area of about 143,000 acres under the system.

(b) & (c) The possibility of securing adequate supply for the full irrigable area under the system is under consideration and Government do not consider it possible to increase the capacity of the reservoir, and thereby to extend irrigation to Ramnad district.

The Cauvery reservoir project.

86 Q.—Rao Bahadur A. M. MURUGAPPA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether the Government propose to work out the Cauvery reservoir project in the immediate future, and if so, when; and

(b) whether the Government have examined the possibility of extending the project to the eastern portion of the Ramnad district?

A.—(a) Attention is invited to the answer to question No. 7 given at the meeting of the 10th December 1923 of the present session and it cannot be said when the project will be taken up for execution.

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(b) Ramnad district is not within the scope of the project and the amount of water available would not admit of its extension to that district.

Water level in Dongal cheruvu tank in Cuddapah district.

87 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Law Member be pleased to state—

(a) what orders have been passed on the proposal to breach or reduce the water level of the Dongal cheruvu tank in Cuddapah taluk;

(b) whether the ryots under the tank have submitted a protest against the proposal; and

(c) whether the Government cannot leave the tank as it is, in view of the hardship that would be caused to the ryots under the tank?

A.—(a) The hon. Member is referred to the answer given to question No. 268 at the meeting held on the 16th September 1922.

(b) The answer is in the affirmative.

(c) The alteration of the tank weir was designed to lower the maximum water level while retaining the full tank level as it was before. Thus the storage of the tank will not be reduced.

The Proddatur irrigation channel.

88 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Law Member be pleased to state—

(a) whether any steps have been taken to restore the irrigation channel passing by Proddatur town; and

(b) whether it is a fact that there is not a drop of water in the said channel and that the lands irrigated by it are lying completely waste?

A.—(a) & (b) The channel referred to is a spring channel—a minor work. Owing to the total neglect of the ryots to do the annual silt clearance by kudimaramat labour, the channel is completely choked up with silt and is not in working condition at present. A proposal to divert the channel was investigated in 1922 but was found to involve prohibitive expenditure.

Upper Pennar, Hindupur and Roddam projects.

89 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Law Member be pleased to state—

(1) whether the Upper Pennar project in Anantapur district has been abandoned on the ground that it was not found to be sufficiently remunerative and whether other irrigation projects have been kept in abeyance pending the investigation of the former;

(2) whether the Government propose to take up the Hindupur project for consideration now that the Upper Pennar project has been shelved; and

(3) whether Roddam project was considered fit to be taken up as a famine-relief work and whether the Government propose to take it up as the present seasonal conditions in the localities are very bad?

A.—(1) Yes. The project was unsuitable as a famine protective work.
(2) & (3) The scheme for a reservoir on the Kistna at Sangameswaram now under investigation aims at augmenting the supply in the Pennar by the Kistna water. The possibility of the Pennar scheme will be investigated after the results of the above investigation are known.

Jail.

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Government communiqué on the Allipuram Jail, Bellary.

90 Q.—Mr. K. ABDUL HYE SAHIB: With reference to the Government communiqué on the Allipuram Jail, Bellary, will the hon. the Home Member be pleased to throw more light on the number of convicts afflicted and precautionary measures taken therefor?

A.—The number of cases was 167 of which seven cases ended fatally. The following are the chief precautionary measures which were taken to arrest the spread of the epidemic:—

- (1) Isolation of all cases and immediate contacts in the cholera enclosure and camp.
- (2) Immediate segregation of all cases of diarrhoea.
- (3) Stringent sanitary, food and water control such as the chlorination of the drinking water before use, protection of food and cooking and eating and drinking utensils from contamination, examination of all food-stuffs, cooked food, etc.
- (4) Campaign against flies by the introduction of a large number of formaline sprays and
- (5) Prophylactic issue of dilute sulphuric acid twice daily.

Number of political and other prisoners still undergoing imprisonment.

91 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

- (a) the number of prisoners still in prison, convicted in connexion with the picketting of liquor shops in Madura early this year;
- (b) the number of Mappilla prisoners convicted in connexion with the recent Mappilla rebellion who are still undergoing imprisonment; and
- (c) the number of political prisoners, that is, those convicted of offences against the State, who are still undergoing imprisonment?

A.—(a) 92.

(b) 8,796 including 1,219 prisoners in the Andamans.

(c) The number of prisoners convicted of offences against the State and still undergoing imprisonment is 14.

Medical help to Pandit Vajpai.

92 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

- (a) whether it is a fact that Pandit Vajpai, a political prisoner in the Central Jail, Trichinopoly, is in a critical condition; and
- (b) whether proper and adequate medical help has been given to him?

A.—(a) Pandit Vajpai having been released on December 3rd the question does not now arise.

(b) Yes; whilst he was in jail.

Local Self-Government.

The Local and Municipal Group Conferences.

93 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Minister for Local Self-Government be pleased—

- (a) to place on the table copies of all the resolutions of the various Local and Municipal group conferences held during 1922;

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(b) to state what action has been taken by the Government in regard to each of the resolutions passed at these conferences; and

(c) to place on the table a statement of the expenditure incurred by the various local bodies for the attendance of the members of the said bodies at these conferences and also the expenditure incurred from Provincial funds for the travelling allowances of the officials who attended the above conferences?

A.—(a) & (b) Copies of the resolutions passed at the Local and Municipal conferences held in 1922 with information as to the action taken thereon by Government are being printed and will shortly be placed on the table of the Legislative Council.

(c) Information as to the expenditure incurred on the 1922 conferences alone is not available. The expenditure incurred from Provincial, Local Board and Municipal funds in connexion with the travelling allowances of officers and members who attended the Local and Municipal conferences in 1921 and 1922 was approximately as follows:—

	RS.
Provincial funds	4,118
Local Board funds	24,252
Municipal funds	6,844
	<u>34,714</u>

The expenditure incurred on the conferences held in 1922 may roughly be taken at half the above sums.

Appointment of non-Indians in the Local Self-Government Department.

94 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

- (a) the number of appointments held by non-Indians at the time he assumed office in the departments administered by him, and the salaries of these appointments, and
- (b) the number and salaries of such appointments, if any, now held by

Indians?

A.—(a) & (b) The Government presume that information is wanted only in regard to the gazetted appointments paid from provincial funds. As regards the appointments in the Medical Department including those of the Director of Public Health and the Assistant Directors of Public Health, the hon. Member is referred to the Quarterly Civil Medical list issued in January 1921 and October 1923, copies of which are available to hon. Members. In the other departments under the Minister, no non-Indians were employed at the time when he assumed office.

Mappilla Rebellion.

Number of Mappillas tried by the various courts in Malabar.

95 Q.—Mr. T. M. MOUDU SAHIB: Will the hon. the Home Member be pleased to state—

- (a) how many Mappillas were tried up to date for offences connected with the rebellion—

- (1) by the Military Court,
- (2) by the Special Tribunal,

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- (3) by the Special Judges,
- (4) by the Special Magistrates,
- (5) by the Summary Courts, and
- (6) by the Sessions Courts; and

(b) how many were discharged or acquitted and how many were convicted by each of the Courts mentioned in clause (a)?

A.—The Government regret that they are not in possession of the information asked for.

Mr. T. M. MOIDU SAHIB:—“Will the Government be pleased to call for the information?”

The hon. Sir ARTHUR KNAPP:—“I don't think I will be justified in asking the local officers to spend a lot of time in collecting this information.”

Mr. C. RAMALINGA REDDI:—“The information may be useful in arriving at a decision regarding any grace that may be shown to the men still in jail.”

The hon. Sir ARTHUR KNAPP:—“I do not quite see, Sir, what my hon. Friend is suggesting. Apparently his idea is that if we know the number of cases in which the men were discharged or acquitted, we will be in a position to arrive at some decision as to whether the remaining convictions also are proper.”

Mr. C. RAMALINGA REDDI:—“I am sorry I made a mistake; I thought that these referred to appeals.”

Mr. ABBAS ALI KHAN SAHIB:—“May I ask the Government to call for the information?”

The hon. Sir ARTHUR KNAPP:—“I have already said, Sir, that I don't think I will be justified in asking the officers to spend their time in collecting these statistics.”

Mr. ABBAS ALI KHAN SAHIB:—“Some of us want to table a Resolution on the subject and before doing so we want to have correct statistics. These statistics will help us in moving our Resolution.”

The hon. Sir ARTHUR KNAPP:—“When the Resolution comes up I shall take care to give my hon. Friend the correct figures.”

Number of Mappillas awaiting trial.

96 Q.—Mr. T. M. MOIDU SAHIB: Will the hon. the Home Member be pleased to state the number of Mappillas awaiting trial in cases connected with the rebellion pending before the Courts?

A.—On December 15th the number was nine.

Number of Mappillas yet to be arrested.

97 Q.—Mr. T. M. MOIDU SAHIB: Will the hon. the Home Member be pleased to state whether there are Mappillas yet to be arrested for offences connected with the rebellion and, if so, how many?

A.—The number of Mappillas still to be arrested on December 21st was 219. Many of these have been absconding for long periods.

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Conviction of one Ahamad Kutti of Ernad taluk.

98 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that one Kanadancherri Ahamad Kutti of Nannambra amsam, Cherumukku desam of Ernad taluk, Malabar district, was convicted in connexion with the recent Malabar occurrences and sentenced to twenty years' rigorous imprisonment, mainly on the evidence of his personal enemy, one Chattakutti Kurup, who has since been dismissed from his post under Government as Adhikari and has been bound over for good behaviour for three years; and

(b) whether, under the above circumstance, the Government propose to release the said Ahamad Kutti?

A.—The case is under the consideration of the Government.

Conviction of Moideen Kutty and Soopy of Ernad taluk.

99 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state whether the attention of the Government has been drawn to the circumstances under which Moideen Kutty and Soopy of Cherumukku desam of Ernad taluk, Malabar district, were convicted and sentenced to fourteen years' rigorous imprisonment and whether the Government propose to release them?

A.—The Government have recently received a petition on the subject and have referred it to the District Magistrate for report.

Mappillas in prison who have not been brought to trial.

100 Q.—Mr. K. UPPI SAHIB: Will the hon. the Home Member be pleased to state whether there are Mappillas arrested and imprisoned during and after the rebellion who have neither been charged nor brought to trial before any court of law and if so, how many and under what provision of law they are kept in prison and how many of them have been in prison for one year and more?

A.—Two hundred and twenty-eight Mappillas have actually been arrested and dealt with under the Madras State Prisoners Regulation II of 1819 since the commencement of the rebellion. The orders relating to 111 of these are more than one year old.

Mappillas externed from Malabar.

101 Q.—Mr. K. UPPI SAHIB: Will the hon. the Home Member be pleased to state—

- (1) (a) whether Mappillas have been externed from Malabar in connexion with the rebellion,
- (b) and if so, how many males and how many females,
- (c) under what provision of law they have been externed, and
- (d) whether the Government have made any provision for their maintenance or the maintenance of their families; and

(2) whether it is a fact that a Mappilla woman named Chettali Modayangatt Beeyumma of Tirurangadi amsam, Ernad taluk, South Malabar, aged 70 years, who has been prohibited from going to Malabar by the Government, had sent a memorial to the Government, praying to be allowed to go to Malabar or to have a provision made for her maintenance, and whether it is a fact that the Government declined to do either?

[5th February 1924]

A.—(1) The hon. Member is referred to the answer to question No. 100 (72). No female has been dealt with under the Regulation. Only one man who has been removed from Malabar under the Regulations has not been detained in jail and he has been granted an allowance in conformity with the provisions of the Regulations.

The District Magistrate has in a few cases accepted voluntary undertakings from certain persons to leave the Malabar district. The woman referred to in clause (2) is one such case.

(2) The facts stated are correct except that the woman herself in the first instance agreed to leave Malabar and her undertaking was accepted by the Government. She was actively concerned in a particularly bad case of forcible conversion.

Mr. K. UPPI SAHIB :—“Will the Government be pleased to make provision for her maintenance?”

The hon. Sir ARTHUR KNAPP :—“I am prepared to look into the matter.”

Number of Mappilla children convicts.

102 Q.—Mr. K. UPPI SAHIB : Will the hon. the Home Member be pleased to state (1) how many Mappilla women and (2) how many Mappilla children below 16 years of age have been convicted for offences connected with the rebellion and for what offences?

A.—The Government have no information.

Number of Mappillas killed by the Military and Police in connexion with the rebellion.

103 Q.—Mr. K. UPPI SAHIB : Will the hon. the Home Member be pleased to state—

(1) how many Mappilla males above 16 years,

(2) how many Mappilla women above 16 years of age, and

(3) how many Mappilla children of 16 years and below

were killed by the Military and Police in connexion with the rebellion?

A.—(1), (2) & (3) The number of Mappillas killed in the rebellion was between 1,200 and 1,500.

Government have no information of the age and sex of those who were killed.

Losses sustained by officials and non-officials during the Mappilla rebellion.

104 Q.—Mr. K. UPPI SAHIB : Will the hon. the Home Member be pleased to state—

(a) whether statements have been called for from the public by the Military or Civil authorities as to the losses sustained by officials or non-officials on account of the military operations or by the act of rebels or by both;

(b) whether applications have been received from non-officials for compensation for such losses;

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(c) what was the total amount of loss sustained by non-officials as shown by the statement or applications referred to in clauses (a) and (b) (i) by Hindus, (ii) by Mappillas and (iii) by Europeans, respectively; and

(d) what amount of compensation for such losses has been paid by the Government (i) to officials, (ii) to non-official Hindus, (iii) to non-official Mappillas and (iv) to non-official Europeans?

A.—(a) The Government have no information regarding the action taken by the Military authorities. Statements of losses incurred by officials have been called for by the Civil authorities and have been disposed of.

(b) Yes.

(c) The Government have no information.

(d) As regards officials, the attention of the hon. Member is invited to the answer to Question No. 362 given in November 1922. Since that date, the Government have sanctioned the payment of further sums amounting to Rs. 48,626 to village officers and other Government servants. No compensation has been paid to non-officials; but they have been granted relief in the shape of loans.

The number of Mappilla convicts that died in jail.

105 Q.—Mr. K. UPPI SAHIB : Will the hon. the Home Member be pleased to state—

(a) the number of Mappillas imprisoned in connexion with the rebellion who died in jail (1) during the year 1921, (2) during the first half of the year 1922, (3) during the second half of the year 1922 and (4) during 1923;

(b) what were the diseases of which they died showing how many died of each of those diseases; and

(c) whether the corpses of the Mappillas who died in jail were given to the Muhammadans of the locality for burial according to the Muhammadan religion and, if so, how many corpses were so given to the Muhammadans and whether the rest were buried according to Muhammadan religion or not?

A.—(a) (1) 57; (2) 606; (3) 323; and (4) 184.

(b) Cholera 22; dysentery 293; pulmonary tuberculosis 48; other tubercular diseases 22; malarial fever 27; pneumonia 151; gastro enteritis 25; enteritis 194; cerebro spinal fever 29; influenza 111; smallpox 8; ankylostomiasis 55; and other diseases 185.

(c) 325 corpses of Mappilla prisoners were given to the Muhammadans of the locality for burial and the rest were buried in jails according to Muhammadan religion.

Medical College.

Fees of students in the Medical College.

106 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the fees of the students of the Medical College, Madras, are to be raised from July 1924, and, if so, by how much; and

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(b) whether the increased fees are to be paid also by students who, though they joined the College in 1923 or earlier, happen not to pass the yearly examinations?

A.—(a) & (b) The attention of the hon. Member is invited to G.O. No. 1014, P.H., dated 25th June 1923, which has been published in the *Fort St. George Gazette*. A copy of the order is also now laid on the table.*

Mr. G. RAMESWARA RAO:—“Does the Government Order apply to students who fail subsequent to July 1924 or also to those who have already failed?”

The hon. the RAJA OF PANAGAL:—“It applies only to those who fail subsequent to that year.”

Medical Service.

Appointment of Assistant Surgeons to taluk headquarter stations.

107 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state whether there is a proposal to appoint Assistant Surgeons to all taluk headquarter stations, ousting the present sub-assistant surgeons in charge, and what, if so, the additional cost is likely to be?

A.—No such proposal is under consideration.

Permission to local bodies to have their own medical men.

108 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state whether the Government have permitted or propose to permit local bodies to have, if they like, their own medical men in all medical institutions in their charge with the exception of those at the taluk headquarters?

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

The Lawley Hospital.

109 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Resolution of the Coonoor Municipal Council, dated 5th December 1923, was submitted to Government for a substantial annual grant from the Government or to increase the grant to the District Board, Nilgiris, from Rs. 1,000 to Rs. 5,000 as before, in order to maintain the Lawley Hospital; and

(b) what order the Government passed on the Resolution of the Coonoor Municipal Council?

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

(b) The Government have not yet passed orders on the Resolution.

* Printed as Appendix I on page 48 infra.

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Munsifs' Courts.

Pay of examiners of copies of District Munsifs' Courts.

110 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(i) whether it is a fact that, prior to the Great War, the examiners of copies of District Munsifs' Courts ranked equal in pay and status with the third clerks of the said courts;

(ii) whether it is a fact that during the War Government granted the same scale of temporary increase of pay to the examiners of copies as was granted to the clerks in the regular line including the third clerks;

(iii) whether it is also a fact that under the revisions of pay recently sanctioned Government have reduced the pay and prospects of the examiners of copies far below the scale granted to the clerks in the regular line; and

(iv) if the answers to the above questions be in the affirmative, whether the Government will be pleased to assign their reasons which induced them to degrade the examiners as indicated above?

A.—(i) The pay in both cases was the same.

(ii) Government did not grant any temporary increase of pay during the war but merely granted war allowance. It was on the same scale for examiners and third clerks.

(iii) The scale sanctioned for clerks employed in District Munsifs' Courts is Rs. 35—35—1½—50—1—60 and that sanctioned for examiners is Rs. 35—1—40.

(iv) The Government do not consider the work of the examiner so onerous as that of clerks of the regular establishment. In their opinion, the duties of the examiner are more mechanical for the performance of which no long experience is required.

Panchayats.

Village panchayats.

111 Q.—Rao Bahadur A. M. MURUGAPPA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether the working of the system of village panchayats has been successful, and if so, whether the Government propose to extend the system throughout the Presidency; and

(b) whether any panchayat courts were introduced in the Ramnad district; if so, the nature of their working, and if not, whether the Government have any proposals to introduce the system in the Ramnad district?

A.—(a) If the hon. Member is referring to Panchayat courts, his attention is referred to G.O. No. 2410, Law (General), dated the 2nd October 1923, which has been placed on the Editors' Table. It is the policy of the Government to encourage the formation of Panchayat courts throughout the Presidency wherever local conditions permit.

(b) Sixty-seven courts were introduced in the Ramnad district by the end of the year 1922. The nature of the working of these courts shows that they are becoming popular.

Railways.

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Railway from Arantangi to Karaikudi.

112 Q.—Rao Bahadur A. M. MURUGAPPA CHETTIYAR: Will the hon. the Home Member be pleased to state whether there is any scheme under the consideration of the Government for the construction of a railway from Arantangi to Karaikudi, and if so, whether the scheme is likely to be taken up in the immediate future?

A.—Yes. The question is under the consideration of the Railway Board.

Aid to local bodies for railway construction.

113 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government and the hon. the Home Member be pleased to state whether it is the intention of the Government to aid local bodies by means of loans or otherwise in the work of railway construction?

A.—The Government have not yet come to any decision. They are awaiting a reply from the Government of India to a reference made to them on the subject.

Financial aid to district boards for expenditure on Railways.

114 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government and the hon. the Member for Finance be pleased to state whether the Government have addressed the Government of India to set apart a portion of the loan funds, or of the 150 crores set apart for Railways, to assist such district boards as have a substantial sum at their disposal for expenditure on Railways?

A.—The answer is in the negative.

The Tanjore district board railway.

115 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government and the hon. the Home Member be pleased to state the percentage borne by working expenses to gross earnings on the several district board railway lines, and, if the percentage is high in the case of the Tanjore district board railway, the reasons for the marked increase?

A.—The information is not available.

Mr. A. RANGANATHA MUDALIYAR:—"I think it is a matter of some importance if the working expenses bear a high percentage to the gross earnings. Therefore, will the Government be pleased to call for the information?"

The hon. the RAJA OF PANAGAL:—"I have no objection to call for the information."

The Tanjore district board railway.

116 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government and the hon. the Home Member be pleased to state—

(a) whether it is a fact that the Tanjore district board has been asked by the Government of Madras to consider a proposal to sell its railway to the South Indian Railway Company; and

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(b) whether it is a fact that the time-table arranged by the South Indian Railway Company works to the detriment of the district board railway?

A.—(a) No, but a proposal to sell to the Government of India has been made.

(b) The Government have no information.

Mr. S. SATYAMURTI:—"May I know, Sir, whether the proposal to sell the district board railway to the Government of India has been sent to the district board and whether any reply has been received from them and, if so, what the nature of the reply is?"

The hon. the RAJA OF PANAGAL:—"Their reply has not yet been received."

Mr. A. RANGANATHA MUDALIYAR:—"There is a statement here, Sir, that the South Indian Railway Company has arranged its time-table to the detriment of the district board railway. Government say that they have no information. Will they be pleased to call for the information?"

The hon. Sir ARTHUR KNAPP:—"It is not a matter within the cognizance of this Government and on that ground possibly the question itself was not admissible; but we did not raise that point. The details of Railway management are a matter concerning the Railway Board and should be discussed in the Legislative Assembly and not in this House."

Mr. S. SATYAMURTI:—"The question of the admissibility or otherwise of the question is a matter entirely in your hands, Sir, and the question has been admitted and the Government have given an answer that they have no information. The time-table of the South Indian Railway Company and its working to the detriment of the district board railway are matters with which we are concerned, because after all district boards are administered by a Member of the Cabinet who is supposed to be responsible to this House, whatever the fact may be."

The hon. Sir CHARLES TODHUNTER:—"May I know, Sir, whether the hon. Gentleman is asking a supplementary question or raising a point of order, or making a speech at large, and if the latter, whether he is in order in making a speech?"

Mr. S. SATYAMURTI:—"I am raising a point of order and putting a supplementary question. My point of order is this: that the question having once been admitted and answered by the Government in a particular manner, it is not open to any hon. Member of this House to raise a point of order on that matter at this stage."

The hon. Sir ARTHUR KNAPP:—"If the reference is to me, I did not raise any point of order."

The hon. the PRESIDENT:—"No one disputed the admissibility of the question: so there is really no point of order here. The hon. Member may go on with the supplementary question, if he has any."

Mr. S. SATYAMURTI:—"I will ask the hon. the Home Member to consider whether the fact that the time-table of the South Indian Railway Company works to the detriment of the Tanjore District Board Railway is not a matter . . ."

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The hon. Sir ARTHUR KNAPP :—" My hon. Friend is asking me to consider something that is not exactly a supplementary question."

Mr. S. SATYAMURTI :—" I wish to be allowed to finish my sentence. The time-table of the South Indian Railway Company working to the detriment of the District Board Railway is within our cognizance. I may suggest that the profit or loss of the Tanjore District Board is a matter with which we are concerned; the district board is administered by us. Therefore, I am asking whether the Government will be pleased to call for the information in view of this statement?"

Railway line between Erode and Satyamangalam.

117 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the district board of Coimbatore has resolved to construct a railway line between Erode and Satyamangalam; and whether an application has been made to the Government for financial aid; and

(b) whether the Government have any intention of rendering any financial help of any shape whatever; and if so, when, and to what extent?

A.—(a) In October 1921 the Coimbatore district board proposed to take up the Erode-Satyamangalam line and applied to Government for a loan of Rs. 25 lakhs to construct it. In view of the Secretary of State's decision approving the reconversion of the Erode-Trichinopoly line to broad gauge the district board was informed that the Erode-Satyamangalam line would no longer form part of a through metre gauge route between Mysore and South India. The board was requested to re-examine the project on its own merits as an isolated district board line on a 2' 6" gauge or as a tram line. The district board has not reported its views.

(b) It is not possible to answer this question at the present stage.

Registration.

Departmental punishment of Sub-Registrars.

118 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education (Registration) be pleased to state—

(1) the number of Brahman and non-Brahman Sub-Registrars who were awarded punishments of the following description since the assumption of charge by the present Inspector-General of Registration :—(a) Fine; (b) stoppage of annual increment (i) for six months and (ii) for twelve months; (c) (i) suspension for three months and less, (ii) suspension for more than three months but less than six months, (iii) suspension for more than six months but less than twelve months, (iv) suspension for more than twelve months; and (d) dismissal;

(2) in how many cases petitions for reconsideration of these punishments were received (a) from Brahman Sub-Registrars, (b) from non-Brahman Sub-Registrars; and

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(3) in how many cases the above punishments were totally cancelled (a) in the case of Brahman officers and (b) in the case of non-Brahman officers?

	Brahman Sub-Registrars.	Non-Brahman Sub-Registrars.
A—(1) Total number in the department ...	353	290
(a) Fine ...	23	9
(b) Stoppage of annual increments—		
(i) for 6 months and less ...	17	17
(ii) for 12 months ...	30	14
(c) Suspension—		
(i) for 3 months and less ...	10	2
(ii) for more than 3 months but less than 6 months ...	8	4
(iii) for more than 6 months but less than 12 months ...	9	Nil
(iv) for more than 12 months ...	4	Nil
(d) Dismissals ...	6	3
Removals from service ...	2	5

(2) (a) 42, (b) 18.

(3) (a) 5, (b) 4.

Mr. JANAB MUHAMMAD YAHYA ALI SAHIB :—" May I know, Sir, whether Muhammadans are included in the term 'Non-Brahman'?"

The hon. Rao Bahadur Sir A. P. PATRO :—" I shall supply the information to the hon. Member later on."

Filling up of clerical vacancies in the Registration department.

119 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education (Registration) be pleased to state whether it is a fact that since the assumption of charge by the present Inspector-General of Registration, the majority of temporary vacancies in clerkships are not filled up with a view to show savings, in spite of the fact that such a procedure is causing a good deal of hardship to the other clerks on account of their having to work during non-office hours and on holidays?

A.—The answer is in the negative.

Petty repairs in the Registration department.

120 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education (Registration) be pleased to state whether it is a fact that the present Inspector-General of Registration grudges the sanction of sufficient allotment for petty repairs to buildings and furniture and that in consequence the condition of the buildings and furniture in the case of a large number of offices is far from satisfactory?

A.—The answer is in the negative.

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Circuit of the Inspector-General of Registration.

121 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education (Registration) be pleased to state the number of days spent in camp by the Inspector-General of Registration during the years 1920-21 and 1922-23 and the amount of travelling allowance drawn by him during the respective years?

A.—

	Number of days.	Amount.	Number of offices inspected.
		Rs.	
1920-21	198	2,749	13
1921-22	131	2,422	8
1922-23	256	6,483	58

The increase of expenditure in 1922-23 was due besides to increase in the rate of travelling and daily allowance, to the Inspector-General having had to do the inspections and enquiries conducted in 1920-21 by the Inspector of Registration Offices which post was recommended by the Legislative Council to be abolished and consequently is kept unfilled and also by the Assistant to the Registrar of Joint Stock Companies. The total amount of travelling allowance drawn by the three officers was as follows:—

	Rs.	A.	P.
1920-21	6,283	4	0
1921-22	7,278	7	0

Travelling expenses in the Registration department.

122 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education (Registration) be pleased to state the charges incurred by the Registration department under travelling expenses during the years 1920-21 and 1922-23?

A.—Rs. 67,995 during 1920-21.

Rs. 56,079 during 1922-23.

Roads.*Roads of the Central districts.*

123 Q.—Mr. M. RATNASWAMI: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) the total mileage of roads (apart from cart-tracks and bridle paths) in the districts of South Arcot, Chingleput, North Arcot, Cuddapah, Kurnool, Bellary and Anantapur;

(2) what is the proportion of road mileage in each of these districts to its area in square miles;

(3) how many villages having a population of more than 500 are served by pukka roads and how many are not in each of these districts; and

(4) how many railway stations in each of these districts are served by pukka roads?

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A.—(1) & (2) The mileage of roads maintained by local boards in 1922-23 and its proportion to the area of the district are given below:—

District.	Mileage of roads maintained by local boards.	Number of miles of road per 100 square miles of area.
	MILES.	
South Arcot	1,195½	28·4
Chingleput	1,094½	35·5
North Arcot	1,283	26
Cuddapah	942½	16·01
Kurnool	825½	10·9
Bellary	930½	16·1
Anantapur	1,040	15·4

(3) & (4) The Government have no information.

Village roads in the delta area of Godavari and Kistna districts.

124 Q.—Rai Bahadur Sir K. VENKATAREDDI NAYUDU: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government are aware of the deplorable condition of the village roads in the delta area of the Godavari and Kistna districts, which, in the rainy season, are in many cases impassable;

(b) whether it is a fact that it is impossible for the district boards concerned to construct these roads without substantial financial help from the Government; and

(c) whether the Government have in hand any scheme for redressing this grievance, and, if so, whether the Government will place it on the table of this Council?

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

(b) & (c) On principle Government grants have been restricted to trunk roads and second-class roads. The cost of constructing and maintaining village roads should be met entirely by the local boards. With the relief afforded by the Government by the payment of grants for trunk roads and second-class roads it should be possible for the Godavari and Kistna District Boards to make adequate provision for village roads. The Government have no scheme on hand for the improvement of village roads.

Separation of Executive and Judicial.*Report of Committee on separation of executive and judicial functions.*

125 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Law Member be pleased to state whether the Government have passed orders on the Report of the Committee appointed for the consideration of the question of separation of judicial and executive functions?

A.—The hon. Member is referred to the answer of question 8 given on the 10th December 1923.

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Travelling allowance drawn by the hon. Ministers.

126 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Member for Finance be pleased to state the amount of travelling allowance drawn by the hon. the Ministers from January 1923 up to the end of October last?

A.—The following figures show the total amounts of railway charges made by book adjustment plus bills drawn for actual expenses on account of each of the three hon. Ministers for the period in question:—

	RS.	A.	P.
(1) The hon. the Raja of Panagal, Minister for Local Self-Government	9,307	7	0
(2) The hon. Sir K. V. Reddi, Minister for Development	3,022	11	6
(3) The hon. Mr. A. P. Patro, Minister for Education	4,623	4	0

Tree-tax.*Tree-tax in the Trichinopoly district.*

11-30 a.m. 127 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Member for Revenue be pleased—

(1) to state whether the Government would consider the desirability of reducing the tax on coconut and other trees in the Trichinopoly district as has been done in the neighbouring district of Tanjore as per G.O. No. 136, Revenue, dated 24th January 1923;

(2) to lay on the table papers showing the history of the tree-tax system in the Tanjore district;

(3) to furnish information as to the number of taxed trees in the Trichinopoly district and the annual revenue derived, or expected to be derived, therefrom, before and after the revision of tree-tax sanctioned in B.P. No. 47, dated 11th August 1921, in respect of the undermentioned trees:—

Coconut,	Mango,	Illuppai and
Tamarind,	Jack,	Palmyra;

(4) if the information is not available with Government, to call for it; and

(5) to state the reasons which have led to the differentiation in rates between the districts of Tanjore and Trichinopoly and also with reference to the ownership of fallen trees?

A.—(1) No.

(2) Copy of paragraph 29 of B.P. No. 305, dated 22nd January 1858, and of paragraphs 2 and 3 of Board's Resolution No. 9542, dated 17th December 1892, is laid* on the table.

* Printed as Appendix II on page 49 infra.

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(3) & (4) The Government have not the detailed information. The total tree-tax for faslis 1331 and 1332, i.e., for the years previous and subsequent to the revision was as follows:—

	RS.
Fasli 1331	31,254
Fasli 1332	74,325

(5) The differentiation in regard to ownership of fallen trees is due to the fact that in Tanjore there has survived an older system of taxation under which the trees planted on assessed land were taxed instead of the land on which they grow. This system has disappeared in all other districts. The same fact explains the reason why the Government lowered the rate for Tanjore.

Village Officers.*Village shanbhogues of South Kanara.*

128 Q.—Mr. B. MAHABALA HEGDE: Will the hon. the Member for Revenue be pleased to state whether the grievances of village shanbhogues of South Kanara (karnams) have come to the notice of Government?

A.—The Government are not aware of the grievances of the village shanbhogues of South Kanara nor have they received any representations from them.

Village officers whose services were dispensed with under the regrouping of villages.

129 Q.—Rao Bahadur O. TANIKACHALA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) the number of village officers whose services were dispensed with in consequence of the regrouping of villages effected by Government during the last two years;

(b) in how many cases appeals were preferred to the Collector;

(c) in how many of such cases the Collector has revised the orders of the Divisional officers;

(d) in how many cases appeals or revision petitions were preferred to the Board of Revenue against the orders of the Collector; and

(e) in how many of such cases the Board revised the orders of the Collector?

A.—Regrouping of villages is effected by the Board of Revenue with reference to the provisions of the Madras Act II of 1894 and Act III of 1895. The number of village officers and menials whose abolition the Board has sanctioned during the last two calendar years is given below, but the actual number dispensed with is not known as the process of carrying out the orders is still going on:—

	Karnams.	Assistant Karnams.	Headmen.	Monigars.	Vettis.	Nirgantis.	Talayaris.
Ryotwari areas	1,138	608	2,356	885	5,751	1,035	4,979
Proprietary areas	611	12	494	51	24	1	266

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Against this must be set off the increase of 472 in the number of triune officers in proprietary estates.

As regards the other clauses of the question, the collection of the statistics will involve an undue amount of work in the district offices. The Government do not therefore propose to ask the Board to undertake this.

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"However much it may be inconvenient to call upon the Collectors to furnish information as to the number of appeals received from the village officers in view of the labour involved, I don't think there will be any difficulty in getting the information from the Board of Revenue. I expect that in a place like the Board of Revenue, well conducted as it is, there is a register maintained containing the appeals that have been preferred and another column showing what was done with each appeal, whether it was allowed or rejected. So will the hon. Member be pleased to reconsider his decision and propose to ask the Board of Revenue to give information about a matter about which so much of hardship is felt and much feeling is entertained all over the Presidency?"

The hon. the RAJA OF KOLLENGODE:—"I shall call for the information."

Water-supply.

Bellary water-supply scheme.

130 Q.—Mr. K. ABDUL HYE SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government are willing to take up the Bellary water scheme which has been kept in abeyance for want of funds;

(b) whether it is a fact that there is a great scarcity of drinking water in Bellary town and that the two or three wells which are the main source of supply are getting dried up for want of rain;

(c) whether it is a fact that the Collector of Bellary has pressed the said point several times and, if it is so, what action has been taken on his representation;

(d) whether it is a fact that the supply of water in the Fort ditch has been reserved solely for the Mappilla convicts; and

(e) for how many months the supply of water in the Bellary town will last?

A.—(a) The Government have already decided to take up the scheme at once for execution and have agreed as a very special case to bear 75 per cent of the initial cost of the scheme. The Bellary Municipal Council has been asked to report immediately whether it agrees to impose the taxation required to finance its share of the capital cost and to meet the maintenance charges.

(b) The Government understand that owing to the failure of the rains the water level in all the main sources of supply is very low for this time of the year. These sources are reported to be (1) the artesian well, (2) the Fort ditch, (3) the mainwaring and Nulla tanks and (4) some wells.

(c) The answer is in the affirmative. The Chief Engineer was specially sent to Bellary to report on the water-supply scheme. Work will be commenced very soon and it is expected that the scheme will be completed in less than a year.

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- (d) From a report received from the Chairman, dated 1st December, it appears that the public of Cowl Bazaar have been prohibited by the District Magistrate from taking water from the Fort ditch. The Government are enquiring into the matter.
- (e) The Government have no definite information; but the Chief Engineer, Public Works Department, has reported that there may be great scarcity of water during the next six months.

Water-supply to Patha Cuddapah tank.

131 Q.—Rai Bahadur T. M. NARASIMHACHARLU: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the water-supply to Patha Cuddapah tank from the Cuddapah-Kurnool canal has considerably diminished owing to the Ukkayapalli project and that this decrease is causing great hardship to the ryots under the said tank;

(b) whether the Government intend to take early steps to ensure a sufficient supply to the tank by widening the water course in the canal or taking such other necessary steps as would give sufficient supply to the tank; and

(c) whether the Government will enquire into the matter?

A.—The answer is in the negative. During the execution of the Ukkayapalli project, the supply channel to the Patha Cuddapah tank was widened to suit the increased ayacut brought in by the project. It is understood that after the execution of the project the supply to the tank has improved and the area irrigated under it has increased appreciably.

Water convenience in Mulluvadi, Salem district.

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

(a) whether it is a fact that the members of the depressed classes suffer very much for want of a water tap in their locality alongside the public road in Mulluvadi, Salem, and

(b) why no steps have been taken by the Salem Municipal Council to provide a water tap for the depressed classes in a suitable place in Mulluvadi, Salem?

A.—(a) & (b) The Government have no information.

Mr. R. VEERIAN:—"Will the Government be pleased to call for the information."

The hon. the RAJA OF PANAGAL:—"Yes."

Weights and Measures.

Weights and measures in Coimbatore municipality.

133 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that defective measures, scales and weights are being allowed in the markets, bazaars and shops in the Coimbatore municipality; and

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(b) whether it is a fact that the by-laws framed by the sub-committee for prescribing and providing standard weights, scales and measures and preventing the use of any others, and recommending at the same time the appointment of a special officer to look after the work are still kept in abeyance for a very long time by the Chairman of the Coimbatore Municipality instead of placing the same before the full council for approval though the members of the sub-committee requested him to place the matter before the full council?

A.—(a) & (b) The Government have no information.

Mr. R. VEERIAN :—"In this case also, will the Government be pleased to call for the information."

The hon. the RAJA OF PANAGAL :—"They have no objection to do so."

Local Self-Government.

133-A Q.—Mr. A. RAMASWAMI MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) whether he has since verified the statement made by him on the 28th November during the debate on the "No Confidence" motion that the hon. Member for Chittoor, Mr. C. Ramalinga Reddy, did apply to him for a nomination to a membership of the District Board of Chittoor;

(2) in view of the emphatic repudiation of the hon. Member that he did not seek the intercession of the hon. the Chief Minister to get any appointment of any kind, whether the hon. Member desired his help to get any particular appointments, and, if so, which; and

(3) if the answer to the above two clauses be in the affirmative, whether he will lay on the table of the House any records in his possession substantiating his statements?

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

(2) The hon. Member has written to me asking me to appoint him as a member of the Chittoor District Board. He has also written to me in connexion with two other appointments, namely, the Presidentship of the Legislative Council and the Vice-Chancellorship of the Madras University.

(3) I am averse to laying private letters on the table of the House, but I shall be compelled to do so in this case if the hon. Member does not admit that the statement made by him on the occasion referred to in the question was contrary to the fact.

Mr. S. SATYAMURTI :—"May I rise to a point of order, Sir? If you will kindly turn to Standing Order No. 28, you will find that it runs thus:

'A question may be asked for the purpose of obtaining information on a matter of public concern within the special cognizance of the Member to whom it is addressed.'

"On the same matter there is another Standing Order which runs thus:

'30 (1). A question addressed to a member of the Government must relate to the public affairs with which he is officially connected or to a matter of administration for which he is responsible.'

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"Now, Sir, I am bringing these orders to your notice so that I may take your ruling as to whether the act of a private Member having applied to the hon. the Chief Minister for some appointment or another is a 'matter of administration for which he is responsible.' But I may say, Sir, that from the answer to that question as printed here, it is admitted that the letter written by the private Member is a private letter addressed to a Member of the Cabinet. Under the circumstances, I ask, Sir, whether this question is in order."

The hon. Sir CHARLES TODHUNTER :—"Sir, may I ask whether the hon. Member is in order in questioning the admissibility of a question which has already been admitted?"

Mr. S. SATYAMURTI :—"I am only referring to that question and giving my suggestions with regard to the ruling which I wish to have from the hon. the President upon this matter, and not questioning its admissibility."

The hon. the PRESIDENT :—"I quite agree with the hon. the Finance Member that when once a question has been admitted it is not competent for any one to question its admissibility, but in this particular instance there is this fact also which, perhaps, will satisfy the hon. Member for the University that the question is all right. The question, as a matter of fact, was admitted under the authority of His Excellency the Governor. In virtue of a power which I have under the rules, I referred the matter for his decision, and the decision of the Governor is final. The question has been properly admitted."

Mr. C. RAMALINGA REDDI :—"May I with your permission, Sir, ask whether a personal statement is in order?"

Mr. A. RAMASWAMI MUDALIYAR :—"Sir, the question has not yet been answered and should I not be allowed to raise my supplementary questions?"

The hon. the PRESIDENT :—"It is not usual when a question has been put and answered in writing for any other question to be put except supplementary questions. I quite realize that the circumstances are peculiar, but the answer itself leaves it open to the hon. Member, Mr. C. R. Reddi, to make a statement of a particular kind if it is the wish of the hon. Member to make any such statement. I should have preferred him to put whatever he wanted to say, in the form of a supplementary question, but evidently he wants to make a continuous statement. If he is likely to take more than a minute or two to make his statement, I would rather allow the matter to stand until to-morrow and give my decision as to whether he can do so."

Mr. C. RAMALINGA REDDI :—"I thank you for your ruling, Sir."

The hon. the PRESIDENT :—"Does the hon. Member (Mr. Ramaswami Mudaliyar) want to ask supplementary questions? If so, they have to stand over."

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APPENDIX I.

[Vide answer to question No. 106 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 5th February 1924, page 34 supra.]

G.O. No. 1014, P.H., dated 25th June 1923.

In G.O. No. 889, Public, dated 29th July 1914, the Government fixed the rate of fees to be levied for the L.M.S. and the M.B., B.S. courses in the Madras Medical College at Rs. 120 a year, or Rs. 600 for the whole course of five years. This amount represented a small fraction of the actual cost incurred by the Government in educating a student, but it was fixed so low in order to popularize the medical profession. The cost of medical education has risen enormously since 1914, so much so that in 1921-22 the Government had to spend from general revenues about Rs. 921 on the average per student educated in the College in that year. The number of students seeking admission into the College has also been steadily on the increase. In 1922, out of 251 candidates qualified for admission, only 91 could be admitted into the College. The Government therefore consider that the time has now come when an enhanced rate of fees may reasonably be demanded from students in the College. They accordingly direct that the following revised rates be adopted with effect from the 1st July 1924:—

	Existing rate.	Revised rate.
	RS.	RS.
(i) Annual fee	120	200
(ii) Fee for the whole course if paid in one sum on joining the College ...	540	900
(iii) Fee for the 1st year in the case of Physical Science graduates ...	65	110
(iv) Fee for a supplementary course for students who fail in the final L.M.S. or M.B., B.S. examination.	60	100

No change will be made in the annual registration fee of Rs. 5.

2. The revised rates fixed above will be applicable to candidates joining the College in July 1924 and subsequent years. In the case of those who joined the College in previous years, the existing rates will be continued provided they complete the course regularly; if, however, a student fails in any examination and has to study in the same class another year, he will be required to pay fees at the revised rates for the whole of his subsequent course.

3. The Surgeon-General is requested to give wide publicity to these orders when inviting applications for admission into the College next year.

4. Separate orders will issue in regard to the question of instituting a suitable number of scholarships to be awarded to students in the College.

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

P. L. MOORE,
Acting Secretary to Government.

To the Surgeon-General.
" Accountant-General.
" Finance Department.
" Retrenchment Secretary.
Gazette.

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APPENDIX II.

[Vide answer to question No. 127 asked by Mr. M. R. Seturatnam Ayyar at the meeting of the Legislative Council held on the 5th February 1924, page 42 supra.]

Extract of paragraph 29 of B.P. No. 305, dated 22nd January 1858.

29. In Tanjore when assessed lands were planted with topes, the practice is to suspend the assessment and substitute a tree tax which is collected on all fruit bearing at fixed rates for each kind. In reply to the Board's enquiry whether it would not be advisable to abolish the system and levy the land tax always, the Collector replies that the change would be disadvantageous to the Government and the people. To the former it would cause an immediate loss of revenue to the amount of Rs. 14,478-4-1, while as regards the latter it would remove the encouragement which is now given to keep up and extend valuable plantations by no charge being made for the land while the trees are young and fruitless. Although therefore the toll system is cumbrous and has some disadvantages as remarked by Government, it has procured for this Province the great desideratum of a plentiful supply of valuable fruit trees and has increased the revenue and the prosperity of the landholders.

Extract of paragraphs 2 and 3 of Board's Resolution No. 9542, dated 17th December 1892.

2. The tree-tax system of Tanjore is peculiar to the district. The question E.M.C. No. 298, dated 6th March 1858, whether it should be abolished and a land tax substituted for it was considered in 1855-58, but it was decided that it should be maintained as it gave very satisfactory results in the encouragement of tree-planting. So recently as in 1885 also Government held the opinion that no change should be made in the existing practice of the district. G.O. No. 448, dated 20th April 1885.
G.O. No. 42, dated 20th January 1886.
G.O. No. 117, dated 18th February 1886.

3. Under this system which applies only to fruit trees, there are different rates for the different kinds of fruit trees. Trees on inam and patta lands and on private porambores, such as Asamikarai (margins of fields) and backyards attached to house-sites, were exempted from tax in E.M.C. No. 655, dated 31st May 1855, paragraph 7, and E.M.C. No. 298, dated 6th March 1858, paragraph 10, but it is not clear whether full effect has been given to the exemption as regards trees situated on field banks. Generally, however, the tax is now confined to topes other than those planted under the tope rules and to trees on waste land, assessed or unassessed, or poramboke. The tax is levied when the trees begin to bear and private individuals are allowed to plant them on waste and poramboke lands. The trees thus taxed are treated as the property of the mirasidar or ryot who pays the tax, and he is at liberty to fell or otherwise dispose of them at his pleasure.

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VI

PRESENTATION OF PETITION TO THE COUNCIL.

Dr. P. SUBBARAYAN :—" Under Standing Order No. 71, I beg to present a petition to the Council on behalf of the Madras Landholders' Association regarding the Irrigation Bill."

The Secretary then read the abstract of the petition.

VII

MOTION FOR ADJOURNMENT OF THE HOUSE.

Mr. SAMI VENKATACHALAM CHETTIYAR :—" I beg to move the adjournment of the House to consider an urgent matter of public importance, namely, the issue of the whip by the hon. the Minister for Local Self-Government in connexion with the 'No-Confidence' Motion moved by my hon. Friend Mr. C. Ramalinga Reddi."

Mr. A. RAMASWAMI MUDALIYAR :—" Before you give your ruling on the matter, I should like to state that it is necessary for the hon. the Mover of the Adjournment Motion to secure the support of twenty hon. Members. I may also state, Sir, that the matter has sufficiently been discussed already and that it is not a matter of urgent public importance."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" On a point of order, under the Standing Orders, it is for you to say whether you approve of it or not. I do not think any speech is in order."

Mr. A. RAMASWAMI MUDALIYAR :—" For your consideration I am submitting it, Sir."

(Voices of 'no', 'no'.)

The hon. the PRESIDENT :—" The Motion for adjournment is subject to the following restrictions :

'If the President is of opinion that the matter proposed to be discussed is in order, he shall read the statement to the Council and ask whether the Member has the leave of the Council. If objection is taken, the President shall request those Members who support the Motion to rise in their places, and if twenty or more Members rise accordingly, the President shall intimate that the Motion will be taken at 4 o'clock.'

"I now ask whether the hon. Member, Mr. Sami Venkatachalam Chettyiar, has the leave of the House and request those Members who support the Motion to rise in their places."

Objection having been taken but more than twenty Members having risen in their places,

The hon. the PRESIDENT said :—" I think there are more than twenty Members in support of the Motion. The Motion will be taken up at 4 o'clock subject to the regulations and restrictions in the Standing Orders relating to Motions for Adjournment."

VIII

DISCUSSION ON THE ARTICLE IN THE "SWARAJYA" OF 20th JANUARY 1924 REGARDING THE HON. THE PRESIDENT.

Rao Bahadur P. C. ETHIRAJULU NAYUDU :—" Sir, before you proceed with the business of the day, I wish to bring to your notice the wording of the article in the *Swarajya* dated the 20th January . . ."

The hon. the PRESIDENT :—" Does the hon. Member wish to raise a point of order ?"

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Rao Bahadur P. C. ETHIRAJULU NAYUDU :—" It is not a point of order, Sir. The dignity and the privilege of the House have been attacked in that article."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—" I rise to support my hon. Friend, Mr. Ethirajulu Nayudu. Sir, the practice and procedure of the House of Commons, in cases where the privileges of the Houses are attacked or where the impartiality of the Chair is questioned, is to take action against the offending person. So, I beg to support his application for action being taken against the *Swarajya*."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" It is undoubtedly true that under the procedure of the House of Commons, if the privileges of the House are attacked, or the impartiality of the Chair is questioned, the procedure obtaining is the summoning of the offending person before the House by the Sergeant-at-Arms who is specially appointed for such purposes. But quite apart from the circumstance that there is no such functionary like the Sergeant-at-Arms here, it appears to me that it is the inherent jurisdiction of this House that it should take notice—and severe notice—of any comments in the public press reflecting on the impartiality of one who stands and ought to stand above parties and commands the confidence of every section of the House and who is entitled to demand and receive the respect of the public. There is nothing more mischievous than an attack upon the President. This is again in the nature of an attack upon the impartiality of a Judge as to which a similar procedure obtains. Even if the Standing Orders do not allow it, I think this is an exceptional circumstance in which a convention should be established and it would be a wholesome thing if a convention was established of expressing our disapproval."

The hon. the PRESIDENT :—" Quite apart from other considerations, I would suggest to the hon. Member from Guntur to write to the Secretary and the matter will then be dealt with as upon an ordinary notice."

III.—ALLOTMENT OF DAYS FOR NON-OFFICIAL BUSINESS—cont.

Diwan Bahadur M. KRISHNAN NAYAR :—" The point that I wish to raise is this : it is stated that six days which were allotted by His Excellency the Governor for the transaction of non-official business have already been exhausted. It appears to me that it is not so. His Excellency at the commencement of the session allotted six days for non-official business. It will be remembered that no particular

12 noon. day was earmarked for the transaction of non-official business, as is the practice in other Provincial Legislative Councils and the Delhi Legislative Assembly. In other Councils certain days are earmarked for Government business and certain others for non-official business. On days on which Government business is to take place, Government business of course has priority, and when that is transacted, and if there is time left, non-official business can be proceeded with. So also, on days which are earmarked for non-official business, if there is any time left, Government business also can be transacted. It will be remembered by you, Sir, that no particular day was earmarked for the transaction of non-official business in this session. Because at the commencement of the session no Government business was ready, non-official business was proceeded with,

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"Also, I refer to section 6 of the Legislative Council Rules on page 161 of the first volume of the Legislative Council Manual which says:

'The Governor, after considering the state of business of the Council, shall, at the commencement of each session, allot as many days as are in his opinion compatible with the public interests for the business of non-official Members in the Council, and may from time to time during the session alter such allotment, and on *these days* such business shall have precedence. At all other times Government business shall have precedence.'

"The use of the words '*these days*' shows, I submit, that certain specific days should be allotted for the transaction of non-official business. Otherwise '*these days*' have no meaning.

"Important non-official bills and resolutions have been pending for a considerable time. So far as I am concerned, there is the Malabar Tenancy Bill, which has been hanging fire for the past one and a half years. If no more day for the transaction of non-official business is allotted, it is not likely that my Bill and many important resolutions will be reached till August, nearly six months from now. This point, Sir, is of considerable importance. I am not particular that you should give an immediate ruling on the matter. I will be content if you can give it at any time convenient to you. I am only submitting that this is an important matter and we want more time for non-official business, as in the month of March we shall be engaged with the budget and non-official business cannot be transacted then."

The hon. the PRESIDENT:—"The hon. Member wishes in the first place to ask for more days for the transaction of non-official business than have already been allotted by His Excellency the Governor. Secondly, he also wishes that the days should be fixed not merely as so many for the whole session, which has already been done, but that such and such days should be appointed for the transaction of non-official business. I may tell hon. Members of this House that, during the time of my predecessor, it was arranged that six days should be allotted for non-official business, and that circumstances rendered it advisable that the sittings in November and December should most of them be devoted to non-official business. Now those six days are exhausted. I shall however bring to the notice of His Excellency the Governor at an early date the desire of hon. Members that more days should be allotted and that the days so allotted should be specified."

Mr. C. RAMALINGA REDDI:—"Mr. President, Sir, I have a request to make. As matters stand at present, important non-official Bills such as the Tenancy Bill and the Mappilla Prisoners' Clemency Bill in which a large number of Members are interested have no chance of being taken up at all till August. One of the committees appointed by your distinguished predecessor made a recommendation to the effect that if we could not get through enough business during the five days that we normally sat, the sitting might be extended by a couple of days and time thus found for the transaction of more business. We are now asked to meet for three days or according to the convenience of Government for four days. It seems to me that we are here to transact non-official business as well as Government business. I wish to move the authorities to extend the present sitting, so that some urgent and important resolutions in which a large number of non-official Members are interested might be taken up for discussion."

The hon. the PRESIDENT:—"I will also bear in mind the request of the hon. Member to extend the present meeting so as to allow of non-official

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business being transacted. As many days of this meeting as are necessary will be reserved for the official business of which notice has been given. As regards more days, I shall consider the matter very carefully in consultation with the hon. the Leader of the House."

IX

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

The hon. the PRESIDENT then conveyed to the Council the following Message from His Excellency the Governor regarding the manner in which certain communications are made by him to the Council:—

Message.

'With reference to Standing Order 69 of the Standing Orders of the Madras Legislative Council which recites two ways in which communications are made by the Governor to the Council, I desire it to be understood that the two ways mentioned in the rule are not exhaustive, and that I propose to continue the practice followed during the past three years in this Council, and which is common to similar Assemblies in other parts of the Empire, under which a less formal means of communication is adopted when the occasion is suitable. In particular, I propose to pursue the practice hitherto adopted under which my recommendation in relation to a proposal for the appropriation of provincial revenues is communicated through a Member of my Government.'

WILLINGDON.

28th January 1924.

X

ELECTION OF TWELVE MEMBERS TO THE SENATE.

The hon. the PRESIDENT then announced the names of the twelve Members elected as Members of the Senate from the non-official Members of the Council:—

- | | |
|--|---|
| 1. Rao Bahadur O. Tanikaobala Chettiyar. | 7. Mr. R. Muniswami Nayudu. |
| 2. Mr. C. Ramalinga Reddi. | 8. Rao Bahadur C. Natesa Mudaliyar. |
| 3. " A. Ramaswami Mudaliyar. | 9. Mr. A. Ranganatha Mudaliyar. |
| 4. Dr. P. Subbarayan. | 10. " P. T. Rajan. |
| 5. Rao Sahib U. Rama Rao. | 11. " C. Gopala Menon. |
| 6. Mr. S. Arpudaswami Udayar. | 12. Khan Bahadur Haji Abdulla Haji Qasim Sahib Bahadur. |

XI

COMMUNICATIONS TO THE COUNCIL.

(1)

The SECRETARY laid on the table * copies of—

(i) the order of His Excellency the Governor, published in the *Fort St. George Gazette* as notification No. 108, dated 18th December 1923, appointing M.R.Ry. Diwan Bahadur Lewis Dominic Swamikannu Pillai Avargal, O.E., I.S.O., as President of the Legislative Council;

(ii) the order of His Excellency the Governor, published in the *Fort St. George Gazette* as notification No. 109, dated 18th December 1923, appointing M.R.Ry. Rasipur Varatha Krishna Ayyar Avargal, B.A., M.L., as Secretary to the Legislative Council;

(iii) the order of His Excellency the Governor, published in the *Fort St. George Gazette* as notification No. 4, dated 17th January 1924, appointing M.R.Ry. Colattur Satagopa Achariyar Avargal, B.A., as Assistant Secretary to the Legislative Council.

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(2)

The SECRETARY laid on the table * proceedings of the seventh, eighth, ninth, tenth and eleventh meetings of the Finance Committee for 1923-24, dated 6th, 17th and 18th December 1923, and 4th and 5th January 1924, respectively.

(3)

The SECRETARY laid on the table † G.O. No. 1102, Finance, dated 21st December 1923, regarding the constitution of the Public Accounts Committee for the year 1923-24.

(4)

The SECRETARY laid on the table ‡ the proceedings of the Irrigation Bill Committee.

XII

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1923-24.

Grant VI.

The hon. the RAJA OF KOLLENGODE :—" Sir, I beg to move on the recommendation of His Excellency the Governor :

That the Government be granted an additional sum of Rs. 31,000 under Grant VI. Irrigation—Civil Officers—Reserved—for repairs to minor irrigation works in the districts of Ganjam, Vizagapatam and Tinnevely damaged by cyclone and floods.

"In the district of Ganjam about 274 minor irrigation tanks in the Berhampur, Chatrapur and Chicacole taluks have been damaged by cyclone in November 1923. The Collector in his letter, dated 28th December 1923, has asked for Rs. 16,000 for urgent repairs to be spent on the tanks during this year and the Board of Revenue has recommended the sanction of the allotment of this sum. Owing to the urgency of the Demand and in view of the additional allotment of one lakh sanctioned by the Legislative Council in December 1923 under Grant VIII—General Administration—Reserved—Relief to sufferers in the Ganjam and Vizagapatam districts on account of cyclone, His Excellency the Governor has authorized the expenditure of this amount under section 72-D (2), proviso (b) of the Government of India Act, as the Council was not then in session. The sum of one lakh of rupees allotted in December was under Grant VIII because it was not then known what would be the objects on which the expenditure would be required. As a transfer cannot be made from one Grant to another by Government, the sanction of the Legislative Council is required for the fresh grant of Rs. 16,000 under Grant VI. A similar sum will be relinquished under Grant VIII.

"The amount required by the Collector in his letter of 5th January for repairs to minor irrigation works damaged by cyclone in Vizagapatam district was Rs. 8,000 and as in the case of Ganjam, Government have sanctioned the Grant anticipating sanction of the Legislative Council.

"Similarly also a sum of Rs. 12,000 was sanctioned for the Tinnevely district for very urgent repairs to the minor irrigation works in the interests of cultivation of that district. Three hundred and thirty-eight minor

* Printed as Appendix IV on pages 120-143 infra.

† Printed as Appendix V on pages 143-144 infra.

‡ Printed separately.

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Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, I beg to move for the reduction of a sum of Rs. 100 from this Grant. It is a matter to be regretted that, when making this Demand for Supplementary Grant, the Government have not thought it fit, as they did on a former occasion, to furnish an explanatory memorandum pointing out the necessity for this Supplementary Grant. On the last occasion, the House will remember, the Government gave as complete information as possible or desirable to Members, pointing out the various steps taken by them, before asking for that Demand. Now, in making this motion I do not wish to suggest that this expenditure is unnecessary or that the House should reject this Grant. I wish only to ask that when the question of damage caused by cyclone in Ganjam and Vizagapatam and the floods in Tinnevely have been before the public for a pretty long time, is it not possible for the Government to give us a comprehensive idea of the damage caused to irrigation works in these districts? It is true that the Collectors have asked for a certain amount before the close of the year and that for that amount, this Supplementary Demand is made. But it is necessary for us to know the total extent of damage caused to irrigation works, the amount proposed to be spent this year and the amount proposed to be spent hereafter. We should have been furnished all this information before we are called upon to vote for this small sum of money this year. We are now in February; what is now asked for is for expenditure before the end of this month. As every one knows that bills for works done in March would be paid in April, I believe this sum of Rs. 31,000 probably represents only a portion of the money required for putting those irrigation works in order. Therefore, without information as to the total extent of the damage caused to these works and the probable amount of expenditure to be incurred for repairing these irrigation works, it is not reasonable that we should, just on the eve of the presentation of the Budget early next month, be called upon to vote for this Grant. It is for the purpose of intimating to the Government the desirability of placing before us full and complete information about the damage caused to the various irrigation works, that I have thought it fit to make this motion."

The hon. the RAJA OF KOLLENGODE :—" Mr. President, Sir, what information was available from the reports of the Collectors concerned have already been published in the newspapers. Further reports are being prepared by the Collectors and, when they are submitted to the Government, they will be made available to the Members of this House. It is impossible just now to say the extent of damage in all these different districts, but very careful inquiries are being made and estimates are being prepared; and when they are available they will be furnished to the Members. At present, the amount asked for is for very urgent works and, if those works are not

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attended to immediately, it will lead to further damages and more expenses. In view of this fact His Excellency has thought it fit to sanction the moving of this Grant which I hope the House will sanction."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I would have expected the hon. the Revenue Member to ask the Collectors of the districts to furnish this information at once. There is no meaning in the Collectors' simply saying that this amount is required, without placing the necessary information before the hon. the Revenue Member. I would suggest to him that he would lose no time in getting that information. I do not suggest for a moment that this Grant is not required and that the House should not vote for it; but what I say is that the House should have a full idea about the extent of the damages before it is called upon to vote for a Grant of this kind."

The motion was, by leave, withdrawn.

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

Grant XI.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, I beg to move:

That the Government be granted an additional sum of Rs. 1,260 under Civil Justice for the Additional Sessions Court, Coimbatore.

"Mr. President, Sir, when I am making this motion I do not think I shall be laying myself open to the criticism levelled at my hon. Colleague the Revenue Member, by the hon. Member from Nellore. Because, I am asking practically only for the salary of the functionaries concerned. I am in a position to tell the House that the original estimate was for a month and a half and that the present motion is only for three weeks' pay in February which will be met out of the current year's Budget. We require only Rs. 1,260 and I propose to alter my Demand, with the leave of the House to a sum of Rs. 1,260. However small the sum may appear to be, it is my duty to justify that to this hon. House, especially as on a previous occasion when this matter was debated on, the hon. Member for Coimbatore expressed fairly unequivocal ideas on the subject. Those who are conversant with the proceedings of this House would remember that on the last occasion when a proposition was made for the appointment of an additional Sessions Judge in Coimbatore, my hon. Friend, Mr. Ramalinga Chettiyar, said that the state of business was such that it would not be necessary to enlist the services of any such officer. And though at that time I felt fairly convinced that his prognostications or rather his prophecies erred on the side of optimism, still I contented myself with warning my hon. Friend that I might have to come again before this House to ask for a Grant and withdrew my motion. Now what are the facts? The facts are these: The pending civil work on the file is 195 civil appeals—of which 14 are appeals against the decrees of sub-courts, 38 would be over six months at the end of this month, 54 general petitions, 73 original petitions and 47 civil miscellaneous petitions. Again, the pending criminal work—I hope my hon. Friend will forgive me if I say that his district or rather some inhabitants of his district indulge in criminal propensities to an inordinate extent swelling the criminal work in courts—stands thus: 11 sessions cases and 6 criminal appeals, and the Sessions Judge has reported to us that, on an average, 80 per cent of the cases committed to sessions in a

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month, consist of murderous offences triable only by a Sessions or an Additional Sessions Judge. The result is that much of the civil work which could not be transferred to subordinate judges on account of the nature of the work is in arrears and criminal work is accumulating. Now, I think my hon. Friend from Coimbatore will support me when I say that we must give relief to the District Judge. Under these circumstances, I confidently expect every support from a quarter from which I did not get support on the last occasion."

The hon. the PRESIDENT:—"Now that the hon. the Law Member has made a much greater reduction than that given notice of by the hon. Member, Mr. Krishna Rao, does he still wish to make his motion for reduction?"

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I am not particular about the grant being reduced by Rs. 1,250 at all. I, however, beg to move:

'To reduce the demand under Grant XI by Rs. 100.'

"The hon. the Law Member has pointed out the circumstances which go to justify the bringing in of the additional sessions court at Coimbatore and he expected support from an unexpected quarter. I take it from the silence of the Members from Coimbatore that they accept the position and feel it necessary that the Additional Sessions Judge ought to continue. But what I like to point out on this motion is this: whether, just on the eve of the presentation of the budget early next month, it is necessary to make a supplementary demand for this small sum of Rs. 1,260 and whether it would not be possible to find money from savings from some other head?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The only reason why I moved for this grant was that I should have been wanting in my respect to this House to go against its deliberate decision on the last occasion. In other cases I have reappropriated. But on a matter of this kind where the House has given its decision, I thought it was my duty to come before it for the purpose."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Then, I take it, Sir, that so far as the question of funds is concerned, it is possible to find this small sum by reappropriation. I hope he will find savings enough to meet this demand. I beg to withdraw my motion."

The motion was, by leave, withdrawn.

The demand for Rs. 1,260 was put and carried and the grant was made.

Grant XXVI.

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

That the Government be granted an additional sum of Rs. 72,000 under 41-A. Civil Works—Grants-in-aid—Grants to local bodies for the maintenance of trunk roads.

"Sir, the Government have assumed the financial responsibility for the maintenance of the trunk roads and they have hitherto paid the actual expenditure incurred by the district boards and municipalities subject to the condition that the rate does not exceed Rs. 500 and Rs. 1,000 in the case of the district boards and municipalities, respectively. In the current year, provision

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was made to the extent of Rs. 1,54,100, but this has been found to be insufficient to meet all the demands. We have already demands to the extent of Rs. 72,000, and it is to meet these demands that I move for this grant."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, I beg to move :

that a sum of Rs. 100 be omitted from this grant.

"The hon. the Minister for Local Self-Government has informed this House that the Government have undertaken responsibility for the maintenance of trunk roads and that, in giving effect to that undertaking, it has been found necessary to ask for this supplementary grant. I realize the necessity for this grant and, if I have found it necessary to make this motion for reduction, it is only to point out to the hon. the Minister and to this House that the way in which the Government have been discharging this responsibility is not quite satisfactory. In the first place, shortly after the recommendations of the Financial Relations Committee were before the Government, it was pointed out that to make a hard and fast rule of Rs. 500 in the case of district boards and Rs. 1,000 in the case of municipalities, would work serious hardship and that there must be facility for reasonable increase of it wherever it is found absolutely necessary. Again, Sir, in defining trunk roads—the nomenclature adopted by the Financial Relations Committee being first-class roads—it is pointed out that all roads connecting one district with another are roads of provincial importance and should be classed as trunk roads. Road committees were appointed in various districts consisting not only of representatives of local bodies, but also the Collector of the district and the Executive Engineer. These committees made proposals consistently with the recommendations of, or the principles enunciated by, the Financial Relations Committee, for the addition of certain other roads as first-class roads. But nothing tangible or substantial has so far been done for increasing the number of trunk roads to be maintained by the Government. When once the principle has been conceded that first-class roads or trunk roads are roads which connect one district with another, whether they cost Rs. 10,000 or Rs. 20,000, the Government should make itself entirely responsible for the maintenance of those roads.

"My chief complaint is that the Government have not realized their responsibility by including within the category of trunk roads those which really deserve to be treated as such. Secondly, my complaint is that they have not given the allotment which the local bodies require even in excess of the limits of Rs. 500 or Rs. 1,000 as the case may be.

"Another point which I must raise in regard to this motion is that the Government have latterly embarked on a policy of creating restrictions and limitations on the powers of the local bodies whenever they choose to make a grant. I may remind the House that this is an unfortunate policy which has been inaugurated more after the Reforms than before (hear, hear). It will be remembered that before the Reforms, and in the Joint Report on Constitutional Reforms, it was stated that local bodies ought to be the first training ground for Self-Government and that as far as possible complete popular control should be allowed to be exercised in the local bodies. I would request hon. Members of this House who have intimate acquaintance with the work of the local bodies, to say whether they feel that they are

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more free, that they are more independent, or whether they feel that they are in a worse position than before. I consulted a fairly large number of presidents of local bodies here, and I believe that I am echoing their feelings when I say that people really feel that the restrictions placed by the Government from time to time by some of their executive orders, have placed them in a worse position at present than they were. For some time before the Reforms, there were liberal grants of the Government of India for roads and communications—I think it was a grant of 26 lakhs. I think there was much more discrimination in the distribution among the local bodies. I remember the grants amounted to Rs. 20 lakhs in one year and 6 lakhs in the next year. Many improvements were effected in the conditions of the roads in various districts with the help of the Government grants. I would request the hon. the Minister to verify and say whether at the time of the distribution of grants on such a liberal scale any restrictions or conditions as those now imposed were thought of. And what is the reason for this change? I am afraid one must pause before one can answer this question. If, as a matter of fact, something like 26 lakhs, which is more than the 16 lakhs which my hon. Friend has referred to, was distributed among the local bodies for the purpose of communications without placing any restrictions on them but giving them complete freedom of action, how does it happen that the moment we are called upon to accept this grant, conditions have been laid down which are really productive of considerable hardship. For instance, I may remind the House of the Government Order which has been issued as regards the maintenance of trunk roads, to the effect that the local bodies ought to be absolutely under the control of the Superintending Engineer who may delegate his functions to the Executive Engineer of the district; and on their recommendation a grant is liable to be stopped, omitted or reduced. Suppose a local board goes on spending money—and there are differences of opinion between the executive officers and the presidents of the local or district boards—then, after all the board is placed in an unfortunate position. Again, there are restrictions placed that certain estimates should be prepared by a particular date, or that whatever instructions may be issued they should be carried out and no deviation therefrom should be made. I am mentioning these facts by way of illustration. All these conditions are not calculated to place the local bodies in a better position than they have been up to now. It is stated that the Act has given us more power than before, that local bodies are now in a position to work out their own salvation by means of the various provisions contained in the new Act. But when the Government is given the power of control and when they frame rules so as to restrict the powers of the local bodies, what is the use of the provisions in the Act, however liberal they may be? I therefore wish to state that the Government Order issued for the purpose of controlling the expenditure of grants for the maintenance of trunk roads restricts the powers of the local bodies and hampers their progress. That is one reason why I object to this motion. I also object to the somewhat niggardly policy which the Government have adopted in the matter of dealing with these local bodies. These are my reasons for reducing this grant."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Sir, the previous speaker raised a number of general questions which no doubt call for early discussion and decision. In view of the fact that the budget is coming off

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next month, when we would probably be afforded opportunities for considering those questions as also the general policy, I do not consider it necessary to go into those questions just now. We cannot expect the Government to make a statement on the spur of the moment with regard to the policy they are pursuing. I therefore do not want to follow the previous speaker in what he stated, but, at the same time, I am quite surprised that the hon. the Minister for Local Self-Government has thought it fit not to give any details for the Demand he now wants us to vote for. He has asked for an additional grant of Rs. 72,000. We understood that on the scale on which the grants were proposed to be made to the local boards, the Minister has allotted the amounts in the budget, but now an additional sum of Rs. 72,000 is asked for. For what purpose and on what calculation this additional sum is wanted is not stated. It is not stated whether he wants to favour certain boards and not others, or whether he wants to give particular grants for particular purposes to certain boards, or whether it is only a general question of larger amounts being paid to the boards generally. He has not stated anything at all for justifying this additional sum being granted now, and before we vote for this grant, it is necessary that we should be furnished with details as regards the necessity for this additional sum. Otherwise from what is stated under this grant, we do not know whether it would be necessary to vote for it, and it is absolutely necessary that the necessity for this Demand should be stated, as also whether the Minister bases it on general principles or on the special needs of any particular local boards. All this should be stated before we are asked to vote for this grant."

Rao Bahadur P. C. ETHIRAJULU NAYUDU :—" Mr. President, Sir, do I understand that the sum of Rs. 72,000 also includes grants for any repairs for damages which have occurred recently ? "

The hon. the RAJA OF PANAGAL :—" Sir, the amount asked for does not include the sums required for repairing damages. "

Rao Bahadur P. C. ETHIRAJULU NAYUDU :—" Mr. President, Sir, the district board of Guntur suffered a great loss recently on account of damages. With the permission of the Superintending Engineer, Guntur, we incurred some expenditure on that account and we asked the Government for the sanction of the amount. The Government said that they would consider the matter. I wish to know whether even such repairs will not be included in grants like this, on the ground that it is more for the Provincial Government to bear the charges for repairing such damages. I just want to call attention to that point. "

The hon. the RAJA OF PANAGAL :—" Mr. President, Sir, the hon. Member for Nellore has raised two important questions. Both of them are under consideration. The first of those questions is in regard to the extent of mileage. Of course, the extent of mileage depends on the financial position of the Provincial Government. If the financial position of the Province improve, there could be an increase effected in the extent. As regards the rate at which these grants are made, that question too is under consideration. The Advisory Committee (Local Self-Government) has been consulted in this connexion. They have not yet arrived at a decision. When the Committee arrives at a decision, the Government will consider it thereon. My hon. Friend from Coimbatore has asked for details of this Grant, and the hon. Member, Mr. Moore, will give the details. "

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Mr. P. L. MOORE :—" Mr. President, Sir, as the question is raised whether this Demand is supported by figures which would satisfy this Council, I shall give the answer so far as that point is concerned. The maximum grant admissible to district boards and municipalities for trunk roads is about Rs. 16,27,000. Last year, I suppose it was expected that these local boards and municipal councils would not spend up to the maximum limit, and so the figure Rs. 15.41 lakhs was put in the budget. As regards the actuals, I am very glad to say, and I am sure this House will be very glad to hear, that every board utilized the amounts so far as trunk roads are concerned, and there were additional claims, so that, though we budgeted for Rs. 15.41 lakhs, the actuals came up to Rs. 16.27 lakhs. Since this motion was put up, I got the figures compiled. We have on hand a balance of Rs. 2,500 and odd, and we now want Rs. 72,420, so that the total of the claims is Rs. 74,920, and what is now asked for under this demand is the former figure. "

" The distribution of the claims is as follows :—

	RS.
Salem District Board	36,609
South Kanara District Board	11,280
Chittoor Municipal Council	2,143
Coimbatore	8,331
Vellore	1,715
Palghat	1,070
Kurnool	2,276

" The claims of local bodies yet to be received are as follows :—

	RS.
Rajahmundry	1,417
Anantapur	2,131
Tinnevely	1,558
Trichinopoly	5,438 "

Sriman BISWANATH DAS Mahasaya :—" Sir, the hon. the Minister for Local Self-Government has practically read the whole Ramayana omitting Sita throughout, because the hon. Member for Nellore raised various important points and along with those he raised a very important point, namely, the freedom of the local bodies under the reformed Government and in the hands of the Ministry who are after all our own men. This part of the answer the hon. the Chief Minister has avoided and I think I am voicing the real sentiments of the Members of this House when I say that we are all dissatisfied with the gripping hand with which the local bodies are administered and also with the fact that the freedom which the people expected under the Reforms is denied to them. That part of the answer we are anxious to have, and I am sure that the hon. the Chief Minister will give it, or at least that he will give us an assurance that he will be more sympathetic and give us more freedom so as to adjust ourselves within the limits prescribed under certain conditions. These are the replies which we expect from the hon. the Chief Minister and we hope that before the grant is voted upon, he will be pleased to give us some sort of assurance on this point. "

The hon. the RAJA OF PANAGAL :—" Mr. President, Sir, I thought that my Friend from Coimbatore said that the points raised related to the general policy which would be discussed at the time of the budget, and that was why

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I did not deal with them. But my general answer to the question raised by Mr. Krishna Rao and the hon. Member for Ganjam is that so long as the Government are making grants, they expect that they should have the power to see that those grants are properly spent. Barring that, the Government are not anxious to interfere in the details of administration. As to the rules which my hon. Friend from Nellore has referred to, they were the rules framed before the introduction of the Reforms. They were framed with the idea that the local bodies which, in maintaining trunk roads act as the agents of the Government, should spend the grants given in such a manner as to afford facilities to the Superintending Engineers for inspection and report on the works. I do not think, Sir, the Ministry can be taken to task for having passed these rules as they had been passed before they came into existence. And I maintain at the same time that the rules are absolutely necessary and without them it will be impossible for the Government to satisfy themselves that the grants they are giving are properly spent."

Sriman Biswanath Das Mahasayo :—"Sir, may I know whether the Government Order regarding the management of the trunk roads is, after all, the production of the Ministry?"

12-45 p.m. The hon. the PRESIDENT :—"Does the hon. Member, Mr. Krishna Rao, press his motion?"

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Mr. President, I think I have to reply in view of the observations made by the hon. the Minister. I am rather disappointed that the hon. the Minister has not grappled the full significance of my remarks. I expected that he would see eye-to-eye with me and co-operate in our attempts to get more freedom of action so far as our local bodies are concerned. It would have been more satisfactory if he had made the explicit statement that he is equally interested in seeing that there is no unnecessary interference by the Government with the freedom of action of the local bodies. On the other hand, his justification of an order which was passed after he assumed charge, or shortly before, I think, will place matters on a different footing. But, if he again goes through that order and, on analysis, finds that there is scope for any amount of unnecessary interference between one officer and another, I hope he will see his way to modify that. I must on this occasion express my appreciation of the spirit with which the officers of the department were animated, and I am glad to state that they have been co-operating and have not created any unnecessary difficulties in the way of expending the money on trunk roads. But things are otherwise so far as the rules are concerned; and I would again request the hon. the Minister to examine the Government Order more carefully. If an officer makes up his mind, he can create a lot of mischief under the rules as at present; and I hope the hon. the Minister will see his way to see that they are modified. It is true that some officers have co-operated in trying to get the money that we wanted, but the rules from start to finish have been so framed as to cause any amount of friction. It is for that reason that I particularly drew his attention to this Government Order relating to trunk roads, and I hope the hon. the Minister will not merely urge the usual official reply that Government control is necessary and that it cannot be relaxed. I believe the time has come when he will forget all these old theories and re-examine the question from the popular standpoint to see what changes are required to be made in the rules. That

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is the standpoint from which I would request the hon. the Minister to examine it. If the hon. the Minister will give me such an assurance, I shall not press my motion. If he does not give that, I shall have to press it."

The hon. the RAJA OF PANAGAL :—"Mr. President, I have already told this House that the Government are not anxious to fetter the discretion of the local bodies in their activities. They are only desirous of satisfying themselves that the funds they are granting to the local bodies are properly spent. The hardships in the working of the rules, if any, will be examined and if their revision is found necessary they can be revised."

The hon. the PRESIDENT :—"Does the hon. Member (Mr. Krishna Rao) wish to press his motion?"

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I do not think it is necessary, Sir, to press it to a division, though I must state that the second speech of the hon. the Minister has not thrown any more light than his first speech. But, whatever he has said, I hope he will reconsider the matter. With these remarks and with the hope that the hon. the Minister will throw better light on the matter on a future occasion after examining the rules, I withdraw this motion."

The motion of Mr. A. S. Krishna Rao Pantulu was by leave withdrawn.

The motion that the Government be granted an additional sum of Rs. 72,000 under 41-A. Civil Works—Grants-in-aid—Grants to local bodies for the maintenance of trunk roads was then put to the House and carried, and the grant was made.

XIII

AMENDMENTS TO STANDING ORDERS.

(1) Standing Orders 46 and 49.

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, I beg to move that the following amendments to the Standing Orders which have been printed and are in the hands of the Members of this House be taken into consideration :—

(1) that, in the first clause of Standing Order No. 46, the words 'ten clear days' be substituted for the words 'six clear days';

(2) that the following be substituted for clause (2) of the same Standing Order :—

"(2) The Secretary shall cause to be printed and made available for the use of Members every notice of an amendment received within the time prescribed under sub-clause (1) and any other such notice that the President may direct to be so printed and made available";

(3) that the following be substituted for clause (3) of Standing Order No. 49 :—

"(3) Where the objection prevails, the Bill shall not be brought forward earlier than three days from the day on which the consideration of the Bill was concluded in Council; and may then be passed with or without further amendment.

Note.—This clause shall not apply to Taxation Bills."

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"It will be observed by Members of this House that a very representative Committee has sat upon these amendments. The object of these amendments may be said to be twofold. We have found from our experience during the lifetime of the last Council that amendments come in at the last moment and that there is not sufficient time for the scrutiny of the amendments so as to enable them to fit in with the frame-work of the Statute itself with the result, as has sometimes happened, that they necessitated further amendments or changes in the law later on. Moreover, there is another aspect of it which will appeal more directly to hon. Members of this House. Members of this House do not get in their hands amendments moved by other Members in time to consider their effect upon the whole, and they cannot scrutinize them and propose amendments in answer to those amendments, or prepare themselves in time to answer those amendments. In order to subserve this purpose, the Committee, of which I have the honour to be the spokesman, have made certain proposals.

"It will be noticed, Mr. President, and you will forgive me if I appear to be somewhat out of order in speaking of a motion for the amendment of S.O. No. 44, standing in the name of my hon. Friend, the Member for Cuddapah—that the object which animates my hon. Friend and myself is the same. He wants more time to be given after the whole consideration is finished and before the Bill assumes the form of a Statute. In order to achieve this purpose, I am perfectly ready, I may at once say, to accept—and I am sure that the Members of this House would accept—his motion also. His motion, I take it, is with reference to S.O. No. 44 (1) (i), and he wants '15 days' to be substituted for 'seven days', so that the Members of this House might have more time to consider those amendments. That is a necessary corollary to the amendments now proposed as has been pointed out and will, I take it, be accepted. As the Committee itself has pointed out, the intention of the two amendments is to give time to the Council Office to print and circulate draft amendments and also to enable the Legislative Department to examine the proposals. Sometimes it has so happened that amendments which at a first sight appeared to be symmetrical with the whole structure of the Bill turned out to have un contemplated results and it is necessary, therefore, that the Legislative Department and the Council Office should have time to consider these amendments and their proper bearings.

"With these prefatory remarks, I have great pleasure in moving that these amendments be taken into consideration. The procedure is assimilable to the procedure under S.O. No. 49."

Mr. P. PEDDIRAJU:—"Mr. President, Sir, I have no objection to these amendments, but my submission is that if Standing Order 44 is amended, I think it is impossible to get out of the present amendments."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"As I said, the other matters will come up immediately afterwards."

The hon. the PRESIDENT:—"I think I may give the hon. Member the assurance that we may go forward with the other amendments in the list and that possibly before this meeting is over the report will be presented."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Mr. President, I think the more advisable course is to defer the consideration of these amendments till the amendments under Standing Order 44 are passed. Otherwise,

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supposing these amendments are passed and those under Standing Order 44 are not passed, what will be the effect? The effect will be that the period of seven days prescribed under Standing Order 44 will remain and it will result in absurdity. The rules require that there should be a committee. Therefore, these may be adjourned to the last day. There will not be any difficulty in doing so. No one has a right to anticipate the decision of this House. The House may take a different view when Mr. Narasimhaacharlu's amendment comes. To avoid such a contingency, I think the proper course is to have these amendments held over till the others also come up for the consideration of the House."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, I realize and admit to the full the cogency of my hon. Friend's remarks. But, while it is not open to anyone to pre-judge the attitude of this Council on any matter, it is yet permissible to indulge in the reflection suggested by the general attitude of the Members and their fairly comprehensive silence on this matter that they would take a favourable view to the passage of that measure. I submit that it is not a language of exaggeration when I say that it is practically certain that the other two amendments will be passed. There is no particular object in reduplicating what we have been doing this morning, to-morrow or the day after."

The hon. the PRESIDENT:—"I may add to what the hon. the Law Member has said that we do not finally pass a Standing Order and bring it into operation by the mere fact of its being passed now. It has to be passed like a Bill, a copy of it has to be submitted by the President to His Excellency the Governor, and it is only after His Excellency's assent that the Standing Order begins to be binding on our Council; and I think it is better to let all these processes take place with reference to each Standing Order, as we deal with it, and let it also be passed by the Council. If the House has no objection, I shall put the motion of the hon. the Law Member that the report of the Select Committee be taken into consideration."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Mr. President, I only want to clear up one impression which might have been created with reference to your remarks, Sir. If we are to understand that even if these amendments are to be accepted by this Council, they will not be sent up to His Excellency the Governor for sanction till after the other amendments are disposed of, then there is no difficulty. Otherwise, complications will arise if we accept these amendments till after the other amendments are passed. If we formally pass these amendments and you, in your discretion, Sir, will wait for the other amendments and then send both on to His Excellency the Governor, then there will be no difficulty, and we can accept your assurance."

The hon. the PRESIDENT:—"I think that is the understanding?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Yes, Sir."

The hon. the PRESIDENT:—"On that understanding, I shall put the motion to the House. The procedure is the same as that in respect of a Bill. The motion now before the House is that the report of the Select Committee on the amendments to Standing Orders, which have been presented by the hon. the Law Member, be taken into consideration."

The motion was put and carried.

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The hon. Mr. C. P. RAMASWAMI AYYAR :—"I now move, Mr. President, with your leave, that these Standing Orders may be passed under a procedure analogous to Standing Order No. 49 (1)."

The hon. the RAJA OF KOLLENGODE :—"I second it."

The hon. the PRESIDENT :—"The motion before the House is that the amendments to Standing Orders, as printed on the paper, be passed by this House."

The motion was put and carried and the amendments to the Standing Orders were passed.

The hon. the PRESIDENT :—"We now come to the second amendment, of which notice has been given by the hon. Member, Mr. T. M. Narasimha-charlu. Under Standing Order 76, I have to read the draft amendments."

"The draft amendments to Standing Order No. 44 (1) (i) run as follows :—

(1) For the words 'a copy of the report has' substitute the words 'the copies mentioned in Standing Order No. 42 have'.

(2) For the word 'seven' substitute the word 'fifteen'.

"I ask whether the hon. Member has the leave of the Council.

1 p.m. (After a pause) "Since no one has objected, the hon. Member has the leave of the Council and we have now to proceed on the footing of Standing Order No. 77, which says :

"Where a Member has the leave of the Council to proceed, the draft amendments shall be referred to a Select Committee of which the President shall be chairman, and of which the Deputy President, the Advocate-General (when he is a Member of the Legislative Council) and a chairman of the Council to be nominated by the President shall be members. The remaining members who shall be six in number, shall be selected by the Council by means of the single transferable vote in accordance with the regulations framed in this behalf by the President."

"It is usual for hon. Members who wish to nominate candidates for the Select Committee to hand in their nominations to the Secretary by a particular hour of the day ; I therefore fix 3 p.m. to-day as the hour by which nominations should reach the Secretary. Then, we shall proceed to carry out the rules in respect of voting."

XIV

DRAFT RULE UNDER SECTION 201 OF THE MADRAS LOCAL BOARDS ACT, 1920.

The hon. the RAJA OF PANAGAL :—"Mr. President, 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 Schedule VI of that Act be approved :—

DRAFT RULE.

In exercise of the powers conferred on them by sub-section (1) of section 201 of the Madras Local Boards Act, 1920, the Local Government propose to make the following rule altering Schedule VI of the said Act :—
In the list of dangerous diseases specified in Schedule VI the following amendment shall be made, viz. : At the beginning of this Schedule before

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the item "Anthrax" the item "Acute Influenzal Pneumonia" shall be inserted, as also between the items "Plague" and "Smallpox" the item "Relapsing fever".

"When this Resolution was moved on the 29th November last, a question was raised whether influenza was a dangerous disease, and it was pointed out that it was not a dangerous disease until it developed itself into an acute influenzal form. It was also pointed out that until it reached a dangerous stage it is inadvisable that it should be classed as a dangerous disease. It was therefore considered that only that particular form of the disease should be included in the category of dangerous diseases. The Surgeon-General was consulted in the matter, and he suggested that 'Acute Influenzal Pneumonia' can be brought under the class. Sir, in the present amendment the particular stage of influenza alone is contemplated."

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI seconded the motion.

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Mr. President, it has been said that the Surgeon-General was consulted and that he approved the term. I think that it is necessary to convince this House as to the necessity for introducing these words into the statute itself and that the hon. the Minister should place the necessary facts before us. On a former occasion, in the course of the debate, it was said by the Secretary for the Local Self-Government Department that a notification was issued regarding municipal areas. I believe the statement is not correct. According to the definition in the Madras City Municipal Act, dangerous diseases are defined to be such as are notified by the Government and therefore the distinction which he made is with regard to the Corporation of Madras. It may be that the Government, under the definition, is unable to issue a notification declaring these two diseases as dangerous ones in the City of Madras. But, as far as the District Municipalities Act is concerned, dangerous diseases are enumerated in Schedule VI of the Act, and the proper way of adding to the list of dangerous diseases under the District Municipalities Act is not by a notification but by an amendment of the Act. As far as I am aware, no such amendment has been carried out in this House, and if at all anything is done it may be a confusion of ideas."

The hon. the RAJA OF PANAGAL :—"May I point out that, so far as the District Municipalities Act is concerned, the amendment can be made by a rule and that a rule has been passed by G.O. No. 1694, Public Health, dated 11th October 1923, which deals with this question? The rule has been notified."

Mr. P. L. MOORE :—"May I say a word as to the exact position in regard to the three Acts? As for the Local Boards Act, under section 201, any change has to be done only by this Council; under section 304 of the District Municipalities Act, the change can be done by Government; and in the City Municipal Act, under section 329, the change can again be made by Government. It will therefore be seen that it is only in the case of the Local Boards Act that it is necessary to come to this Council for approval where any similar changes have to be made."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"My objection is as to the necessity of having these diseases added to the list of dangerous diseases in rural areas. It may be that the Government might have been advised by

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their expert officers that these two diseases must go along with the other diseases in the list. But I am not satisfied as to the necessity of having these diseases added to the list. What is the experience, and what are the circumstances which necessitated the inclusion of these two diseases under the dangerous diseases? Are there any instances where in actual administration they found the necessity for including these diseases in the list and where in the absence of these being on the list a spread of the disease has taken place? I am not therefore convinced as to the necessity for this change at this stage.

"Then regarding the dangerous nature of the disease and as to how it can be administered in rural areas, I have great doubts. Because even a man of ordinary education, I believe, will not be able to diagnose what acute influenzal pneumonia is, and much less in the case of relapsing fever. Of course, if we read carefully the sections of the Local Boards Act, many obligations are thrown on the people as to how they should satisfy the conditions of the statute once the disease is included in the list. We know that there is not good medical help or advice available in rural areas. The only consequence of putting these diseases in the list will therefore be to give a handle to the Health Inspector or District Health Officer, when he goes to the village, to say that such and such a man who is suffering from relapsing fever entered a public place and that he is liable to be prosecuted. My sole objection, therefore, is that as long as sufficient knowledge has not spread in rural areas administration of this change will be impossible, and this will only create discontent. If there is a real need for this, and if the local bodies desired as a matter of fact that in the course of administration they found that these diseases should be classified as dangerous diseases, I can understand it. But I do not think the move has come from the local bodies in the course of administration. It may be due to an idealistic doctor that might have said that these two diseases also must be classified as dangerous diseases. If that be the case, I have got very serious objection for including these diseases."

Mr. J. A. DAVIS:—"Mr. President, Sir, we feel the necessity for including both these diseases in the Municipalities Act, as we have had very serious outbreak of both influenza and relapsing fever. We received very large amounts from Government, and we found that we were wasting the money without having some powers to bring these diseases within the Municipalities Act. We are also sending a special Resolution to the Government asking them to include the two diseases in the Act. I can tell the House that a real necessity has been found for inclusion of these diseases, so far as Ootacamund and the Ootacamund municipality is concerned."

Mr. P. PEDDIRAJU:—"I think the hon. Member, Mr. Davis, has misunderstood my hon. Friend, Mr. Narasimha Raju. Mr. Davis spoke of including this in the case of municipalities. Mr. Narasimha Raju has no objection in respect of municipalities, but his point is that these diseases should not be included in the Act applicable to rural areas. Honourable Members are aware that village doctors cannot diagnose these diseases. Inclusion of these diseases in the schedule will therefore lead to oppression by subordinate officials. So, I also strongly object to the inclusion of these diseases in the Local Boards Act."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I only wish to point out the effect which the inclusion of these diseases will produce. Nobody objects

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to the insertion of these words in the list of dangerous diseases so far as it does not create any special hardship in rural areas. We are not now concerned with the question as to whether these diseases are to be included as dangerous diseases or not. That is not the problem. The question is, whether if these diseases are included in the Local Boards Act, this provision will be put into operation as in the case of the other operative portions of the Act. The moment this change is made, persons will become liable to certain disabilities under the provisions of the Local Boards Act. Even among many well-known practitioners and doctors at Madras, there has been a difference of opinion as to the forms of influenza and as to which form is dangerous and which is not. We have to consider what special precautions have to be taken if it becomes necessary for us to have the same identical provision included in the rural areas to ascertain the exact name of the disease. Can it be reasonably expected that persons in rural areas will be in a position to diagnose whether a disease comes under a particular definition or not and render themselves liable to the provisions of the Local Boards Act? It will be found that the sections of the Local Boards Act which have a bearing on the question are sections 130 to 136. It is stated that at any moment the president of the taluk board in non-union areas or the president of the union board in union areas may inspect any place in which any dangerous disease is reputed or suspected to exist, and he is given certain powers of entry for purposes of disinfection. Later on he has to notify places for washing and disinfection.

"Then, persons suffering from the disease are prohibited from carrying on certain occupations under section 133. Section 134. 1-15 p.m. says, that a person cannot enter a conveyance, nor can he travel in a public conveyance and the driver is not bound to take him. Then again we find that power is given to courts to punish even the driver who conveys such men and they will be liable to penalty of Rs. 50. A further penalty provided for in section 134, sub-section 5, which levies a fine to cover the loss and costs of the driver to disinfect any conveyance that the person may have used."

"In view of these provisions of the Local Boards Act affecting persons in the rural areas I would advise the hon. the Minister to pause and wait before he tries to incorporate this provision in the Act. Also we must first try how it works in the City Municipalities. I understand that reference has been made to the Corporation, and we should therefore wait for the result of that reference. That will be the first stage. And then the time will come for these provisions to be incorporated in the District Municipalities Act. They are fairly advanced. In the towns we have got hospitals; and they will be in a position to diagnose and advise the authorities as to what has to be done before it is extended to the rural areas. Our attention has been drawn to this only in October 1923 so far as the municipalities are concerned, and we have no information as to the working of it in the Corporation. But the time will come for the hon. the Minister to consider whether it can be inserted in the Local Boards Act, after it has been in operation in the cities and towns, where it is possible to have expert medical aid. In a matter of this description, the best course is that the hon. the Minister will wait and consult the local bodies. It is they that have to administer the provisions; and before consulting them as to the preliminary steps it is not possible to

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introduce these amendments into the Act, especially when the provisions are such as will prejudicially affect persons in rural areas. I would make a suggestion that it is inopportune for the hon. the Minister to have this introduced into the local areas, before ascertaining how it has worked in the towns."

The hon. the RAJA OF PANAGAL:—"Sir, my hon. Friend, Mr. Krishna Rao, has, I am afraid, altogether misunderstood the attitude of the Government. The Government in introducing this amendment have been actuated by the best of motives. In certain areas the ravages from 'relapsing fever' have been very serious and unless some check is effected in the spread of the disease, the disease is likely to assume dangerous dimensions. My hon. Friend wants that we should have the lead from the local boards. It is a scientific question, and I think the opinion of experts is more useful in solving the question. I have only to tell him that in all civilized Governments we have such diseases classed under 'dangerous diseases' and restrictions are imposed in their case. He argued that as yet we have not seen the results of the inclusion of these diseases in the case of the municipal areas. That argument does not appeal to me. Why should we wait and allow the spread of the diseases? As to the argument for the inclusion of these diseases in the category of dangerous diseases we have already had other diseases classed as 'dangerous' and there has been no abuse of application in their case. Similarly in the case of the new diseases which have been classified as dangerous there need not be any abuse in the working of the rules. In these circumstances, I think we have a strong case for introducing the amendment."

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, I am convinced of the necessity of inclusion of 'relapsing fever' in the municipalities or in the local board areas. It is a very dangerous thing and we had to struggle hard in the Corporation to deal with such cases. But may I request the hon. the Minister to delay this thing till he gets the opinion of the local boards?"

The hon. the RAJA OF PANAGAL:—"Sir, the speaker that has just sat down was one of those who accepted the proposition that 'influenza' is 'dangerous', when it is complicated with pneumonia, and it was on his advice that the question was referred to expert authorities. Now I cannot understand why he should object to this amendment. We have these diseases classed as dangerous in other civilized countries."

Rao Bahadur C. NATESA MUDALIYAR:—"I have not objected to it Sir, but in fact I am supporting it. I only wish that he respects the opinion of the local boards. In fact I want this provision to be made in the case of the Madras Corporation immediately."

Diwan Bahadur P. KESAVA PILLAI:—"May I say a word, Sir? In our district we have had relapsing fever and it was confined only to the depressed classes. The cure that was effected was the shaving of the heads and getting rid of the lice which spread the infection. They required a little bit of nursing, they required food and a little bit of clean clothing. It did not spread to the other class of people. We have to spend some money only to feed them and to give them good diet, and keep them cleanly. That seems to be the cure for relapsing fever. I think that the opinion of the district boards and the local boards should be obtained before it is laid down in the Acts because, as some hon. Members have expressed, it might be worth consulting them. So far as the relapsing fever is

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concerned it does not spread to other people but it remains with the Madigas who are very squalid, who have no oil in the hair and no water to clean."

The hon. the RAJA OF PANAGAL:—"Sir, I will just mention to my Friend, the hon. Member for Anantapur, that Badagas have been suffering very seriously from relapsing fever, and they do not belong to the depressed classes, they are agriculturists."

Diwan Bahadur P. KESAVA PILLAI:—"Are they clean people?"

The hon. the RAJA OF PANAGAL:—"Yes, they are fairly clean, as clean as other agricultural classes."

Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, I wish to make one observation. I think the objections raised by my hon. Friends, Messrs. Krishna Rao and Narasimha Raju, with regard to the evil effects of such inclusion in the schedule are not quite well-founded. I know that we have a health establishment and health officers are now travelling through very many rural areas, but the complaint is that they or other members of their staff do not go often into the rural areas and diagnose the strange, new diseases or epidemics. As regards relapsing fever it has already worked very great havoc in the cherries, and if we are to wait for the information of the local boards a good deal of time may be wasted. 'Influenzal pneumonia' in the rural areas is, as the ryots say, a quick-killing fever, very dangerous, and quacks are not able to diagnose it. But the health establishment may. Therefore there is no harm in both these diseases being included in the schedule. Then there will be pressure on the health establishment and they will go into these corners to inspect and diagnose the disease. I think the sooner it is done the better it would be. It would have the effect of making the health establishment, as it is or better, much increased, to go round and make the necessary diagnosis, and see that the ravages of the diseases are put down. It will be better for the Council to put down this fatality very early. In fact in some villages it is impossible for agricultural operations to be carried on."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"There seems to be some confusion in the matter. There is no difference of opinion whatever as regards the dangerousness of these diseases. Relapsing fever may be very bad, influenzal pneumonia might be worse still. But the difficulty is only with regard to the administration of the Act if these two diseases are included. So far as relapsing fever is concerned, I think many in this House will be prepared to admit that they know very little about it, what it is, etc. As regards the other disease 'influenzal pneumonia' I think that the difficulty is as to the diagnosis which will be a matter of extraordinary difficulty. The hon. Member for Trichinopoly will remember that for the whole district of about seven or eight thousand square miles there is only one health officer. I would ask whether it is possible for him to go into every corner and diagnose the disease, either in the case of the relapsing fever or influenzal pneumonia. It is a matter which anybody can see, will be impossible. So, it is not that we do not consider the diseases dangerous, but it is the impracticability of the working of the Act, if the amendment is inserted, that is involved in our consideration. As I said, influenzal pneumonia is a disease very difficult of diagnosis. When it develops it becomes something else, but at what stage it is pneumonia and at what stage it is really

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dangerous and should come under the category of 'dangerous', is very difficult for even trained doctors to easily say. It is not upon the very able western doctors that we have to depend, but upon the native physicians who should bear the responsibility of finding out whether a particular disease in a particular area is dangerous; and this I submit is a very difficult matter and will cause great hardship to the poor people. We have got, it is said, a health department; and if we pass this amendment they may probably find work, and make themselves busy in administering it, with what results, we can very easily foretell. After all they are only the old 'vaccinators' now called health officers. If they are to administer these Acts, whether we will be justified in allowing these inspectors to work out the Act in the rural areas is the question which we have to consider here. These diseases are of course dangerous but there is no agency sufficient in the rural parts and it is not likely that for some time to come we can help the villagers to have these properly diagnosed and assist them in taking proper precautions. It is for these reasons that I have to oppose the motion that has been brought forward.

"I would suggest to the hon. the Minister for Local Self-Government that, if he is prepared to take my suggestion, he will do well to take up the very large number of amendments to the Local Boards Bill which have been neglected for months. I hope they will be taken soon and till then this amendment may also lie over. For these reasons I am inclined to oppose this motion."

Mr. P. L. MOORE :—"The speech of the hon. Mr. Narasimha Raju and the speeches of other Members have clearly shown why it is that they object to the powers proposed to be taken. They have shown that their object in opposing the amendment is not so much an objection to the rules as such, as a feeling that hardship will result in the actual operation of those rules. I can quite realize their fears. If we look at the sections of the Local Boards Act regarding 'Dangerous Diseases'—section 131 and the following sections—it will be clear to anyone with any knowledge of the conditions of life in rural India that such powers, if abused, could be a source of a real hardship to the people, but I would ask hon. Members of this House to think whether they have ever known of a case in which the subordinates of the Public Health Department have gone about the country prosecuting persons for these offences during the continuance of an epidemic, say, cholera or smallpox. I think the House must recognize the necessity of Government to arm themselves with these drastic powers. The whole thing is in the manner in which the powers are exercised. I am quite sure that the hon. the Minister would without any hesitation give an assurance that these rules will be carried out with sympathy and there will be no coercion of the people. I was glad to hear in the discussion regarding the rules for the inspection of the trunk roads the opinion of the hon. Mr. Krishna Rao that though the rules are stringent the way in which they are carried out by the officers of the Public Works Department is unexceptionable. I am quite sure that the same will be said of the way in which these powers will be exercised by the Health Department."

Mr. R. VEERIAN :—"I should like to offer a few remarks on this motion. My hon. Friend, Mr. Arpudawami Udayar, has rightly said that the relapsing fever is a very dangerous epidemic. It is true, Sir, that it

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carries away many men. It is true, Sir, that in municipalities several innocent and good people have been carried away by this disease. In Coimbatore district also several people fell victims. Well, Sir, we have got village officers and village menials in every district. But, Sir, whenever a member of the depressed classes is dying, they think that some angel or spirit is at work. Sir, I am sure this rule will protect the lives of a large number of the depressed classes. As there will be health officers and health inspectors in each district, I do not think there will be much difficulty in facing these dangerous diseases. I am sure the House will support the amendments and see that they do not suffer for want of support. With these few remarks, I support the motion."

Mr. P. ANJANEYALU :—"Mr. President, Sir, the hon. Member, Mr. Moore, said that a large number of lives are saved by the precautions of the health officers and others in respect of diseases like smallpox and plague. In the rural areas people do not mix with the patients suffering from smallpox and cholera not because that the gentlemen like health officers and others are armed with powers but because smallpox and cholera are very dangerous diseases. Out of self-preservation no one will allow a man suffering from smallpox and cholera to approach him. But these two diseases, namely, acute pneumonia and relapsing fever, are things in which eminent doctors differ in their diagnosis. That being the case, we are putting a powerful weapon in the hands of possibly unscrupulous ill-paid agency who do not go to give relief but only to penalize. If they enter a house for purposes of disinfection or for giving some information in regard to the nature of diseases just in the case of influenza, that is well and good. But here we are putting in the schedule two diseases whereby, if a man unconsciously or unknowingly suffers, he is taken to task and penalized in rural areas. There is no agency to tell them anything about these diseases and give them succour. It is quite possible from our experience in the rural areas in other matters especially in the early days of plague that these powers will be ill-used. We believe that the same thing will occur over again and therefore the opinion of the local bodies may be consulted to see how far it will be practicable for them to wield these powers. If it is possible to diagnose the disease and if the people do not obey the instruction given by the authorities, then it will be time enough to penalize. I hope the hon. the Minister will see his way to at least postpone the measure for future consideration, especially in view of the fact that he is going to bring in a Bill to amend the Local Boards and Municipalities Act."

At this stage (1-40 p.m.) the House rose for lunch.

After lunch—2-30 p.m.

The hon. the RAJA of PANAGAL :—"Sir, I have already replied to the various points raised in the debate and there is nothing more for me to add now, except that if these diseases are classified as dangerous diseases, it is not the idea that the operation of the rule should in any way unnecessarily inconvenience the people. The rule is intended for the good of the people. The object is to prevent the spread of the dangerous diseases. Government want to have power to deal with cases of this nature whenever these dangerous diseases begin to spread. I do not therefore think that hon. Members need have any apprehension as to the abuse of the rule."

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Mr. P. PEDDIRAJU :—"I beg to move:

'2. 1-A. In paragraph 2, for the word 'three' substitute 'half the number'.

"In moving this amendment, my idea is that no restrictions should be placed on the number of Indians who sit on the Board. On the other hand, they should take more interest in this port and that is why I want to use the word 'half' the number of Indians and I do not see any reason why the hon. Member should not encourage Indian trade. With these few words, I beg to move my amendment."

Srinan BISWANATH DAS Mahasayo :—"I beg to second it."

The hon. Sir CHARLES TODHUNTER :—"Mr. President, I do not propose to be led into any racial discussion on this question, because, as I have already said, the primary essential in the body the constitution of which we are now considering is that it should be a business body."

"And here I should like to refer to the remarks made by Sir Chimanlal Setalvad in connexion with a similar Bill introduced in Bombay. When he was pressed to accept an amendment that an instruction should be issued to the Bombay Corporation as regards the proportion of Indians and Europeans that they should elect, he said:

'I cannot but regret that the debate on this Bill should have degenerated into a racial controversy. I, as an Indian, entirely repudiate that Indians require to be protected by legislation in the manner suggested. As an Indian I want to stand on my merits. I do not want any special favour shown to Indians because they are Indians.'

"And elsewhere he said:

'The Chairman of the Port Trust was perfectly right in reminding the House that the Port Trust is not one of those bodies where experiments are to be made in order to give Indians an opportunity of learning administration and that there are other bodies for that purpose.'

"As he said, the Port Trust is a body designed for the purpose of administering the affairs of the Port in an efficient manner, and the first consideration is that there should be efficiency, and the constitution should be so framed as to serve properly the interests involved."

"These sentiments, coming from such a high authority as they do, are, I believe, sentiments which the Council will be prepared to accept."

"I now come to the practical question of the actual constitution of this business body. The Council will observe that we have proposed a minimum of nine members and a maximum of thirteen and that, while we have to find representatives out of these numbers of several conflicting interests, viz., those of the ship-owners, those of the boat-owners and those of the importers and exporters of goods, we are likely also to find it indispensable to have at least three and probably four officials on the Trust to serve for the purpose of giving expert advice and to give an impartial vote on questions of which there is a conflict of interests."

"In deference, however, to Indian opinion we have, in drafting the Bill, endeavoured to provide for the representation of the different interests, not entirely along the lines of the division of business, but so as to secure in addition to this a fair proportion of Indian representatives. At the same time, to give effect to the principle of election, we have been compelled to resort to election by the Municipal Council and that solely for the reason that Indian business interests have not yet organized themselves into a Chamber

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of Commerce. Then again, anticipating that the representatives of the Municipal Council may not be business men, we have made a further provision the effect of which is that, if they are not, two Indians engaged in sea-borne trade at Tuticorin will be nominated by the Government."

"Now let us examine the results of these provisions upon the constitution of the Trust. Supposing we have, as is most desirable at the outset, the Collector as the nominated chairman. We have then three essential expert members—the Port Officer, the Executive Engineer and the Collector of Customs. This gives us a total of four, of whom the Collector and the Customs Collector may or may not be Indians. The Port Officer will be an European because there are no Indians holding the necessary qualifications for the post, and the Executive Engineer also is likely to be so because it is difficult to secure Indians with training in harbour engineering. This gives us a practical certainty of two Europeans and a possibility of four. There will then be three representatives of the Chamber of Commerce who will all be Europeans, two representatives of the Municipal Council who are likely to be Indians, and, since they are not likely to be Indians engaged in sea-borne trade, we may add two nominated Indian traders. This gives a total of eleven, of whom it is likely that at least five will be Europeans and at least four Indians. The Collector of the district and the Collector of Customs may be an European, one or the other. Supposing both are Indians, the hon. Member's purpose will be fulfilled. There will be six Indians out of eleven. Supposing one is an European, there will be five Indians out of eleven, but we could rectify the inequality by nominating another Indian. But supposing that both are Europeans, there would be no means of setting the matter right except by getting rid of one of the official members who would have to be the Collector. In other words, the adoption of the hon. Member's proposition would bring us back to exactly the same position as the adoption of his proposition that only three of the members shall be officials, viz., that we could never have an independent official in charge."

"It would have this further effect, that we could not have an outside independent non-official if he were a European. Thus, supposing for the moment that we found that the agent of the bank or some other non-official possessed the confidence of all communities and was welcome as a non-official Chairman. We could not put him in that place except at the cost of ejecting one of the essential expert members for the time being. And in any case we should be barred from nominating a representative of the railway company, who is almost as essential as the official experts."

"I hope I have said enough to show that the maintaining of the proportions which appear in the draft Bill is not a racial matter, but a question of getting the best men available for creating an essentially business body."

"I have already said that the conflict of interests, if it exists, will be not between Indians and Europeans, but between different bodies of business men whatever race they may belong to, and I sincerely hope that no question will ever arise on which the Indians will be found ranged on the one side and the Europeans on another. Should such a case occur, however, I would ask the House to remember that the Indian non-officials will form a preponderating majority over the European non-officials and that the purpose for which the officials are proposed to be put on the Trust is not to take part in

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controversies of that sort, but to give expert advice in matters relating to the departments under their charge."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I quite agree with the hon. Member in charge of the Bill that we should not think of introducing any racial classification into the Bill. But in considering this provision you have to take the Bill as it stands. The Bill as it emerged from the Select Committee has introduced some qualifications and it is for us to see whether they require modification. In coming to a conclusion regarding this clause, I would point out that it is necessary to consider this clause along with clause 6 and the possible amendments to be embodied therein, so that the House may know as to how the Bill stands if some of the amendments are carried. It will be seen that in sub-clause (5) it is stated :

'The Board shall consist of such number of Trustees not being less than nine or more than thirteen including the Chairman and Vice-Chairman as the local Government may notify.'

and taking this number, i.e., nine as the basis, it is stated in sub-clause (2) of clause 5 'not less than three of the Trustees shall be Indians and not more than four shall be Government officials.' But clause 5, as stated above, makes a provision for not less than nine or more than thirteen including the Chairman and Vice-Chairman as the local Government may notify. Therefore, the proportion of Indians which has been fixed under this Bill, taking the total strength as nine, cannot be a correct proportion. If the Government makes up its mind to increase the strength to thirteen, and if you fix the strength of Indian Members as three and that of the Government officials as four, this cannot reasonably be expected to satisfy the Indians. There is no provision so far as the Bill goes for the augmentation of this number.

"May I also point out, Sir, that with reference to clause 6 it will be found in clause 6 (2) that provision will be made for the election of three Indian Trustees. In clause 6 (1) it is stated :

'Of the remaining Trustees three shall be elected by the Members for the time being of the Tuticorin Chamber of Commerce and two by the Members for the time being of the Tuticorin Municipal Council.'

"and in clause 6 (2) it is stated :

'An election under sub-section (1) shall be held subject to such directions prescribing the qualifications of the persons to be elected as may be given by the local Government with a view to securing that at least three Indians and not more than four Government officials shall be the Members of the Board.'

"I am trying to show by quoting these sections that according to the scheme of the Bill the three Indians provided for in section 5 (2) are Members who have to come to the Board by means of election, otherwise there is no meaning in clause 6 (2).

"The hon. the Leader of the House has given notice of an amendment to omit that sub-clause. I cannot anticipate the decision of the House upon an amendment which has to be moved hereafter. It will be seen that section 6, sub-section (4), states :

'The remaining Trustees, two of whom at least shall be Indians engaged in sea-borne trade at Tuticorin, shall be appointed by the local Government.'

"This amendment should not come in sub-section (2) of section 5. Therefore if we consider the combined effect of section 5 and section 6 and the possible amendments, the result is that two persons

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who ought to be representatives of sea-borne trade in Tuticorin may be not necessarily outside the elected element as contemplated by section 6, sub-section (4). They may be either the elected Members or the nominated Members, with the result that this amendment is likely to reduce the strength of the Indian Members. The strength of the Board has not been fixed; it may vary from nine to thirteen. It is more desirable to fix the number of persons that we should have on the Board. My hon. Friend from Kistna has well pointed out that it would lead in the long run to further complications if the exact strength of the Board is not fixed. I think we cannot fix the number at nine. Since there is provision for thirteen, I think that some amendment on the lines suggested ought to be made."

Rao Bahadur CRUZ FERNANDEZ :—" As suggested by the hon. the Finance Member, we have given three seats to the Tuticorin Chamber of Commerce, and if there is an Indian Chamber of Commerce we might also give them an equal number, three."

The hon. Sir CHARLES TODHUNTER :—" Mr. President, I should like to say, as I explained in introducing the Bill, that if there had been an Indian Chamber of Commerce, we should have put it in exactly the same position as the existing European Chamber of Commerce. The difficulty is in regard to the number. The hon. Mr. Krishna Rao said that three was a good proportion out of nine. So for twelve the proportion would be four. If the amendment had been that one-third of the Members should be Indians, I should have been quite willing to accept it. I think the best course would be this. I understand that negotiations are in progress for the establishment of an Indian Chamber of Commerce. They will surely want to be represented, and the insertion of a provision for election by the body which represents Indian Commerce will, I think, satisfy the hon. Gentleman who has moved this amendment."

Mr. P. PEDDIRAJU :—" Sir, I have moved that at least one-third of the Members shall be Indians."

The hon. the PRESIDENT :—" Is the hon. Member pressing his amendment? The hon. the Finance Member has said that, if there should be an Indian Chamber of Commerce, he will probably bring in an amending Bill. Does it satisfy the hon. Member? For the present will he forego his amendment?"

Mr. P. PEDDIRAJU :—" I cannot forego my amendment, Sir."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Mr. President, Sir, may I suggest that it would be better if instead of four we insert not less than one-third ought to be Indians."

The hon. Sir CHARLES TODHUNTER :—" I should be quite prepared to accept that, Sir."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Sir, may I formally move that?"

The hon. the PRESIDENT :—" Yes, if the hon. Member, Mr. Peddiraju, would first withdraw his motion?"

The motion was by leave withdrawn.

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Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Sir, I beg to move that in place of the word 'three' in paragraph 2 of clause 5, the word 'one-third' be substituted."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, I beg to second it." The clause as amended was put and carried.

The hon. Sir CHARLES TODHUNTER :—"Sir, I beg to move :

'3. that in paragraph 2, clause 5, after the word 'Indians' the words 'of whom two shall be persons engaged in sea-borne trade at Tuticorin be inserted'.

"This, again, is a formal amendment."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Sir, I beg to second it."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Mr. President, Sir, I think that a small verbal amendment ought to be inserted here. I find these words in the amended sub-section 4 of section 6. The words 'at least' must also find a place here before the word 'Indians'. Having stated that two at least shall be Indians either from among the nominated or elected Members, that can be prescribed as a minimum."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Sir, 'two shall be' does not preclude that three may be. Two is only the minimum."

The amendment was put to the House and carried.

Mr. P. PEDDIRAJU :—"Sir, I beg to move :

'That in paragraph 2 for the word "four" substitute "one-third".'

"At present if there are nine Members, Government Members would be four. My amendment will show that if there should be even 13 Members the Government officials cannot be more than four. I think that Government will accept this. The Government can be satisfied with one-third of the trustees being officials."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Sir, I beg to second the motion."

The amendment was then put and carried.

Clause 6.

Rao Bahadur T. M. NARASIMHACHARLU :—"Sir, I beg to propose the following Amendment :—

'That in clause 6, sub-clause (1), the words "and Vice-Chairman" should be omitted.'

"The reason for this amendment is shortly this. The Government propose to appoint both the Chairman and the Vice-Chairman. The object of my amendment is to leave at least the Vice-Chairman to be elected by the Trustees of the Board. I do not see any special reason why Government should have in their hand the powers of appointing both the Chairman and the Vice-Chairman. This is a Board in which some are elected and some are nominated. And I have no doubt that, in course of time, the Indian influence will be felt in this board. Secondly, it is desirable that members

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of the board shall have the power of appointing one of their own members as vice-chairman, both with the object of helping the chairman and also of learning the art of administering that particular board. It is with that view, Sir, that this amendment has been proposed. Later on, it will be seen that I propose also that the vice-chairman shall be elected by the members of the board. I move that the words 'and vice-chairman' be omitted from this clause."

Mr. C. GOPALA MENON :—"Sir, I beg to second the motion."

The hon. Sir CHARLES TODHUNTER :—"Sir, while I am anxious to meet the hon. Member as far as possible, I venture to think that he is asking me to go a bit too far in his direction on this occasion."

"In the first place, I should like to point out that there is none among all the large Harbour authorities in India that has accepted the principle of election which he urges, and if therefore we accepted his amendment, we should have the spectacle of the precocious infant of Tuticorin in the leading strings of its nursery maid from Cuddapah showing the way to the staid old bodies at Calcutta, Madras and Bombay. I venture to think it wise that the infant should learn to walk before it tries to run, especially since it cannot always have its nursery maid in attendance."

"Nor is it right to draw analogies from the case of local self-government. Sir Chimanlal Setalvad, in introducing a similar Bill in the Bombay Legislative Council, laid great stress on the fact that a Port Trust is a business body and not a training ground in local self-government. Moreover, the interests represented are quite different. A municipality consists of representatives of rate-payers whose interests are all homogeneous and who can therefore easily elect a chairman who will represent them. The case of a Port body is different. The interests there cannot, by any means, be called homogeneous. There are the representatives of the owners of ships who pay the port dues and charge the freight. There are interests of the landing and shipping agents, who have capital invested in lighters and levy charges from the importers and exporters of goods. And there are importers and exporters of goods who pay the tariff fixed on goods, the charges of the landing and shipping agents and the freight charged by the steamer companies. In addition to all these, there are expert or official interests."

"It will be evident that it is by no means an easy matter to secure a proper balance of power among all these conflicting interests, that it is quite a different thing to allow them to elect a chairman from allowing the representatives of the tax-payers in a municipality to elect a chairman from among their members."

"In the next place, I should like to point out that one of the two, the chairman or the vice-chairman, will have ordinarily to be the administrative officer of the Trust and for that purpose a full-time officer. And if we are forced by this amendment to insist that the vice-chairman should be an elected non-official, we are also forced into the position that we must once appoint a full-time official chairman. Now, I have no doubt that in course of time we shall find it desirable to do so. But I very much doubt if the port can afford an officer of the class in question at the outset, and in fact, I am inclined to think that the present arrangement, according to which

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the works are done by the Harbour Engineer's Department on payment of a percentage on the estimates, is as cheap and satisfactory an arrangement as can be made.

"In fact, the arrangement which I was contemplating at the outset was to let the Port Officer, who has hitherto carried on most of the administrative duties of the port, continue to do so in the capacity of vice-chairman, until we see how the balance of interests works out, and until the Trust has had time to find its feet, to let the Collector of the district, or the Sub-Collector if he is an officer of sufficient seniority, give his general administrative experience to directing matters from the chair. This arrangement again will, of course, be impossible if the amendment is accepted.

"I have given much anxious thought to the question whether I could not find some course that will meet the wishes of the hon. Member without involving us from the outset in the difficulties to which I have referred. The best I have been able to devise since the receipt of the notice of his amendment is, instead of adopting the various changes which he proposes to introduce throughout the Chapter, to add at the end of the Chapter a clause making it legal for the Government to declare by notification that the post of vice-chairman shall be declared elective subject to rules prescribed. I have an amendment in these terms ready here, and with your permission, Sir, and the permission of the House, I shall be willing to move it when we reach the close of the Chapter (clause 22). I hope that this undertaking will satisfy the hon. Member and serve him in lieu of the amendment which he has put forward."

Raj Bahadur T. M. NARASIMHACHARLU :—"Sir, before trying to meet the hon. the Leader of the House, I have to say one or two words in reply to what he said. He seems to think that a Member from Cuddapah situated as it is far from any port, has got very little to do with any port. But I beg to remind him that I am an Indian and the port concerned is an Indian port.

"The hon. the Leader of the House seems to think that we Indians always require the help of a nursery maid, whatever may be our attainments and whatever may be the length of time that we remain under the benign grace of the British Government. He seems to think that we should begin always under the nursery maid of the British. I must tell him that it shall not be so.

"The hon. the Leader of the House says there is no such precedent at all either in Bombay or in Calcutta or in Madras or in any other part of the Empire. Well, Sir, my answer to that is this: Those Acts were passed in pre-Reform days when democratic ideals had not taken root in the hearts of the people. We are now trying to legislate for new ports. Let us not lag behind in our democratic ideals and let us not hesitate to introduce the elective franchise as much as possible wherever it can be done. Therefore, Sir, the analogy of the three ports mentioned by the hon. the Leader of the House has nothing to do with the legislation in question.

"As regards the other details referred to by the hon. the Leader of the House, I quite appreciate them and certainly it is not my desire to bring difficulties in the way of the smooth and successful working of this port. On the assurance of the hon. the Leader of the House I have no objection to withdraw my amendment at present."

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The amendment was, by leave, withdrawn.

Clause 6, Sub-clause (1).

Mr. P. PEDDIRAJU :—"Mr. President, when my Friend Mr. Narasimhacharlu moved his previous amendment I thought my amendment would not arise. But now that he has withdrawn, I think I must move:

'At the end of the first sentence, add the words "provided one of them at least shall be an Indian".'

"Of course, the Leader of the House promises to have some amendment to section 23 to provide for the election of the vice-chairman according to the rules to be framed hereafter when occasion arises. But, all the same, my amendment concerns the appointment of an Indian either to the chairmanship or vice-chairmanship. The anxiety of my hon. Friend, Mr. Narasimhacharlu, for throwing open the place of vice-chairmanship for election has been set at rest by the promise given by the hon. the Leader of the House. The hon. the Leader of the House also expressed his anxiety to advance the interest of the Indian trade. I think the passing of this amendment to appoint an Indian as chairman or vice-chairman would advance the interests of the Indian trading community and, in view of the assurance from the Member from Tuticorin that a Chamber of Commerce for Tuticorin is going to be started shortly, I think my amendment would be accepted by Government. With these few words I press my amendment."

Mr. J. A. SALDANHA :—"Sir, I beg to second the amendment."

The hon. Sir CHARLES TODHUNTER :—"Sir the hon. Member was perfectly correct when he said that I am anxious to see the development of Indian trade, but I venture to think that for acquiring the business capacity necessary for taking a prominent part in the administration of a port, you should first take a predominant share in the business which entitles you to take charge of it.

"Now, turning to the practical aspect of the case, I would remind the House that one of these two gentlemen, the chairman and the vice chairman, must do the administrative work of the Port Trust, and the other officer may be the Collector, who may or may not be an Indian. I do not think we could find any experienced Indian Engineer for the chairmanship for the reason that Indians have not, so far, had the training in marine engineering which is necessary for the purpose. Similarly, anxious as we are to see the development of an Indian mercantile marine, there are not Indians sufficiently trained in marine matters to take charge of the duties of a Port Officer. So that, supposing we come to the decision that the vice-chairman must be an Indian, seeing that we have already agreed that he must come in by election, it comes to this: viz., that we insist on an Indian being elected. Is it practicable to impose such a restriction on the discretion of the trustees? I venture to hope that when the hon. Gentleman looks at it from the practical point of view, he will find that he is limiting the exercise of the franchise for the unfettered exercise of which Mr. Narasimhacharlu is so anxious."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, Mr. Narasimhacharlu has been anxious to secure the election of the vice-chairman and he has withdrawn that amendment. The alternative amendment of Sir Charles

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gives power to the Government to publish a notification in the *Port St. George Gazette* authorizing the trustees to elect a vice-chairman under certain conditions, but nobody knows how many years it may take for the issue of that notification. Even when power to appoint presidents of local boards was given in 1884, under an Act which was passed in Lord Ripon's time, it took nearly 40 years for the Government to make such appointments in District Boards. Therefore, I do not think we can look very hopefully for anything substantial being done by the acceptance of the amendment which is going to be moved by the hon. Sir Charles Todhunter. Now that Mr. Narasimhachari has withdrawn his amendment, I think the next best thing will be to insist upon one of them being an Indian. Because, if the Governor makes up his mind to appoint an Indian, the necessary training may be given to him afterwards. How often does it happen that some appointments are made and persons are sent abroad for the purpose of gaining experience. If the Government is prepared to get an Indian trained, if necessary, in these administrative matters, I am quite certain that it is possible to find a way to satisfy all these requirements. I think this amendment deserves to be accepted by this House, especially when the House failed to secure an elected vice-chairman."

Mr. A. J. LEECH :—"Sir, I wish to say a few words on the amendment before the House. I am of opinion that it would be ill-advised to have an elected vice-chairman or to have an Indian as chairman or vice-chairman. I do not think the Port would agree to have a highly-paid engineer as chairman as we have in Madras. In the absence of such a chairman, the vice-chairman will have to do most of the work and it is not possible to expect an elected vice-chairman to do all the work. I think it would be much better to accept the hon. the Finance Member's suggestion."

Sriman BISWANATH DAS Mahasayo :—"Mr. President, Sir, England has taken upon herself the high responsibility of training Indians in all institutions of self-government. It pains me to hear the hon. Sir Charles Todhunter, representing the best minds of England, saying that Indians have yet to be trained to manage a port. This sort of pretext, I am sure, will not deceive even a child. The amendment of my hon. Friend from Kistna asks for the appointment of an Indian officer to be the chairman or vice-chairman."

"Well, Sir, the option is left to the Government. If they think that an Indian is not yet fit to be entrusted with the charge of being a chairman, they can nominate or see that an Indian is elected. I quite realize the difficulty of placing restrictions when we give the franchise of election to a board of trustees. They can nominate an Indian as vice-chairman or they can nominate an Indian as chairman, and that would be quite reasonable. I would appeal to the hon. Sir Charles Todhunter to think as to what would be his anxiety if proposals are brought forward and considered in the British Parliament for having Indian trustees in the port of Liverpool. I am sure the English people would resent it. Sir, in asking for this small thing, I am sure we are not asking for the moon. Then, the next thing is a comparison between the old Local Boards Act and this Bill. I think it is a good comparison because the district board presidents' posts were occupied by Collectors ex-officio and still the office of the vice-chairman was left open for election. Similarly, this place, be it by election or nomination, may be

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reserved for an Indian. There is no trouble and I do not think it would place any restriction on the Government. I would therefore appeal to him and his better sense to accept the very reasonable proposal of my hon. Friend from Kistna."

Mr. P. PEDDIRAJU :—"Sir, of course, the only objections that were put forward by the hon. the Leader of the House are that he may not be able to get an efficient Indian who is a man with business capacities. I am sorry that the Leader of the House with such experience of India could not find people fit to be chairmen or vice-chairmen of a single port trust. The Government have been able to find Executive Council Members and Chief Engineers for Irrigation; but all the same it is a pity that when a Chief Engineer could be found for this Presidency, an engineer who can be a vice-chairman and an Indian cannot be found for a single port trust. My hon. Friend, the Leader of the House, also said that an engineer or a collector of the same place may have to be appointed vice-chairman of the port trust. Among collectors there are several Indians, and any one of these may be appointed as collector of the place and also be appointed vice-chairman. All that I want is that Indian talent and patriotism should be used in improving the ports. So, I hope that the hon. the Leader of the House will at least accept this slight amendment."

The hon. Sir CHARLES TODHUNTER :—"Mr. President, I have listened with very great interest to the various proposals by means of which we can get over the difficulties which I have ventured to point out in regard to this matter. One of them, as I have already suggested, is to impose restrictions on the freedom of election, but this is by no means the only sort of restrictions suggested in order to secure this desirable end. First of all, taking them in the reverse order, the hon. Gentleman who has just sat down suggests that we should reserve the Tinnevely district always for an Indian Collector. Now, is it seriously proposed that, in order to have an Indian vice-chairman for the Tuticorin Port Trust, we should always in perpetuity reserve that one particular district for a Collector of one particular race?"

"Then, he went on to say that we could get Indians as Executive Councillors and Chief Engineers, but Executive Councillors and Chief Engineers"

Sriman BISWANATHA DAS Mahasayo :—"May I add Governors also?" (Laughter.)

The hon. Sir CHARLES TODHUNTER :—"Yes, and Governors also. May I say, Sir, that even Governors get salaries and is it going to be very easy for this struggling little infant body to pay the salary of a Chief Engineer or an Executive Councillor or even a Governor in order to secure the desirable end of having the vice-chairman of the port trust of a particular race?"

"Another hon. Gentleman appealed to my better sense. I am going to repeat the appeal to him. He asked me what I would say if an Indian trustee were appointed to the port of Liverpool. My answer is, if he was a competent person, that would be a splendid thing. He said again that even a child would not be deceived by the quotation which I have made

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from a speech by Sir Chimanlal Setalvad. Well, I am not a child, but I agree entirely with what Sir Chimanlal Setalvad said, namely, that this is a business matter and that a body such as a port trust should not be treated as a training school for local self-government. He again said that we must get Indian officers for these administrative posts, and the hon. Member Mr. Krishna Rao said that of course we could do that and could send them to England or somewhere else to be trained. But my difficulty is that the proposition is to make this condition at once. We are at the very beginning of the constitution of the port trust, and the effect of his proposal would be to hold up the constitution of the port trust until we had had a gentleman trained in maritime engineering and he was ready to take over the direction of the work. Or are we to leave over the constitution of the port trust until the Indian Mercantile Marine is constituted and we can secure an Indian officer who has secured a first mate's certificate to take up the work of the port officer?

"I have said, Sir, that we are very anxious to help you. Gentlemen in this matter and I have already offered to propose an amendment which I think will go a very long way to meet their wishes. But here we have got conflicting interests. One of these two posts which we have put down in the Bill must be filled by an administrative officer, and that administrative officer, by reason of the nature of the post, may have for the time being to be a European. Therefore, if we are compelled to appoint an Indian to the other post, we must choose him for the post which is not administrative, and we wish to fill that post by election. Therefore, we must tie our hands in respect of the person to be elected. It seems to me there is no escape from that position and that the two things are not compatible. As I have said already, we are anxious to see Indian trade develop. But we are already making a very big experiment in constituting a port trust at all, and in making that experiment want to start by having the present administrative officer to work with the help of the Collector of the district until the trust has been got into working order. When that has been done it will be time to think of making the vice-chairmanship elective or of prescribing that it shall be held by an Indian. If you pass this amendment, you will either prevent our doing all this or will compel us to earmark a particular district for an Indian Collector. There is nothing more objectionable than transfers of officers, and I don't think that Members will wish to inflict a transfer on Tinnevely for such a reason."

Rao Bahadur CRUZ FERNANDEZ:—"I support the suggestion made by the hon. the Leader of the House, especially as this Port Trust Bill is in its infancy. Let me say at once that I was in favour of election of the vice-chairman or that he should be an Indian, but since the answer and the assurance given by the hon. the Leader of the House, I am inclined to think that it is not so necessary to have an Indian now. The House has got ample opportunities and time enough to introduce such kinds of amendments as this, and therefore we need not insist on this amendment now. With these words, I support the suggestion made by the hon. the Leader of the House."

The amendment of Mr. Peddiraju was then put and declared lost.

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On the motion of Rao Bahadur A. S. Krishna Rao Pantulu, a poll was taken, and the House divided thus:—

Ayes.

- | | |
|---|--|
| 1. Rao Bahadur C. Natesa Mudaliyar. | 23. Mr. C. V. Venkataramana Ayyangar. |
| 2. " T. A. Ramalinga Chettiyar. | 24. Rao Sahib T. C. Tangavelu Pillai. |
| 3. Mr. C. Ramalinga Reddi. | 25. Diwan Bahadur M. Krishnan Nayar. |
| 4. Rao Bahadur A. S. Krishna Rao Pantulu. | 26. Mr. S. Satyanmurti. |
| 5. " C. V. S. Narasimha Raju. | 27. " T. Adinarayana Chettiyar. |
| 6. Mr. P. Siva Rao. | 28. " C. Maruthavanam Pillai. |
| 7. " A. Chidambara Nadar. | 29. Rao Sahib U. Rama Rao. |
| 8. " K. Kotti Reddi. | 30. Mr. G. Rameswara Rao. |
| 9. " P. Anjaneyulu. | 31. " P. C. Venkatapati Raju. |
| 10. Sriman Biswanath Das Mahasayo. | 32. " Abbas Ali Khan. |
| 11. Mr. M. Gangarazu. | 33. " G. Abdulla Ghatala Sahib. |
| 12. " S. Muttayya Mudaliyar. | 34. " Abdul Hye Sahib. |
| 13. " C. Gopala Monon. | 35. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 14. Rai Bahadur T. M. Narasimhaachari. | 36. Mr. T. M. Moidoo Sahib. |
| 15. Mr. P. Peddiraju. | 37. " Muhammad Moosa Sait Sahib. |
| 16. " V. C. Vellingiri Gounder. | 38. " T. N. Bava Ravuttar Muhammad Sahib. |
| 17. " J. A. Saldanha. | 39. Khan Sahib Saiyid Diwan Abdul Basak Sahib. |
| 18. Sriman Sasibhushan Rath Mahasayo. | 40. Mr. K. Uppi Sahib. |
| 19. Mr. M. Seetayya. | 41. Munshi Abdnl Wahab Sahib. |
| 20. " M. R. Seuratnam Ayyar. | 42. Mr. Janab Muhammad Yabya Ali Sahib. |
| 21. " K. Srinivasa Ayyangar. | |
| 22. " Sami Venkatachala Chettiyar. | |

Noes.

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|---|---|
| 1. The hon. Sir Charles Todhunter. | 16. Mr. Bradford Leslie. |
| 2. " Sir Arthur Knapp. | 17. " Ari Gowder. |
| 3. " Mr. C. P. Ramaswami Ayyar. | 18. " S. Arpudaswami Udayar. |
| 4. " the Raja of Kollegalode. | 19. Rao Bahadur Cruz Fernandez. |
| 5. " the Raja of Panagal. | 20. Rao Sahib P. V. Gopalan. |
| 6. " Rao Bahadur Sir A. P. Patro. | 21. Rao Bahadur K. Krishnaswami Nayudu. |
| 7. " Diwan Bahadur T. N. Sivagnanam Pillai. | 22. Mr. B. Maniswami Nayudu. |
| 8. Mr. R. W. Davies. | 23. " C. Muttayya Mudaliyar. |
| 9. " E. W. Legh. | 24. " P. C. Muttu Chettiyar. |
| 10. " C. Madhayan Nayar. | 25. " B. Obalesappa. |
| 11. " P. L. Moore. | 26. " K. S. Ponnuswami Pillai. |
| 12. " G. F. Paddison. | 27. " J. D. Samuel. |
| 13. " H. Tireman. | 28. Sir K. Venkatarajidi Nayudu. |
| 14. " J. A. Davis. | 29. Rao Bahadur O. Tanikachala Chettiyar. |
| 15. " A. J. Leech. | 30. Mr. J. L. P. Roche Victoria. |

Ayes 42.*Noes* 30.

The motion was carried.

Clause 6, Sub-clause (2).

The hon. Sir CHARLES TODHUNTER:—"Mr. President, 3-45 p.m. I beg to move

'That sub-clause (2) be omitted and the subsequent sub-clauses be re-numbered.'

"This is consequent on the amendment to clause 5 which has already been accepted."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I second it."

The motion was put and carried and the amendment made.

Mr. P. PEDDIRAJU:—"Sir, in view of my amendment to clause 5, I think the next amendment standing in my name does not arise."

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The hon. Sir CHARLES TODHUNTER :—" May I submit, Sir, that the sub-clause has been omitted, so that the next three amendments fall out ? "

Clause 6, sub-clause (4) now numbered (3).

The hon. Sir CHARLES TODHUNTER :—" Sir, I beg to move an amendment as follows :—

Omit the following words in existing sub-clause (4) :—

'two of whom at least shall be Indians engaged in sea-borne trade at Tuticorin.'

Again, Sir, this is a consequential amendment to the amendment already carried to clause 5."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I second it."

The amendment was put and carried.

The hon. Sir CHARLES TODHUNTER :—" I beg to move, Sir

That at the end of the existing sub-clause (4), the following words be added :—

'with due regard to the provisions contained in sub-section (2) of section 5.'

"This is a further consequential amendment with reference to the amendment to section 5 which has just been carried."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I second it."

The amendment was put and carried.

Clause 6 was then put, passed and added to the Bill.

Clause 7.

There being no amendments to clause 7 the clause was put, passed and added to the Bill.

Clause 8, Sub-clause (1).

Mr. P. PEDDIRAJU :—" Sir, I want to add an additional sub-clause (f) to clause 8 (1). The amendment runs as follows :—

Add the following as item (f) :—

'(f) is a white born British subject of any British colony unless specially exempted by the Local Government'.

"The reasons which prompted me to move this amendment are all known to this House. Last time, hon. Members of the House discussed about the boycott of the British Empire Exhibition, and the reasons which prompted the Members of this House to vote for that Resolution also prompted bring in this amendment. Hon. Members are aware how the Indians are being treated in all these colonies. The Colonial Governments won't allow Indians to live in good places, won't allow them to trade, won't grant them licences, and now this amendment—a small amendment indeed when compared with the hardships imposed upon us—that the white born British subject of any British colony should not be allowed to be a trustee of the port of Tuticorin is a small thing. I have also added a conditional clause to my

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amendment, viz., 'unless specially exempted by the Local Government', with a view to see that if there is a colony which is in good terms with the Indians, that particular colony may be exempted.

"I think I need not add anything upon this subject at length, because last time we have discussed the whole subject, and so I submit that this amendment may be accepted by this House."

Sriman SASIBHUSHANA RATH Mahasaya :—" I second it."

The hon. Sir CHARLES TODHUNTER :—" Mr. President, the hon. Member has, I think, demonstrated to the satisfaction of himself and the whole House that his amendment has nothing to do with Ports or Trusts or Tuticorin. It is therefore only necessary to enquire whether it serves any purpose at all.

"The purpose which, I take it, he claims that it serves is this: he has been hurt in his feelings; he wants to pass that hurt on to somebody else; he does not mind whom, and he hopes by this amendment to do so.

"I say nothing about the morality or even the wisdom of such a proceeding. I will simply consider whether, assuming his purpose to be what it is not, a wise and moral one, he has any chance of effecting it.

"The first essential to that end is that it became known. Now, although we have, at the instance of hon. Members, reduced the price of the proceedings of the Council far below cost, they have not yet become really popular literature. In fact I believe one can count the subscribers on one's fingers. One cannot, therefore, hope that an obscure section in an obscure Bill will be widely circulated through this means. What then is to be done? How are we to notify to the millions of Australia, Canada and the West Indies, to Borneo, Sarawak and Weihaiwei, to Tristan da Cunha, Papua and Saskatchewan, and to the 70 inhabitants of Pitcairn Island, that no one born there and born white may hereafter for ever aspire to become a member of that august body, the Tuticorin Port Trust—save with the sanction of the Local Government? Are we to broadcast it, or must we ask the Colonies to notify it themselves in their gazettes? Or shall we apply for the assistance of the genial Mr. Punch? Macaulay once drew a picture of a New Zealander sitting on London Bridge sketching the ruins of Saint Paul's. Could we induce Mr. Punch to duplicate this with a cartoon of a New Zealander sitting on the bridge we are building over the Uppar Odai looking longingly at the portals of the harbour buildings from which the hon. Gentleman had excluded him?

"And even if we did, would it excite melancholy or even wrath among the readers? Let us try to apply a similar instance to ourselves. Suppose that New Zealand disliked the quarantine laws of Australia and therefore issued a decree that no member of the Empire, including India, should be a member of the Waimakarera Drainage Board. Would agitators furiously rage or the people imagine a vain thing? Would orators orate and deputations depute? I think not. I fear that if New Zealand's action was noticed at all, the only person who would be likely to pay the slightest attention to it would be Mr. Doodle, and that the only paper that would notice it would be that known as Mr. Doodle's Weekly."

Mr. S. SATYAMURTI :—" Mr. President, Sir, I am sorry I cannot follow the jocular vein in which the hon. the Leader of the House seems to view the whole question. I do not want to introduce any racial bias into the

[Mr. S. Satyamurti]

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discussion, but I cannot help feeling this, Sir, that if in his place an Indian has been sitting as the hon. the Leader of the House, I am sure he would not have indulged in this cheap joke on the question of the dignity and honour of this nation which has been brought up before this House in a mild form and the only way in which we can bring it. I ask the hon. the Leader of the House whether, if Englishmen had been treated in Germany or in France, as Indians are treated in these Colonies, any English Prime Minister would dare to get up in the House of Commons and oppose an amendment like this, in this cheap jocular vein in which the hon. the Leader of the House has spoken on this motion. I must protest against the way in which these discussions are being reduced to the level of mere exchange of jokes on one side or the other. My hon. Friend has raised a very important matter. We feel that we Indians are being treated as helots and as slaves in His Majesty's British Colonies. This is one occasion when the matter has come before us. When we are going to disqualify X, Y or Z, we ask that to the extent to which we have the power to do so, this Council as representing the wishes and the opinions, and, may I add, the sentiments of thousands of people, may add an amendment saying that those who treat us badly shall be treated as they treat us."

The hon. the PRESIDENT:—"I am afraid I must interrupt the hon. Member. It is now 4 o'clock and we have to begin the debate on the Adjournment motion. The hon. Member will be at liberty to resume his speech to-morrow morning."

VII. MOTION FOR THE ADJOURNMENT OF THE HOUSE—cont.

The motion of Mr. Sami Venkatachalam Chettiyar for adjournment of the business of the House to discuss a matter of urgent public importance was then taken up.

The hon. the PRESIDENT:—"Before we begin the debate on the motion before the House, I have to draw the attention of hon. Members to the Standing Order on the subject, namely, Standing Order 23, which says:

'The debate on a motion to discuss a matter of urgent public importance, if not earlier concluded, shall automatically terminate at 8-30 p.m., and thereafter no question can be put.'

"The second clause of the same Standing Order says:—

'No speech during the debate shall exceed 15 minutes in duration.'

"I have not so far imposed any time limit. But hereafter, during this debate, the time limit will be enforced, because this is a motion on which many hon. Members of the House may desire to speak.

"Clause 2 of Standing Order 23 goes on to say:

'Provided that it shall be within the discretion of the President to allow the Mover and the Government Member answering him to exceed the said limit of time.'

"I shall allow the Mover to exceed the time limit once and so also the Government Member answering him."

Mr. SAMI VENKATACHALAM CHETTIYAR then made the following motion:—

"I beg to move the adjournment of the business of the House to consider a definite matter of public importance, viz., the issue of a Whip to support the Government by the hon. the Minister for Local Self-Government in connexion with the 'No-confidence' motion of Mr. C. Ramalinga Reddi."

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In doing so, he said:—"Sir, before I make a few remarks upon the question, I would like to thank you and the hon. Members of this House for having allowed me to get the business of the House adjourned for discussion of this important matter. The necessity for my request to adjourn the business of the House to discuss a definite matter of public importance arises out of the fact that the Whip issued by the hon. the Minister for Local Self-Government in regard to the 'No-confidence' motion of my hon. Friend Mr. C. Ramalinga Reddi has now been made public. The Whip reads thus:—

GOVERNMENT OF MADRAS.

FORT ST. GEORGE,
21st November 1923.

DEAR SIR,—Your attendance is earnestly requested on Tuesday, the 27th instant, to support the Government by voting against the motion of want of confidence in the Ministry which it is understood will be made on that day.

Yours sincerely,

(Signed) P. RAMARAYANINGAR,
Chief Minister.

"In answer to an interpellation of my hon. Friend representing the University whether the Government have issued any Whip to the nominated or official Members of the Legislative Council to vote against the Resolution to be then moved by Mr. Ramalinga Reddi, the hon. Sir Charles Todhunter representing the Government replied, as the House is fully aware, in the following terms:

'The hon. Member has addressed the question as Home Member. I beg to inform him that I am the Finance Member. I am very glad to dispense with notice and give the information which he desires. The answer to his question is in the negative.'

And in the course of his memorable speech the next day he emphatically denied the issue of any Whip by the Government. I desire, Sir, to make it clear at the very outset that I do not challenge the good faith of the statement made by the hon. the Leader of the House.

"I feel obliged to raise this question on account of the constitutional issues involved therein. The hon. Sir Charles Todhunter in his famous reply which in my opinion gave life to a tottering Ministry ('Hear, hear') postulated first that the Government did not send out a Whip, and secondly, that officials excepting Executive Councillors were free to vote as they pleased and that the same freedom was extended to nominated members. It was on the belief that the Reserved half of the Government would remain neutral because the terms of the address referred only to the Ministry that we deliberately refrained from criticising the policy and the administration of the Government in the Reserved Departments, though on the theory of the unity of Government advanced by the hon. the Leader of the House the Ministers could have been criticised for their partial responsibility for the administration of the Government in the Reserved Departments also.

"However, Sir, that is not the main issue on which I have based this proposition. The issues which we raise are:

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"Firstly, if the hon. Sir Charles Todhunter supported the Ministry in pursuance of the theory of Cabinet unity, did it not involve the principle that no Minister could issue such a Whip without the consent of the Cabinet?"

"Secondly, has the Minister the right to call upon the Members to support the Government as distinguished from the Ministry of their own accord? Supposing, Sir, by mistake he had committed an error which in a matter of this kind involving the very fate of the Ministry cannot be regarded as venial, was it not his duty to inform the hon. the Leader of the House?"

"The Whip itself is dated 21st November, and Sir Charles Todhunter denied the issue of any Whip on behalf of the Government on the 27th November and on the 28th also. Surely, Sir Charles Todhunter ought to have been informed either then or subsequently so that of his own accord he might have made the statement to the House which the House after the courtesy it owes to its Members, and above all to its Leader, would have been only too glad to receive unreservedly. The Whip was not even a private but a formal one commencing with, 'Dear Sir', showing that it was not a personal request but an official communication. It has all the semblance of a demi-official order of the Government. Issued as it was with the awesome seal of the Government of Madras and note head 'Fort St. George' and signed 'P. Ramarayananagar' with the designation unknown to the constitution as 'Chief Minister,' to nominated members, it will naturally have the effect of a Government Order which it would be deemed discourteous to disobey. Gratitude, Sir, is a strong feeling, and it would be an unexpected though an agreeable surprise if the nominated Members would feel it not inconsistent with their feeling of gratitude if they should have voted against the Government who have nominated them."

"It is therefore clear that the hon. Sir Charles Todhunter's theory of the freedom of the nominated and official Members to vote as they pleased appears very unconvincing in the light of this circumstance and that the hon. the Minister for Local Self-Government has committed a serious error which by reason of his subsequent silence when it was his obvious duty to have taken the hon. Sir Charles Todhunter into his confidence was only aggravated. It is no use saying that all this refers to a confidential matter of the Cabinet. I am for honouring confidences fully whether of the Cabinet or of other persons. But Sir Charles Todhunter's emphatic reply to Mr. Satyamurti was made in the open Council and the Whip itself is a demi-official one. So, Sir, we are not alluding to matters which have been improperly revealed but to transactions of a genuinely public character."

"I am, therefore, compelled to say that such conduct of the hon. the Minister for Local Self-Government is inconsistent with the dignity of the House and that it militates against courtesy due to the hon. Members of this House."

After a pause, the hon. the PRESIDENT said:—"Is anybody seconding the motion?"

Sriman SASIBHUSHANA RATH Mahasaya:—"I do not think that any seconding is necessary for this motion. If it is necessary, I will second it."

The hon. the PRESIDENT:—"This Adjournment motion like any ordinary motion requires one hon. Member to move it and another to second it. If the hon. Member chooses to second it, he should do so without attaching any proviso."

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Sriman SASIBHUSHANA RATH Mahasaya:—"I do second it."

Mr. J. A. SALDANHA:—"Sir, the word 'Government' is used with various meanings. 'Government' is taken to mean the Cabinet of the time that holds office with His Majesty the King-Emperor and denotes the British Government. Then we have the 'Government of India' which includes His Excellency the Viceroy with his Councillors. Then there is the 'Local Government,' for instance the Madras Government. It consists of the Governor in Council and the Ministers. Surely, when issuing this Whip, the Chief Minister did consider himself as only a brother Minister of his Colleagues that constitute the Local Government of Madras. What he evidently intended was that His Excellency in Council along with himself and his two brother Ministers formed the Government and in the name of this Government he desired the hon. Members of this House to whom he issued these letters to support the Ministry as well as, I believe, the other Members of the Executive Council."

"When this Whip reached me, it was a great shock for me to read it, and I wondered how no objection was taken in this Council; but as I was at that time somewhat new to the procedure in this House, I naturally kept quiet. But, Sir, the effect of the shock is still fresh in the minds of many hon. Members of this House as well as in mine. It is a most unheard of and extraordinary procedure, and it deserves to be condemned in the strongest terms possible. What was expected of us, the new Members of the Council, was that the hon. the Chief Minister required as a matter of loyalty to the Government, to the Local Government, to His Excellency in Council, to the Ministers themselves, nay, to the British Government as a whole, that we should vote against the motion and that it would be disloyal to vote in favour of the motion. Sir, that was the kind of loyalty that the hon. the Chief Minister expected of those who were nominated to this Council by His Excellency. The natural impression produced on those gentlemen was that His Excellency who had appointed them, nominated them to this House, expected them to vote for this Ministry, and that this Ministry was supported by the Government and not only formed part and parcel of the British Government but also commanded the confidence of His Excellency the Governor. In fact the impression produced in my constituency—I may mention here, Mr. President, among our electorate a large number are not quite conversant with the procedure in this Council, and have no exact knowledge of the changes brought about by the Reform Act in the constitution of the Government of India and the Local Government—when they heard that I had voted against the Ministry, was that I had voted against the British Government itself. Sir, Mr. President, there have been open charges made against me and, those that have read the dailies, for instance the *Madras Mail*, would have seen how I was criticized as having kicked the very ladder by which I have risen in life, and that I have acted absolutely against the very tradition of my community, the Christian community of the West Coast. This impression is due to the attitude of our Ministers who were conducting themselves in this way for a long time. They have, to a great extent, stuck fast in the mud pushing forward the car of Jagannath, which is a very slow car and which we cannot expect to move on so fast as we want. We expect at the same time that the Ministers went a little more expeditiously in the movement of our constitutional reforms. But the impression produced by the Ministers throwing them loose on their backs, holding at the coat tails of the knights

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of the Reserved half in the manner they are proceeding, I say, when one looks at it, one would fancy, I believe, among the electorates, a large number of whom are, I repeat, ignorant of the fact that the Members of the Council and the Ministers did not form one unit, that a vote of No-confidence against the Ministers meant disloyalty to the British Government as a whole. Far be from it that, I or anybody else should be considered disloyal to the British Crown or Government as a whole. But the Ministers wanted the people to believe that it was disloyalty to the British Government to vote in favour of the motion. That is what is implied from this Whip that was sent to me and others. They wanted loyalty to the British Government to be exhibited in that manner, and that was the impression on us who entered the Council very new. It was very wrong and unfair to us that such a letter should have been issued. I therefore join strongly with the hon. the Mover of this motion in vehemently denouncing such conduct as unfair, as atrocious injustice to this House; and I am afraid the Ministry got a small majority on the No-confidence motion partly as a result of the Whip which must have misled many of the hon. Members. I hope therefore that this House will join with us in strongly denouncing this attitude of the Ministers just at the commencement of the Sessions of this Council."

MR. S. ARPUDASWAMI UDAYAR:—"Mr. President, Sir, I have listened very carefully to the speech of the hon. Member, Mr. Sami Venkatachalam Chetti. He rests the whole question on constitutional grounds, and speaks of certain great constitutional issues being involved. There is one point raised by him which deserves very careful consideration. He spoke of the expression 'Cabinet unity' which was used by the hon. the Leader of the House when he emphatically denied having sent a Whip, and went on to say that although the Executive Councillors were free to vote as they pleased, still he would vote for the Ministry. Therefore the inference is drawn that for the sake of Cabinet unity he voted for the Ministry, and against the motion. Therefore there is such a thing as Cabinet unity and the Ministers should not have sent a Whip. Sir, there is a difficulty. . ."

The hon. Sir CHARLES TODHUNTER:—"Sir, may I make a personal explanation? What I said was that I voted, not because of Cabinet unity, but for our *status quo*."

MR. S. ARPUDASWAMI UDAYAR:—"I am very glad then to learn that there is no such thing as a Cabinet unity (loud laughter). I understand the meaning of the laughter. I meant to say that there is no such thing as Cabinet unity with reference to the question on hand, and that therefore there is no use of hon. Members straining that point in this debate.

"If the Minister has sent a Whip asking the Members of a party or nominated Members to vote for the Government, 'Government' does not necessarily mean Government composed of the Transferred half and the Reserved half. My hon. Friend, Mr. Ramalinga Reddi, when he criticized the actions of the Ministers, made it very clear that his criticisms were directed against the Ministers and never at all against the Reserved half. Therefore, even after the No-confidence motion was taken into consideration, there was no question whatever of the Reserved half coming in for a share of the criticism and nobody thought that the Reserved half would be held accountable or would be held responsible for any alleged mistakes of the

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Transferred half. Therefore, it is clear that, since the Ministers belong to a party, and wherever we have a party there must be party discipline, and party discipline consists among other things in sending out Whips, the Whip issued by the Chief Minister was only meant to request hon. Members not to embarrass the Transferred half by voting for the motion brought forward by the hon. Member, Mr. Ramalinga Reddi.

"Secondly, this is not a censure motion which condemns an act of administration or its policy. It condemns, I think, only an error, or what the hon. Member, Mr. Sami Venkatachalam Chetti himself said, a grave irregularity. I will consider the question of irregularity later. My hon. Friend, Mr. Saldanha, was straining the point when he said that the expression 'Government' only meant the Madras Government and that his electorate took him to task for having kicked the ladder and voted against the Government. How could that be? The Minister could speak only for the Transferred half. The hon. Member was present here during the No-confidence debate and everybody listened to the emphatic denial of the Leader of the House that nominated Members were not bound to vote in any particular way.

"They were quite free to vote either for the Ministry or against it. So in the face of that assurance, which was given here in the 4-30 p.m. Council before, and which every nominated hon. Member here must have heard, are we to suppose that undue influence was exercised by that letter and that nominated hon. Members were under the impression that they would be voting against the Government if they voted against the Ministry and therefore did not vote deliberately and freely, without being biased and without being unduly influenced? When the hon. the Leader of the House himself said that the nominated Members who, as the hon. the Law Member frankly and clearly said did not owe their seats here to the Ministry were free to vote as they liked, it was open to them to vote either for or against the motion and to use their discretion. Their liberty was in no way fettered. And again, Sir, what was there to make them think that the Ministry was the Government to which they owed their seats and whose wishes they had to consider? We have heard the hon. the Law Member saying that the Ministry was not at all consulted in the selection of the nominated Members and the hon. the Leader of the House also said that they were free to vote as they liked. Yet, were they likely to be influenced by the fear of incurring the displeasure of the Ministers who were not at all consulted in the selection of the nominated Members? It is natural for the nominated Members to look to the Government which has nominated them. Why should they care for a Ministry, which was not consulted in respect of nomination? I fear the hon. Members strain the point too far. Government, in that place, means the Transferred half and certainly not the Reserved half. There was no idea of directing criticisms against the Reserved half. Honourable Members opposite spoke of the impression created on the nominated Members, viz., that they were bound to vote. There was no such impression at all, because we had questions put and answers elicited from the hon. the Leader of the House and the hon. the Law Member and everybody knew that they were quite free to vote as they liked. And again as regards the irregularity, I fear the constitutional precedents do not apply. The precedents which are spoken of in political histories or books on Parliamentary practice, the case of Melville or the case of Chatham do not apply.

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We have diarchy and hon. Members may regard this as an advantage flowing from diarchy or a disadvantage. Whatever it be, there are two different halves of Government and certainly throughout the debate on the 'No-confidence' motion the reference was to the Transferred half and never to the Reserved half. With these few words, I oppose the motion."

Mr. C. PONNUSWAMI NAYUDU:—"I no doubt received a similar letter as the one referred to; but the impression it created on me was quite different from the one which is now sought to be made out. I only thought that it was a letter from the Chief Minister to his personal friends. I never understood it to mean that it came with the authority of the Government. We had the result of the 'No-confidence' motion known in several places, and I do not think anybody said any word about the special manner of voting either for or against. So it is not right to say that the Whip issued decided the voting one way or the other. Every Member voted freely."

The RAJA OF KURUPAM:—"I rise to oppose the motion, not on any party grounds, but on the merits of the question. From the discussion, I gather that the supporters of the motion depend upon the use of the word 'Government' in the circular letter and also, strange as it may seem, upon the use of the letter paper bearing the Government's seal. It requires no stretch of imagination or reasoning to say that the hon. the Chief Minister would not have presumed to represent the Reserved half, on his own responsibility, without an explicit authorization to that effect. The fact that the hon. the Leader of the House was not aware of the Whip at the time of answering the question, supports the contention that the Chief Minister meant by 'Government' the Transferred half of the Government. In addressing the hon. Members on behalf of it, he was within his authority. As for the use of the Government note paper, it is too trivial to draw any inference from it. Hon. Members in writing to friends may use the Council note-paper and it does not mean that the letter is written in their capacity as Members of this House. The Resolution, therefore, appears to me to have been tabled in the spirit of 'any stick to beat your opponent with'."

Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, Sir, I feel that of late there has been a little too much of the washing of dirty linen on the floor of this House. I would earnestly urge that some attempts be made to raise the prestige of the House in the estimation of the people. When I first came to know or rather was told that a Whip had been issued by the Chief Minister, I thought: why should he not? His Ministry was in trouble. He wanted all the support he could get from Members of this House whether they were elected or nominated, from whatever quarter he could get it. I thought he was entitled to get all the support he could. Then my attention was drawn to the fact that he did not want support to the Ministry but to the Government (hear, hear). I think in that he appears to have been wrong. I do not think the hon. the Law Member, clever as he is, can say that Government does not include the Reserved half as well as the Transferred half. But I am not prepared to say thereby that the hon. the Chief Minister wanted deliberately to mislead the nominated Members of the House by the use of the word 'Government'. I believe that he did not bestow much attention to the significance of that word: he was seeking support for the Ministry and nothing else. If that was the case I would ask him as the leader of the Ministerial party and as one who is to lay down sound tradition

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for the House to get up straight and tell us that the use of the word 'Government' in that letter was an error and I hope all of us here would let the matter drop with that."

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, the speech of the hon. Member from Trichinopoly, Mr. Arpudaswami Udayar, is in the nature of a special pleading on behalf of the Chief Minister whose conduct has been called into question. I am led to construe the Whip issued by him as nothing more or nothing less than an instance of blazing indiscretion on his part at a time when the 'No-confidence' motion was tabled in this House for discussion. The very existence of the Ministry was then imperilled. The motion itself was not directed against the Government but it was directed against the Ministry in office whose continuance was to become the subject of discussion, and, in that state of things, to issue a Whip of this character, couched in this ambiguous language to more than one hon. Member including the nominated Members, is something which is quite unpardonable. I heard one hon. Member say that he regarded this Whip as a sort of letter to the Minister's personal friends. I should like to put a question on this point, viz., whether all the nominated Members can be regarded as personal friends of the Chief Minister by reason of the fact that the Whip was issued individually. It raises a grave constitutional and fundamental issue, viz., whether it is legitimate to go about canvassing for votes to secure his office and continue in office which was supposed to be practically in jeopardy by reason of this 'No-confidence' motion. It was stated that by Government it was understood to mean the Transferred half of Government. Whatever that may be we are not now meeting to construe any statute. One thing is obvious that everybody is anxious to maintain the traditions of this House. We meet here to build up conventions and traditions. The Whip issued to particular individuals had the desired effect. For, when the division bell rang and when Government division was taken, to our utter surprise, we found most of the nominated Members, excepting one, voting solidly against the motion. What does it indicate? Whatever might have been the intention of the author of the Whip, it produced the effect expected of it. That was a thing which is certainly deplorable. It has not only had the desired effect but it has lowered this House in the estimation of the public. I am not prepared to characterise the Chief Minister's conduct as only bordering upon irregularity. It is something more serious. Therefore we are here to condemn his conduct in the strongest possible language."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"I may not have taken any part in this debate but for some observations made by my hon. Friend, Mr. Sami Venkatachalam Chetti, in his opening remarks that this Whip gave life to a tottering Ministry. The suggestion was that it is by reason of this Whip . . ."

Mr. S. SATYAMURTI:—"On a point of correction, Sir, I wish to state that Mr. Venkatachalam Chetti said that Sir Charles Todhunter's speech gave life to a tottering Ministry."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"Whatever that may be it was said amongst other things that the Whip was to give longer life to the Ministry."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"I did not say, so, Sir."

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Rao Bahadur O. TANIKACHALA CHETTIYAR:—"Whatever it is (laughter) that is the impression I gathered and I am to say that amongst other things he said that the Whip made the voting stand as it stood that day. My hon. Friend referred to Standing Order 20 and carefully read everything except one word in it. He said, 'I beg leave to move the adjournment of the business of the House to consider a definite matter of public importance.' 'Urgent public importance' is the phrase occurring in the Standing Orders. He left out the word 'urgent', and I have been carefully following him."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"I did not read the text of the Standing Order."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"One would have thought that there was something more urgent than a Whip issued in connexion with a 'No-confidence' motion made so early as the 28th November."

Mr. S. SATYAMURTI:—"On a point of order I wish to say this, Mr. President. The permission having been given by this House it is not open to any hon. Member to question it."

The hon. the PRESIDENT:—"I must say the hon. Member, Mr. Tanikachala Chettyar, is right. Even in the notice of the motion the word 'urgent' is omitted."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"The word 'urgent' which is the justification for an adjournment of the House on a matter of public importance has been omitted. I listened to what he was saying and did not know the actual wording of the motion. One would have thought that unless there was an urgency in the matter this matter should not have been brought forward."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Whatever may be the impression which Mr. Tanikachala Chettyar had from my speech, may I respectfully suggest that the leave of the House having been given it is not open for the hon. Member to dispute that point now?"

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"I am only pointing out that there are more urgent things to which the attention of this House could have been drawn, more particularly in connexion with the 'No-confidence' motion."

Mr. S. MUTTAYYA MUDALIYAR:—"Is it not a reflection, Sir, upon the authorities who have granted the permission, to say that this is not an urgent public matter?"

The hon. the PRESIDENT:—"I should ask hon. Members to reserve their remarks till the hon. Member Mr. Tanikachala Chettyar has finished."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"There are more urgent things, Sir, connected with that 'No-confidence' motion, which have seen the light of day in the answer to the interpellation of my hon. Friend, Mr. Ramaswami Mudaliyar."

Dr. P. SUBBARAYAN:—"May I know, Sir, whether it is proper to refer to that question the discussion on which has been postponed?"

Mr. C. RAMALINGA REDDI:—"Is it justifiable, Sir, to refer to a question which has been postponed to to-morrow?"

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Rao Bahadur O. TANIKACHALA CHETTIYAR:—"Whatever it may be, I cannot lose sight of the fact that the vote on the 'No-confidence' motion was determined by reason of what was said by important speakers who took part in that debate and no more important person who took part in that debate was there than my hon. Friend Mr. Ramalinga Reddi, and it was he who on the 28th November stated in the most emphatic terms and in a language clothed with eloquence and flourish 'I did not ask for any favour, I did not ask for any nomination or for any appointment, honorary or otherwise.'"

Mr. S. SATYAMURTI:—"On a point of order, may I submit that a speech like this should be relevant to the subject matter of the motion? The subject matter of this motion is the issue of the Whip and not Mr. Ramalinga Reddi having applied or not having applied for any appointment, honorary or otherwise."

Mr. C. RAMALINGA REDDI:—"I may further state, Sir, that the whole reference is to a matter which has been postponed. I think this is highly irregular and it only shows the impatience of the hon. Member."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"I cannot miss this opportunity to say what all I have to say on this motion. I am entitled to rely upon the fact that the purity of purpose and the purity of intentions of the hon. Mover of the 'No-confidence' motion had a good deal of effect in securing the many votes in favour of his motion."

Mr. C. RAMALINGA REDDI:—"Is it in order, Sir, to refer to a matter which has not yet been disposed of and on which supplementary questions have yet to be put in this House and on which I have to make a statement? It does seem to me that the hon. Member is anticipating me."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"However much it might be inconvenient to the hon. Member, he has not made his explanation for which he has had an opportunity this morning."

The hon. the PRESIDENT:—"I think it is perfectly true that the hon. Member Mr. Ramalinga Reddiyar was prepared to make a statement this morning. The hon. Member told me that he was going to make a long statement and I thought it better to adjourn that point till I had considered the whole matter. I have not said anything finally about it. It was not the hon. Member that was unwilling to make the statement. As regards the reference to the question and answer, I am not so sure that it will not be open to hon. Members to make any reference to them which may be relevant to the present motion. This is a matter in which hon. Members will naturally travel a good deal round a given subject. No doubt the debate should refer to a definite issue; but several other issues may be relevant to the main issue. We shall watch the debate and not settle once for all what is relevant and what is not."

Mr. C. RAMALINGA REDDI:—"My submission is that we had also the supplementary questions postponed. Our impression was that the whole thing was going to be taken up to-morrow. There is nothing now but an ex parte statement of the hon. the Chief Minister."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"But I cannot deprive myself of the right of relying on an argument founded upon a recorded statement. There has been an answer which was published this morning categorically."

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Mr. S. MUTTAIYA, MUDALIYAR:—"May I rise to a point of order, Sir? An answer which has not been made is not a record of the House and no hon. Member can rely on it. The question has been put off."

The hon. the PRESIDENT:—"The answer was delivered this morning but the hon. Member Mr. Ramalinga Reddi wished to make a statement and it is that statement which has been deferred. I have not undertaken to receive that statement. I only said that I would consider the matter. I do not know whether any supplemental questions and answers are going to be made."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"The record of the House, incomplete though it might be, is what I am entitled to rely on. So far as it stands, it has deprived the hon. Mover of the 'No-confidence' motion of that halo which he gave himself to by the emphatic repudiation, 'I sought no appointment, honorary or otherwise.' It is categorically denied by documentary evidence by the hon. the Chief Minister, who was one of the victims of the attack that was directed on that day. Standing as that record does, am I not entitled to-day to say whether it was the Whip that has been issued that influenced the hon. Members or whether it was that protestation of the purity of his intentions in moving that motion that influenced the hon. Members who took part in the voting of that day?

"I now proceed to discuss the propriety of the Whip. I say in all humility, with such little knowledge as I possess, that there was nothing improper in the Whip that has been issued. I myself received one. But I have also had a copy from Mr. Sami Venkatachallam Chetti and it says 'your attendance is earnestly requested on 27th to support the Government on the motion of want of confidence in the Ministry which will be made on that day.' Section 134 of the Government of India Act defines what a 'Government' is. 'Government' is the Governor acting with his Ministers or the Governor acting with his Councillors. There are two sets of Government, Diarchy as it is, about the eccentricities of which my hon. Friend, Mr. Ramalinga Reddi, has been so often speaking in and outside the Council, has placed the Governor and his Ministers under the category of Government as also the Governor and his Councillors. Then with reference to the motion of 'No-confidence' in the Ministry, the question has been put to the hon. the Finance Member, though he was wrongly described as the Home Member, whether the Government issued any Whip. Naturally he believed that it was a reference to the Reserved half of which he was a part and so far as that was concerned, he said no such thing was issued. How is he expected to know or has a right to know that a Whip may or may not have been issued in the Transferred Departments of the Government of which he is not a part and of whose deliberations he is not entitled to have a perfect or a first-rate knowledge at all? It may be by courtesy he might be getting sometimes some information. But as a matter of law and of constitution and of right, as an Executive Councillor, he has no right to be made known of what is being done in the Transferred half of the Government. But when the hon. the Chief Minister and his Colleagues are being attacked he only wanted some of us to vote on their side. Are the Ministers to practise that beautiful virtue of showing their right cheek when they are hit on the left cheek? Have they to say 'let the 'No-confidence' motion be passed and we will sit with folded hands?' Before

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the proposition was put to the vote, it has been distinctly brought forward and elicited that the hon. the Ministers had no hand or part in the nomination of the nominated Members. It has been said by the hon. the Law Member that it was within the province of His Excellency the Governor and this time His Excellency exercised that prerogative himself and the Ministers had no part in it. Under these circumstances, to come and say that they influenced the people whose nomination they were responsible for, or that they used the name of the Executive Government to get their support, is I think, in the words of my hon. Friend, to find anything as being fit to beat the Ministers with. Therefore, what I wish to point out is that this distinction between the Reserved half and the Transferred half was so well kept in view that the hon. Member, Mr. Ramalinga Reddi, found it necessary to say to the Reserved half in the early portion of his speech that he was not suggesting anything by way of want of confidence against the Reserved half of the Government and that he was directing his attack against the Ministers and the Ministers in self-protection had to get as many votes as they could by writing to those who they were entitled to think were likely to support them. Under these circumstances, I think there are more urgent things about which this House can be asked to interest itself than upon a thing which is about 2½ months old, and about something which is real, substantial, material and not illusory as this motion is."

Mr. S. SATYAMURTI:—"Mr. President, Sir, the Whip should have been issued by the Leader of the party and not by the Chief Minister, and I cannot but deprecate that action. I hope and trust that hon. Members of this House, whatever their personal prejudices, will not allow their judgments to be clouded by personal prejudices. I hold no brief for Mr. C. R. Reddi and he must take care of himself. But I do hold that no political parties can be built on the shifting sands of the spoils system. I am one of those who believe that the building of political parties depends to a very great extent on the political serenity and political honesty and the raising of the standards of public life as in all democratically-governed countries. I do not agree with my Friend, Mr. Ranganatha Mudaliyar, that dirty linen should not be washed and I should rather wish that it should be washed in the streets, than be kept stinking in the cup-boards of my house. Therefore the question is not whether the dirty linen should be washed or not, but whether there is dirty linen or not."

"Now coming to the points which this motion raises, my question was a very simple and direct one, and that is whether the Government have issued any Whip. No doubt the Leader of the House knows the definition of the Government of India Act. What I wanted to know was whether any Member of the Government issued any Whip. Therefore I do say this: that unless the Leader of the House rises up in his place and says 'I knew of this Whip but did not tell him at that time' the first charge against the hon. the Chief Minister is that he was not even true to his Colleagues who chivalrously came to stand by him. And not only did he not tell the Leader of the House about it earlier, he sat there sphinxlike listening to the answer, when common political honesty and political chivalry should have made him get up and say as a sort of supplementary answer 'I have issued a Whip'. But he sat there and that is his conception of political honesty and loyalty to his Colleagues who are still helping them to remain in office. Sir, what

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we are now concerned with is whether he was right in issuing that Whip to the nominated non-officials. A great deal of comment was made upon the construction as to what 'Government' means; 'Reserved half' means the Governor acting with the Executive Councillors, and the 'Transferred half' means the Governor acting with his Ministers. Nominated non-officials should not be influenced by the Ministers on that matter.

"Coming next to nominated non-officials, to a question put by me as to whether any Whip had been issued to them to vote in a particular way, the answer to that was an emphatic negative. Another opportunity was given to the hon. the Chief Minister to repent and say whether he had any ideas of political honesty and that was when a question was put to him whether Sir Charles Todhunter had given the promise of getting nominated non-official votes, then too he said that the answer to my question was an emphatic negative. The hon. Sir Charles Todhunter then said, 'I do not know I need say any more except that the nominated non-official Members, if they are creatures of anybody, are not the creatures of the Transferred side, or the Reserved side, but creatures of His Excellency the Governor alone and creatures with power to differ in their opinion from their creator. They represent vested interests and will, I am sure, give the votes which they consider these special interests require them to give.' And the Chief Minister then remained silent.

"Sir, I have no knowledge of the inner workings of the dyarchical Government, but still believe that there is room for political honesty even there, unless I am shown to the contrary, and it behoved the hon. the Chief Minister to have risen up in his place, when the hon. the Leader of the House answered my question, and admitted his having issued a Whip. Instead of doing that, the hon. the Chief Minister kept quiet and I ask whether his significant silence on that matter can be reconciled with any ordinary standards of political honesty or decency.

"Then again we have this statement that the nominated non-officials were not as a matter of fact influenced by that Whip but were influenced by other considerations. I do not pretend to have gone into the psychology of non-official minds and I cannot therefore say if they were influenced by that Whip or not. I have only two answers. The first is that the intention was to influence private non-official Members to vote with the Government and we have the answer of the Chief Minister that as a matter of fact this Whip was issued to nominated non-officials as a kind of reminder without hoping for any effect from it.

"My second answer is, knowing Indian nature as I do, I suggest that this Whip was intended to encourage those Members to vote with the Government. Even if it did not produce that effect the immorality of the transaction is not thereby reduced. Anyone knows that an attempt to commit a certain crime is a crime whether the attempt proves successful or unsuccessful. Therefore this argument that the non-official Members were not influenced is wholly irrelevant.

"Then we are told that there are no parliamentary precedents for moving a motion like this. I ask whether there is any precedent in the House of Commons or in the whole world of a Member of a Cabinet issuing a Whip to the Members of his party without the knowledge of his Colleagues. Therefore I cannot ask for precedents on a matter like that.

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"Then, Sir, on the merits of the question I have only to say this: first of all in issuing the Whip,—whether he succeeded or not is another matter,—he misled his Colleagues in the Cabinet and secondly when chivalrously the hon. the Finance Member answered my question as to whether the hon. the Raja of Panagal in issuing his Whip had consulted his Colleagues, that the Government considered that details of the consultation should be treated as secret, the Chief Minister did not contradict him. I congratulate the hon. the Finance Member on the chivalry with which he answered my question but I challenge him to contradict the statement that was made. Under the circumstances the act of the hon. the Chief Minister in not contradicting the statement of the hon. the Finance Member is in effect deceiving the House.

"When my hon. Friend Mr. Ramalinga Reddi asked the hon. the Finance Member whether he was aware of the existence of any Whip and when the hon. Member replied that the Government did not propose to reveal private discussions in the Cabinet, the hon. the Chief Minister kept quiet enjoying the protection of a bureaucrat of the Reserved half. And the last but not the least part played by him in connexion with the issue of the Whip is that he misled the whole House by sitting sphinxlike without opening his mouth when statement after statement was made. And I trust that to whatever party one may belong, we are all agreed that we do not want Ministers in this House whose ideas of political honesty are so primitive as those of the hon. the Chief Minister. After all we want to build political traditions and I ask the hon. the Chief Minister and those who think with him whether such a deed in order to keep himself in power at any cost would have been contemplated in any House of Parliament. Let us take for example the present House of Commons. I am sure it is perfectly possible for Mr. Asquith or Mr. Baldwin to keep the Labour Party out of power. But they have not done so. But here when Ministers, though they do not command the confidence of the House, want to continue in power by whatever methods, they do not care as to whether they have the support of the House or not. I therefore suggest to the hon. the Chief Minister to repent for his actions, to stand up and say 'I will stand or fall by the vote of the electorate and will no longer be the creature of the creatures of His Excellency the Governor, namely, the nominated Members of the Governor.'

Diwan Bahadur P. KESAVA PILLAI:—"Sir, is it open to an hon. Member to point his finger of scorn against nominated Members and always speak as if they have no sense of responsibility, no conscience and all that sort of thing?"

Rao Sahib P. V. GOPALAN:—"I protest against the expression used."

Mr. S. SATYAMURTI:—"If I have offended any nominated Member I apologize. I was quoting a very high authority, the Leader of the House, who characterized the nominated Members as creatures of His Excellency the Governor (cheers). I recognize they are my colleagues—some of them are my superiors and all of them, my equals. I was merely quoting one whose authority they did not question, but perhaps phrases assume different meanings.

"I want to say only one word more and that is our Friends the Ministers in our dyarchical Government are elected by the people and they are responsible to their respective electorates. Therefore their continuance in power depends on the strength of the electors behind them, and they cannot successfully continue to work with the Reserved half if they are to be true to their

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electorates. Otherwise they have to simply carry on the Government as the old bureaucrats. I therefore venture to make this appeal to all Members here that for the sake of merely continuing in office political honesty and honour of public life should not be sacrificed. It is one of the strangest anomalies that a Whip issued by a certain Member of the Cabinet was not known to the hon. the Leader of the House.

"With these few words I strongly support the motion, and request the hon. Members to give their votes in support of it thereby asserting the dignity and honour of this House."

Mr. R. VEERIAN :—"I should like to say a few words. Section 72 of the Government of India Act defines that 'Local Government' means Government by the Governor in Council or Governor acting with his Ministers. In this case the Governor has nominated the Ministers. The Chief Minister can address a letter to all the Members of the Legislative Council. If, on the other hand, the Chief Minister had not sent us a letter on this vote of 'No-confidence' motion he would have been failing in his duty. It is most ridiculous to suggest this objection at this stage.

"Sir, the nominated Member is as important as the elected Member. The nominated Member also represents the voiceless millions of people who are interested in all these matters. When I say that I see no reason why this motion should be brought before the House, I say this as the considered opinion of the classes I represent. The nominated Members are not mere creatures. We are criticized as being mere gramophones. I do not know where they got these gramophones from. Did they get them from Spencer & Co. or any other company? I wish to point out here very strongly that we are men having blood and bones, having common sense and discretion. We used our discretion and commonsense in voting for the Ministry. I say, Sir, that commonsense is better than academical qualifications. (Ironical cheers from the Opposition Benches). Without commonsense educational qualifications will not shine at all. Therefore we may very well be far superior to and better than Members possessing academical qualifications but wanting in political wisdom and commonsense. Well, Sir, we used our discretion and voted accordingly. So many people came and persuaded us secretly and cunningly not to vote for the Ministry. The Minister, on the other hand, acted fairly and above board when he sent us a letter. It is always better to have an open enemy than a secret one.

"Again, Sir, it is said that the Members are afraid of the Ministers. The Ministers did not nominate the Members. His Excellency the Governor nominated them. We used our discretion and thinking that the Ministers are our worthy colleagues we voted for them. I say again, Sir, that commonsense is better than academical qualifications."

The hon. Rao Bahadur Sir A. P. PATRO :—"Mr. President, Sir, the hon. the Member for the University with his characteristic vehemence referred to canons of honesty and purity in political life. Sir, the paper he holds in his hands contains the answer that was given by the hon. the Leader of the House to his own oral question. If he had only referred to that it would have cleared the atmosphere. In common fairness to the House and political honesty in himself he should have read that portion of the reply so that the House may be in possession of fuller information in order to understand what it was that he was speaking."

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Mr. S. SATYAMURTI :—"Sir, I did not read the reply at all."

The hon. Rao Bahadur Sir A. P. PATRO :—"The answer of the Finance Member to the oral question on the 27th November 1923 whether he knew of the whip issued on the 21st November 1923 was in the negative. It was thought that the question referred to the action taken in the Home Department. I take it that what the hon. Member had in view was a telegram issued by the Labour Commissioner at the instance of the Secretary to the Council. It was thought it would not bear the complexion of a Government whip, and the Finance Member gave the answer in the negative. I don't see why it is not the correct answer. Perhaps the hon. Member representing the intelligentsia of this country had a whip in his hand. Why should not the letter, of which so much is now made, have been produced? It would have been common honesty to produce that whip before the House and show that the Leader of the House was mistaken. The hon. Member's friends and colleagues had had ample opportunity of producing the whip before the House."

Mr. S. SATYAMURTI :—"Sir, at that time I did not know of the existence of the whip."

The hon. Rao Bahadur Sir A. P. PATRO :—"That is the whole secret now, Sir. Therefore the reply of the hon. the Leader of the House was correct. It was not chivalry on his part to shield the hon. the Chief Minister. It was said that the Chief Minister sat sphinxlike and did not rise in his seat. Now, Sir, what manner of chivalry is this on the part of the hon. Member representing the University when he did not understand the question he had put to the hon. Member, the Leader of the House? He now says that at that time he was not aware of the letter. Is this consistency, is this justice, is this truth? The Leader of the House has stated in his answer that he did not refer to this letter, but he referred to a telegram that was sent by the Labour Commissioner at the instance of the Secretary of the Council asking the Members of the Depressed Classes to intimate their addresses to the Council Office. This being the basis of the whole agitation, is it fair, is it honest that this should have been made the basis of an attack upon the hon. Member?"

Mr. C. RAMALINGA REDDI :—"May I say a word of personal explanation, Sir?"

The hon. Rao Bahadur Sir A. P. PATRO :—"Sir, I never referred to the hon. Member at all to give rise to a personal explanation."

Mr. S. SATYAMURTI :—"Sir, my question was whether any whip had been issued by the Government, not this or that particular whip."

The hon. Rao Bahadur Sir A. P. PATRO :—"Sir, the real answer to that question is plainly and unmistakably given by the hon. the Leader of the House. In the face of this reply, to say that it was not political honesty, righteousness, or fair-play, words that have no meaning when they are used by a person who did not know his own mind and the very question he put to the Leader of the House, I am sure the House will give no consideration to these words."

Mr. S. SATYAMURTI :—"Sir, I know more English than the hon. the Minister for Education."

The hon. Rao Bahadur Sir A. P. PATRO :—"The hon. Member represents the University if that is his claim. Now, Sir, the criticism that the hon. the

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Chief Minister did not rise to correct the hon. the Leader of the House when he gave the reply to the question whether he issued any whip is altogether unfounded."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Sir, my contention is that no honest Member could have advanced such an argument in favour of the motion if he knew that a whip had already been issued by the hon. the Minister for Local Self-Government."

The hon. the PRESIDENT :—" I have allowed every Member who wished to do so to make a speech on this occasion. Everybody knows that Members are saying things which are not exactly relevant to the motion and some latitude is justifiable, because everybody is keenly alive to the importance of what is going on. It would be better if hon. Members would reserve their personal explanations till the hon. Member finishes his speech. It will be more convenient for the conduct of the business of the House. I should like the hon. Member not to be interrupted so often as he is being done now."

The hon. Rao Bahadur Sir A. P. PATRO :—" Sir, if it was within the knowledge of the hon. Member who spoke so vehemently and of other hon. Members who spoke on this occasion that the whip had been issued, and if they had produced it at that time and showed that the whip had influenced the debate and the voting in this House, it would have been a very serious matter."

Mr. A. RANGANATHA MUDALIYAR :—" Sir, is it suggested that all the hon. Members who spoke were aware of the issue of the whip and did not produce it?"

The hon. Rao Bahadur Sir A. P. PATRO :—" Sir, were they aware of it? That is the whole question now. For this whip was not present before them then. It cannot be said to have influenced the mind of the Members. It is altogether another matter. It was not the whip that was responsible for the voting. The Chief Minister was perfectly right in not rising in his seat to correct the reply of the hon. the Finance Member."

Mr. S. SATYAMURTI :—" Sir, I did not mean any particular whip. I asked whether any whip had been issued."

The hon. Rao Bahadur Sir A. P. PATRO :—" Sir, when it does not suit my purpose I can call my opponent names. It is perfectly consistent with the hon. Member representing the University and the creed he represents to say that he does not agree with anybody. No argument that that was not the whip that was under consideration would appeal to him. Why is it that so much has been made of it? When was it discovered and how had it influenced them? And why has it come forward now? All these questions have not been answered. It does not refer to any matter of urgent public importance. The word *urgent* is deliberately omitted. The House will certainly not support this motion. There is something underlying the whole of this agitation. It is quite clear to this House that the Chief Minister was perfectly right."

" Again, Sir, the Minister is responsible to the House. He should be in constant touch with the opinion of the House. He should always ascertain the opinion of the House. If he is not in touch with the Members he is not worthy of the name of a Minister. The Minister represents the people and he is also elected by a constituency. Therefore the Ministers must be in constant touch with the views of the Members and their constituencies."

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" The Ministers are responsible to the country and therefore they have got the right and the duty to ascertain the opinion of the other representatives of the people whether elected or nominated. Therefore, they have the right to address the Members of the House not only once but twice, to get their support in all matters of public interest, to see that their views and their measures agree with the views of the representatives of the different communities. Hence in the discharge of that responsibility the hon. the Chief Minister had written that letter in order to ascertain the wishes of the Members; he is perfectly justified in doing that."

" The hon. Member for the University said that that letter prejudiced the minds of the nominated Members. That letter was sent also to the elected Members who are now sitting in the Opposition benches. They received this whip. Therefore it is improper to say that that whip has prejudiced the voting, and that the Ministers have no following at all. Depressed classes members had to be nominated owing to their unfortunate position. As the hon. Member Mr. Veerian said, they are voiceless. They are as much interested in the advancement of the country as any other Member of the House. Nominated Members are as responsible in this House as elected Members. If whips were addressed to nominated and elected Members, it is a right, it is a duty and it is a privilege of the Minister to do that in order that he may be able to secure their votes for his policy which he wants to carry out in the best interests of the people. It is a right which has been exercised by the hon. the Chief Minister. It was not done secretly. It has been done openly, honestly and fairly. Therefore, there is nothing wrong in issuing that whip by the hon. the Chief Minister at the time when most of the Members were new. It was in order to ascertain their views that that whip was issued and he has been right in issuing it as the result has shown."

Mr. A. RAMASWAMI MUDALIYAR :—" Mr. President, as I have been listening to the speeches of the hon. Members from Madras and the hon. Member from South Canara, I was just reminded of the famous saying of Mr. Grattan. Referring to certain speech of Lord Clare, he said :

' Great generosity of assertion, great paucity of argument, a turn to the offensive without the power of invective. Passion in the speech, famine in the phrase.'

" That, I think, summarizes in a short pretty way the great speeches that have been delivered by the hon. Members opposite."

" Sir, much has been said about honesty, about political honesty and about common fair-play. I join issue with my hon. Friends on those questions and it is because of that, I believe that every one of those canons has been violated by the bringing in of this motion. I stand for honesty. I stand for political honesty as much as any other Member, and I am therefore going to ask this House to consider who has behaved honestly and who has not; which party has been actuated by political honesty and which not. I am going to show to this House that the very debate on this Motion is the best index of how the parties are actuated. Sir, it is within the knowledge of almost every Member of this House, whether elected or nominated, that a Whip had been issued at the time of the ' No-Confidence ' motion."

Mr. A. RANGANATHA MUDALIYAR :—" Sir, I was not aware of it."

Mr. S. SATYAMURTI :—" I was also not aware of it."

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Mr. A. RAMASWAMI MUDALIYAR :—" I am very glad of these assertions. I know that hon. Members are capable of making these assertions. So far as I am aware, every hon. Member of this House, from what I gathered from the lobby, was speaking about it."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I rise to a point of order. When the knowledge of the issue of a Whip has been denied by a number of hon. Members, is it right on the part of the hon. Member (Mr. Ramaswami Mudaliyar) to repeat that every hon. Member was speaking about it? There is a limit for every criticism."

Mr. A. RAMASWAMI MUDALIYAR :—" I shall be glad if hon. Members would observe these limits themselves. That is what I want to draw their attention to, if I possibly can. To my knowledge, several hon. Members were under the impression. . . ."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I would appeal to you to say whether Mr. Ramaswami Mudaliyar would not express his regret for having repeated a thing which was not correct after having been denied by about half-a-dozen hon. Members."

Mr. A. RAMASWAMI MUDALIYAR :—" Sir, I have not got the time nor the inclination to express regret. Several hon. Members, to my knowledge, were under the impression that a Whip had been issued by the Government and that they believed that the Labour Commissioner had been asked to send a Whip to nominated Members and that they were forced to support the Ministry. I noticed that more than one hon. Member who is now sitting on the Opposition benches was saying that 20 votes at least, 20 nominated votes, were at the disposal of the Ministry on account of the alleged Whip issued by the Labour Commissioner on behalf of the Ministry. I challenge hon. Members to deny that statement. Several hon. Members understood Mr. Satyamurti's question to refer to the supposed Whip issued by the Labour Commissioner. Now, in this view, I am supported by no less a personage than the hon. the Leader of the House. Therefore, Sir, in consonance with the principles of political honesty it is fair at least, now to confess that this was what they had in mind."

Mr. S. SATYAMURTI :—" As a matter of personal explanation, Sir, I must say that I was not aware of any Whip issued by the hon. the Chief Minister. I merely asked whether any Whip had been issued. I hope my hon. Friend would take my word at that."

Mr. G. F. PADDISON :—" It is said that the Labour Commissioner issued a Whip. I must say, Sir, that I issued no Whip."

Mr. A. RAMASWAMI MUDALIYAR :—" Of course, I am aware that the Labour Commissioner issued no Whip and there it is that Sir Charles Todhunter has been answering in the negative. I did not, for a moment, suggest that the Labour Commissioner issued because I know that he did not, and it is because of that I say that some hon. Members were under the impression that the Labour Commissioner's influence had been utilized to get the support of the nominated Members to the Ministry. That was the impression that was behind their back when they raised this bogey of official Whip."

Mr. J. A. SALDANHA :—" May I enquire what was that telegram of the Labour Commissioner about? I hope the hon. Member would enlighten us on that subject."

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Mr. A. RAMASWAMI MUDALIYAR :—" I am perfectly willing to enlighten the hon. Member. He requires a great deal of enlightenment, and I shall place myself at his disposal conveniently. The hon. the Chief Minister issued a Whip to several elected Members and to several nominated Members believed to be Members of this (Ministerial) Party. On a rough calculation, I believe, he must have issued that to about 60 Members of this House. Now, I want this House to bear in mind that those 60 hon. Members of this House were sitting in this House sphinxlike when the hon. the Leader of the House made a statement that no Whip had been issued. If any one of the 60 hon. Members were under the impression that the letter which the hon. the Chief Minister addressed to them could be construed as a Government Whip, why these sixty hon. Members did not raise their voice of protest. They sat there without raising their little finger. I ask this House to remember that the hon. Member from Mangalore, Mr. Saldanha, was one of those who sat quiet then, but now admits that he received a post card. As a matter of fact, he will recollect better that he received a letter."

Mr. J. A. SALDANHA :—" As a matter of personal explanation, Sir, I may say if anything induced me to vote in favour of the 'No-confidence' Motion, it was that letter." (Laughter.)

Mr. A. RAMASWAMI MUDALIYAR :—" The hon. Member himself was one of those who received a Whip. If he thought that that was a Government Whip and if he was present at the time when Sir Charles Todhunter gave his famous reply, I should have thought that a very vocal Member like Mr. Saldanha would not have sat sphinxlike. Misleading was that silence and the silence of the other hon. Members who received the Whip and who are now sitting on the Opposition benches. Was it not open to them then to put the construction which is now sought to be put upon that letter? Was it possible that it did not enter their brains then? Was it not open to them to say at that time that the Whip issued by the hon. Minister was intended to mislead the House? No, Sir, political honesty would not have required any other course but that. Political fairmindedness would not have dictated any other policy but that. Common ideals of fairness would not have suggested any other course but that. The hon. Member for the University now comes forward and speaks of political honesty, public honesty, purity of administration and all the rest of it. I make a present of all these notions of political honesty which animated several hon. Members on that occasion."

" Now, Sir, the hon. Member Mr. Saldanha says that it was a most improper thing to do, a most irregular thing which no Minister would do, no Government would tolerate, no electorate would allow and all the rest of it. Why was he sitting there sphinxlike without raising this objection when that Whip was under discussion, when not only it was a question of momentary importance, but a question which was repeatedly brought forward in the course of the debate? The hon. the Leader of the House referred to it and one of the leaders of the Opposition also referred to it. Why was it not raised then?"

Mr. J. A. SALDANHA :—" May I just say a word of personal explanation, Sir? I was not aware that this letter was issued to any nominated Member. I found there the word 'Government' and, as a matter of respect to His Excellency, I did not mention it then."

The hon. the PRESIDENT :—" I think the hon. Member has had his chance already and I do not think that he can interrupt like this."

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Mr. A. RAMASWAMI MUDALIYAR:—"This is a very laboured apology, Sir. The crux of the situation seems to be this: which the hon. Mr. Sami Venkatachallam Chetti in one of his unguarded moments let out. He said quite frankly that they (the Opposition) refrained from criticising the Reserved half expecting that they would be neutral on the 'No-confidence' motion. The promise of the leader of the Opposition to the hon. Members of the Reserved half was this: so far as the Opposition is concerned, we shall not criticise you. Now the House can understand why they gave that promise. They said: we shall not attack the Reserved half. We shall not tread on their precincts. To use the exclusive expression of my hon. Friend 'we shall not do anything to damage your reputation in the country'. We shall confine ourselves to an attack, a personal attack, on the Ministry and the Ministry alone; and in return, please for God's sake, be neutral. Now, when they found that that neutrality was not forthcoming and the Reserved half was not yielding, when they found that the Reserved half was prepared to stand by the Transferred half, they began to put laboured constructions on the Whip; and all the legality or illegality of it was brought to the assistance of the Opposition; one of the 60 letters which the hon. the Chief Minister sent was unearthed and published in an astonishing number of newspapers and the adjournment motion came to-day. I have not got the time at my disposal to speak longer. I am perfectly certain that this trivial motion would be treated with the contempt it deserves by every section of this House."

Mr. T. ADINARAYANA CHETTIYAR:—"Mr. President, Sir, the hon. the Minister for Education characterised the speech of my hon. Friend, Mr. Satyamurti, as that of a lawyer who abuses the other side when he has no case himself. I may ask the hon. the Minister to consider whether that remark was applicable to Mr. Satyamurti or to the hon. the Minister for Education himself, because throughout the whole length of his speech which lasted for about 15 or 20 minutes, he was building castles in the air and stating and reiterating that Mr. Satyamurti and his friends knew about the Whip. My hon. Friend the Minister used many expressions to the effect that we all knew about the Whip. I may say that I never knew about the Whip, and the first time I came to know of it was when my hon. Friend, Mr. Muttayya Mudaliyar, first published it in the press. Most of us belong to the mufassal and come here only for the meetings, and how can we be expected to know about it before, and how can the hon. the Minister for Education say that we knew about it and kept quiet in spite of that knowledge. My hon. Friend, Sir A. P. Patro, called it by the honourable name of Whip, but Mr. Ramaswami Mudaliyar does not give any such name; he would go round and round, approach it but dare not call it as such. But this Whip or whatever it may be called was not known to many of us. My hon. Friend, Mr. Satyamurti, at first hinted it, then he gave expression to broad hints and finally declared emphatically that he had not known about the Whip when he supported the 'No-confidence' motion in this House. But none so deaf as those who will not hear. The hon. Member for Chingleput said that sixty such letters were sent out. In a few minutes, however, the number had grown to seventy. But we are not now concerned with this metamorphosis. He said it was sent out to sound the opinions of the Members of this House. If so, may I ask, Sir, why in a House of nearly 130 Members only 60 or 70 were singled out for this distinction. But this is an affair which will require much more whitewashing to cover up. I do not want to call anybody or any

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side names. Much was also talked of the voiceless millions and all that sort of thing. But I ask, Sir, are the voiceless millions specially meant for exploitation by the hon. the Ministers? And then, what is the meaning of the word 'confidential', if it is not meant that it should be secret or private? My hon. Friend Mr. Ramaswami Mudaliyar framed a number of epithets and choice expressions like 'sitting sphinxlike' and so on. If anybody sat sphinxlike at that time, it was the Ministers that did so when the question was definitely put and equally definitely answered, but as regards the 60 or 70 recipients of this 'Whip' or 'sounding instrument' they sat silent because their code of honour as regards the publication of communications marked 'confidential' was different from that of some others in this House whom I do not wish to name. When the chief offender sat silent when the hon. Sir Charles Todhunter denied the issue of any Whip they naturally thought that confidential communications were not intended to be brandished about openly in the House. As the time allotted for this motion is nearing completion, I would only appeal to the whole House to judge calmly and judge for themselves according to their own views and code of honour, and vote for this proposition whole-heartedly."

Mr. C. RAMALINGA REDDI:—"Mr. President, I desire to make two personal explanations. The first is about the Whip. I was not aware of the existence of this Whip at the time the question was put by Mr. Satyamurti and answered by the hon. the Leader of the House. It is perfectly true that we all heard rumours of a Government Whip having been sent out and it was because of that rumour that the question was put. But we were not aware—personally I was not aware—either of the Whip issued by the Chief Minister, or of the telegram—mis-called a Whip—issued by the hon. the Labour Commissioner requesting nominated Members to attend. I have since, owing to the courtesy of the Leader of the House, been demi-officially shown the contents of the telegram and there is absolutely nothing improper or objectionable in it. Lest by making a mystery of it we should mislead hon. Members, since I have had an opportunity of looking into it, let me say that the then Secretary of the Legislative Council, not knowing the addresses of the hon. Members concerned, especially of the depressed classes, requested the hon. the Labour Commissioner to send out wires requesting their attendance. That I do not think can bear the construction of an official Whip (hear! hear!).

"I can only say that we had heard rumours of a Government Whip; and the Whip of the hon. Minister for Local Self-Government though sent out to a large number of members was not sent to us for obvious reasons. Therefore it could not be said that we were not exercising our legitimate right and that there was anything wrong or sinister in our not having risen and then and there confronted the hon. Leader of the House with the apparent contradiction in his statement.

"The other explanation is about the questions put by the hon. Member for Chingleput and answered by the hon. the Chief Minister. There is no need to recall what happened this morning. I requested you, Sir, for permission to make a somewhat lengthy statement. You were of opinion that you were not quite sure whether such statements were permissible, and wanted the matter to be postponed till to-morrow. But in view of the observations now made by the hon. Member for Madras, I am obliged to make some reference to it now, though I have had no notice of the matter at all and only knew of

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the questions being admitted and of the answers given after I came to the Council. But still it does not require much preparation to make my reply. What the hon. the Chief Minister has stated therein is correct in the terms he has used, and what I said during the No-Confidence motion also is, I maintain, correct. When the hon. the Chief Minister was replying on the occasion, he, taking as his basis a private and personal matter—on the propriety of which he is the best judge—alluded to the fact that I asked for a nomination to the district board. I was under the impression that the insinuation was that I had first approached him for it or solicited. If the hon. Members will turn to the proceedings they will find that my explanation took the shape of a reference to conversations between the Chief Minister and myself which occurred soon after I came over to Chittoor, in which the initial suggestion for my getting nominated to the district board was generally made by the hon. Minister himself. I am not now saying that my statement should be accepted or that the statement of the hon. Minister should be accepted. If my statement is questioned I will have to put my word in the scales against his, and the scales are not wanting. What I do say is this. You cannot treat private correspondence, as you can treat official correspondence, as self-contained, as absolutely self-contained and with no relation to previous conversations, ideas, understandings. That is the reason why all the world over the honourable convention has been built up of not alluding to transactions of that kind, and especially those which have occurred between people who were friends or who were working in the same organization."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"May I for one moment inquire if my hon. Friend has no objection to the letters being produced, so that we can read the full significance. . . ."

The hon. the PRESIDENT:—"Would the hon. Member kindly resume his seat? I think Mr. Tanikachala Chettiyar's interruption was unnecessary. He might have said anything he liked later on."

Mr. C. RAMALINGA REDDI:—"I shall finish my statement, Sir, and it will be found that I am not burking the issue. The hon. the Chief Minister. . . ."

The hon. Rao Bahadur Sir A. P. PATRO:—"I thought the hon. Member reserved a statement of his personal explanation for to-morrow morning. Therefore I rise to a point of order, Sir, that this portion of his speech is out of order, as he has now to speak only on the motion before the House."

The hon. the PRESIDENT:—"The hon. Member, Mr. Ramalinga Reddi, is making a statement with my full consent, because I thought it would be much less irregular to allow him to make a long statement now than at question time to-morrow morning."

Mr. C. RAMALINGA REDDI:—"With due submission to you, Sir, I should have myself preferred to make it to-morrow. There is nothing wrong in making it now; and it is also customary, Sir, with due submission to you, on occasions like this to allow Members full opportunity to make personal statements. And when I have commenced to make the statement, I may as well be allowed to go on. I am very well aware that this is a red herring drawn across the debate, and I entirely agree with my hon. Friend, the Minister for Education, that it is not relevant to this discussion, and I make a present of that observation to the hon. Member for Madras City. (Hear! hear! and laughter!)"

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"What I wish to say is that you cannot treat private correspondence between friends as self-contained, and as I said before, all the world over the honourable convention has been set up that no reference to it should be made or even hinted at. But what I am surprised at is hon. Gentlemen professing to be averse to laying private letters on the table, openly alluding to transactions which cannot be substantiated except by them—and in fact cannot be substantiated fully by any amount of such correspondence."

The hon. the RAJA OF PANAGAL:—"Sir, may I offer a word in personal explanation. I thought he made the statement forgetting the fact that he had made the request and I thought that when he was reminded he would admit that he had made the request. But, Sir, I regret he is hesitating to do so with the result that still his statement stands against mine. Can I be accused for starting the game by alluding to the correspondence? The letter is quite clear on the point, and if my hon. Friend has no objection, I am prepared to place the letter on the table and prove that what he stated is not correct."

Mr. C. RAMALINGA REDDI:—"The Chief Minister can have his say when his turn comes. In fact I should have preferred to get up a written statement and read it out here so that it may be reported in full and not in a truncated form. There is no question of starting a game among two friends working in the same party. There is nothing dishonourable in the Chief Minister wanting me to get some local experience by working on a district board or for me who is out for service in asking for it. The gravamen arose out of the insinuation: 'You came to me to ask for a favour' to which I must emphatically say 'No'."

"Because these matters cannot be proved or disproved by private correspondence, I wish to refer to two witnesses, who cannot be said to be over-friendly to me, politically speaking. I wish to ask Mr. B. Muniswami Nayudu whether or not I had told him about the conversation between the Chief Minister and myself, and when he himself told me of the vacancy, asked him to send a reminder. I shall just allude also to a conversation I had with Mr. Tanikachala Chetti just before the No-Confidence motion; the purport of which he confirmed by an experience relating to himself. The simple thing is this. When you contravene the sacred law of not dragging in private and personal transactions occurring in the days of friendship, you lay yourself open to a wide investigation, in which many other things may have to be opened up. It has always been regarded as very unfair to allude to the things that might have transpired in private correspondence and conversations. Even with hon. Members, who are neither my personal nor party intimates, I have had correspondence of various kinds; and would they think me worthy of a place in public life if I were to betray their confidence under any circumstances without their consent? Can things which cannot be done during friendship, be when the friendship ceases?"

"I am now asked 'Do you object or do you consent to this correspondence being published?' The very question is unfair. In England when lovers quarrel, they return each other's correspondence (laughter). Even when such letters are published prior consent is necessary. Now after having given so much publicity you ask 'Do you consent?' I answer neither in the affirmative nor in the negative. I stand exactly where I am."

"It is finally going to be a question of veracity; my word against his. If the hon. Minister is going to say 'You are one in whose word no gentleman can put his trust, and your word cannot be believed', well then, they

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will see what follows. Mr. Tanikachala wants to move an adjournment on this to-morrow. I am prepared to meet it. Even if more time is given the tenor of my answer cannot be different. There was no need to seek places as of a stranger. Till the 11th November the Minister and myself were old personal friends and co-workers. Many things have taken place between us which constitute the environment and background of our letters. Is it into this that you wish to put your unholy fingers? Well, so far as this motion is concerned, all this is a red herring.

"The question before the House is a simple one. 'Has the word *Government* been used properly or not by the Chief Minister.' Personally, as my Friend the hon. the Law Member knows, I am for increasing the powers of Ministers, and not for decreasing. If it is the deliberate opinion of the hon. the Leader of the House that a Minister could employ the term *Government* in such a Whip, I won't regret this motion having been made. If however that is considered wrong and improper the subsequent issue arises, viz., whether he should not have informed the Leader either at the time he answered Mr. Satyamurti's question or subsequently.

"I do not wish to attribute motives but the constitutional issues are too grave to be passed over. Let the hon. Leader of the House say that the hon. Minister is justified in calling upon Members to support '*Government*'. I would rejoice at the admission. If not the Chief Minister must stand convicted of an impropriety in first issuing a Whip which is beyond his powers and then not informing the hon. Leader.

"One final word. My hon. Friend the Leader of the House very often takes the cudgel in defence of Cabinet confidences. But confidence need not be confined to and honoured only by Cabinets. It should be observed as between all public men. Nobody need be under the apprehension that Indians would to suit their purposes dishonour confidences and publish private and personal transactions. So far as we are concerned no allusion even would be made to them, and people might continue to write with the same freedom that they employ in speaking, relying that correspondence is not going to be less safe than conversation." (Cheers.)

Mr. M. RATNASWAMI :—"Mr. President, if I intervene in this debate, it is to express a protest against attempts made rather persistently of late of using this House and meetings of this House as it were a party caucus. Comparisons have been made between this Legislative Assembly and other parliamentary institutions. But I do not think that in any other Parliamentary Assembly in the world, Whips issued by one party organization to its followers in the House would be a matter of such serious discussion. I do not think the treatment accorded to private members of the party by the party organization would form the subject of long and wearied discussion as it has been subjected to in this House in recent times.

"Regarding the motion before the House, attention has been concentrated on the letter which has been addressed by the hon. the Chief Minister to certain Members of the House. I must, in passing, refer to the additional indignity which the hon. the Chief Minister seems to have offered to my hon. Friend, Mr. Saldanha, by sending him a post card (laughter). On that circumstance alone, Sir, I should have also considered the question whether I should not have voted against the Ministry and not in its favour." (Laughter.)

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Diwan Bahadur P. KESAVA PILLAI :—"The hon. Member may be asked to speak up. We do not hear his speech at all."

The hon. the PRESIDENT :—"The hon. Member may come nearer to the chair and speak."

The hon. Member Mr. M. RATNASWAMI accordingly came forward and continued :—"Attention has been concentrated in this discussion on the word '*Government*'. Everything depends upon what interpretation is to be put upon the word '*Government*'. There were two classes of Members that received the letter of the hon. the Chief Minister, viz., the nominated Members and the official Members. I think the nominated Members have already made known their feeling of indignation at the idea that a mere Whip—a mere letter—issued by however eminent a Member of Government would have influenced them in the registering of their decision on that motion. If it is suggested that any Government Member was influenced by the issue of any such Whip, I think they are wariier birds than they are thought to be, and the hon. the Chief Minister with a little salt to put upon their tails would not have succeeded in catching these very wary birds. The arguments of the Members who have spoken seem to be a very poor compliment to the strong debating strength of the Opposition—an Opposition which includes such vigorous and eminent debaters as my hon. Friends, Mr. C. Ramalinga Reddi and the Member for the University. I have a great admiration for the hon. the Chief Minister, but I never even in my dreams believed that the hon. the Minister was so powerful as to convert a large number of Members in this House to his side merely by issuing a Whip. Without firing a shot, he has won a battle—a record, I am afraid, which cannot be approached by any Minister, however eminent he may be. The idea that this Whip was able to convert the nominated Members is a very poor compliment paid to the vigorous speeches that were made by the Opposition. It is not the Whip, Sir, that influenced Members in coming to a decision on this debate. References were made to the atmosphere and the environment in which this question should be judged. May I ask whether the atmosphere that was generated by the speeches that were delivered, and whether the environment that was created by the arguments that were used in this House should not be taken into consideration when we come to decide the question whether hon. Members were influenced by a mere letter?

"Sir, I began with a few words of protest and I must end with a protest. I am afraid too much pother is being made about the squabbles that perpetually come up in a party. I am afraid we are not devoting to public business that attention which we ought to devote to it. I think, Sir, that we will be justified in treating this motion with the indifference that it deserves and pass on to business."

Rao Bahadur C. NATESA MUDALIYAR :—"Sir, Mr. President, I did not want to take part in this debate this evening until my hon. Friend, Mr. Tanikachala Chettiyar, who generally descends into personalities, began to make some statements. He says that there are two parts, or rather two departments in Government, viz., the Governor and the Ministers, the Governor and the Executive Councillors. Of course, it is right if the Chief Minister issued a Whip for the Governor and the Ministers; as for the Governor and the Councillors, the hon. the Leader of the House made a statement that there was no Whip issued. Am I to

6-15 p.m.

[Mr. C. Natesa Mudaliyar] [5th February 1924]

understand like that? Here, Sir, the Ministerial Government means the Governor and the Ministry. Am I to understand that the Chief Minister issued the Whip with the consent of the Governor?

"Then, Sir, the hon. Member, Mr. Ramaswami Mudaliyar, said that many of the gentlemen here had known that the Whip had been issued and that they were quiet. They were quiet because they were gentlemen (laughter). Again, Sir, the hon. the Minister for Education says that the question was meant for the Whip issued by the Labour Commissioner and that when the hon. Sir Charles Todhunter, the Leader of the House, replied he meant the Whip supposed to be issued by the Labour Commissioner. The question was whether a Whip was issued on behalf of the Government. If the hon. the Leader of the House wanted to keep up the honesty and the dignity of this House, he would have said that no Whip was issued either by this Government or the other Government. I am sorry I have to make these remarks, and I request the hon. the Leader of the House to excuse me. I want to ask him whether he consulted the Ministers when he said that no Whip was issued."

The hon. Sir CHARLES TODHUNTER:—"May I be permitted, Sir, to answer? I have already answered the question on the subject. The question was addressed to the Home Member, and I took it there was present in the minds of good many hon. Members here a suspicion that a certain telegram of the Labour Commissioner was in the form of a Whip, and my reply was in regard to that telegram and to nothing else."

Mr. S. SATYAMURTI:—"On a matter of personal explanation, Sir, as to having used the expression 'Home Member' myself. I was new to the House, and I thought that as in the Government of India, the Leader of the House was the Home Member. But I had in my mind the hon. Sir Charles Todhunter who was the Leader of the House. For want of knowledge and not by design I addressed him as the Home Member. But I corrected it myself, Sir, then."

Mr. C. RAMALINGA REDDI:—"Now that the hon. Sir Charles Todhunter, the Leader of the House, is here, he will bear me out for my statement that I was not aware of the Labour Commissioner's telegram at all till very recently. In fact, he himself showed it to me and it was not at all a Whip in any sense."

Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, I thank the hon. the Leader of the House for his answer. He answered for the Governor and the Councillors. It was the duty of the Chief Minister to answer for the Governor and the Ministers."

The hon. the RAJA OF PANAGAL:—"The question was not put to the Chief Minister, and he had no business to intervene."

Mr. S. SATYAMURTI:—"I only asked whether the Government had issued a Whip."

Rao Bahadur C. NATESA MUDALIYAR:—"The Government means two Governments. (Laughter.)"

"Sir, personally I have a great regard for the hon. the Chief Minister, and I agree with my hon. Friend, Mr. Ratnaswami, in what he said about him; but politically I am not at one with him and I do not like his politics. I am not for washing dirty linen in this House. I am sorry that the dirt is

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accumulating so much in the linen that the statesman who is at the head of the administration has not come to our rescue. So, we are trying our best to see that the dirt in our linen is washed as much as possible in this very Council. As my hon. Friend, Mr. Ramalinga Reddi's name was unnecessarily dragged in this discussion by the hon. Gentleman, Mr. Tanikachala Chettiyar, I have a right to say a few words on the question, or rather the answer of the Chief Minister, viz., 'I have got a confidential letter. Does he like it to be published?' I am extremely sorry that the dignity of the House has gone so low; the dignity of the party, a party which we built up (laughter), has become so low. Sir, there may have been hundreds of correspondence passing between the Chief Minister, whom we regarded as our idol, and ourselves. Sir, it was not our worshipping the idol, but it was mutual idol worship in those days (laughter). But, however, it could not be said 'I have got a private letter, and I will publish it.' A friend of mine pointed out to me yesterday that Sir Robert Peel announced in the Parliament that Disraeli wanted an appointment and the latter denied it. But Peel never produced the document, but only after Disraeli's death. Now, I request the hon. the Chief Minister to withdraw that answer, viz., 'I have got a private letter and I will publish it.' Till the 11th of November, my hon. Friend, Mr. Ramalinga Reddi, although I had separated from the party long before, would not be separated from it. Till then, he expected a letter from the Raja of Panagal for the meeting in his house. How then can you expect Mr. Ramalinga Reddi not to write letters to him before that date, not one letter but hundreds of letters? A statement was made by the Chief Minister, and I am only speaking on that statement. Now, it is left to the Chief Minister to keep up the dignity of the House by withdrawing that answer of his, and at the same time I will request him to say if he has been quiet by oversight on the day when the hon. the Leader of the House announced that there was no Whip issued; let him say so and express regret for it. If he accepts that, his dignity will be maintained, and the dignity of the House will be maintained. I am telling him this because I have great respect for his person, though not for his politics to-day."

Rao Sahib P. V. GOPALAN:—"I am surprised at the motion which has been brought forward. I cannot understand how the reply given by the hon. the Leader of the House that no Whip was issued by the Government is in any way incorrect. We all understood that the point raised by the hon. Member, Mr. Satyamurti, referred to a Whip supposed to have been issued by the Government. The letter of the hon. the Chief Minister which many of us received was not understood by us to be a Whip by the Government. If the Government had issued it, it would have been by one of the Executive Councillors or one of the officers of the Government. We understood the letter merely to be a private letter sent by the Chief Minister to support the Ministry on the 'No-Confidence' motion. In this connexion, I have to point out that a great distinction has been made in this House between nominated and elected Members by some Members opposite. I can assure them that nominated Members are at least as honest and independent as elected Members and I think it is highly improper that distinctions like this should be made when we are all here as equal Members of the House. I see, Sir, that questions are often asked whether apart from nominated Members the Government had an elected majority and so on. I trust that you, Sir, will deprecate such distinction of Members as nominated and elected. We, nominated Members, resent this division very much."

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MR. C. RAMALINGA REDDI :—" May I offer a word of personal explanation ? The allusion is clear. Only for that very Resolution, I asked for the classification of nominated and elected Members. But my humble apology is this : the very terms of that Resolution required that this should be done. The reference was to the weight of the verdict of the electorate. I expressly told the House that it was with reference only to the Ministry and to their relations to the verdict of the electorate. I hope my hon. Friend and those who objected to this classification will not in any way take it as offensive."

The hon. the PRESIDENT :—" Everybody understood the point of view at that time. I must allow the hon. Member to go on with his speech."

Rao Sahib P. V. GOPALAN :—" I have done, Sir."

The hon. the RAJA OF PANAGAL :—" I have listened to the debate carefully, to find if really there was anything wrong in my having issued the letter which has been the subject-matter of this evening's discussion. But to my agreeable disappointment I find nothing wrong at all. There have been *a priori* arguments condemning the issue of the Whip. But more than arguments we have had sermons on political honesty and on the duties of Ministers. Excellent sermons they are. Let us all be benefited by them. Let us all try to practise the precepts they so truly lay down. Sir, as to the arguments advanced in the debate, they seem to belong to a specious variety. Member after Member said that the Whip was issued by the Government. The Whip was issued by me in my individual capacity. They said the support asked for was support for the Government. What of that ? The Government in this case is and can only mean the Ministry because the motion was to express a vote of No-Confidence in the Ministry. Thus there can be no doubt as to the party by whom the Whip was issued and for what purpose it was issued. I cannot understand why so much has been said about the issue of this Whip.

" Sir, in the course of this debate other matters have been brought in. One of them was in regard to the question asked by Mr. Ramaswami Mudaliyar about a statement made by an hon. Member. The question has been answered, and the hon. Member for Chittoor was given an opportunity to explain himself. We have yet to hear his full explanation.

(A VOICE :—He has already given the explanation.)

" I expected something more definite to-morrow from him ; but in the course of the explanation which he had offered to this House, he said that my answer was correct but added that his statement too was correct. That is apparently inconsistent. He took me to task for alluding to his having asked me for an appointment. I am very sorry I was compelled to do so. I made the statement because the whole trend of the hon. Member's speech was that I had not been properly discharging my duty as Minister in the distribution of appointments. In the course of that debate I had to tell the House that for every appointment I made I had made twenty enemies and one doubtful friend. In making this observation, I only quoted an old observation by Mr. Gladstone. He, however, emphatically repudiated my statement, and I did not want to challenge the repudiation. I thought the matter might rest there. Since the hon. Member has himself said ' My word against his word ', I thought his conscience would tell him that at all events my word was all right. His letters addressed to me will clearly prove

[5th February 1924] [The Raja of Panagal]

that he did apply for the appointments and that at his own instance. All the same I did not like to publish the letters. But a question has been now asked as to whether I had the letters. Am I to say ' no ' when I have them ? That, in fact, is the reason why I had to admit that I had the letters. Is it political honesty to deny a fact ? Can I say I have no letters when I have them ? Part of the question was to obtain information as to whether the hon. Member asked for this appointment or that appointment and I had to admit that he applied for certain appointments."

MR. A. RANGANATHA MUDALIYAR :—" On a point of order, Sir. May I know whether the proceedings should not automatically terminate now, it being half past six."

The hon. the PRESIDENT :—" We have not reached 6-30 yet. I would allow now the hon. the Raja of Panagal to go on."

The hon. the RAJA OF PANAGAL :—" All the questions raised by the Opposition have been answered on this side, and it is hardly necessary for me to detain the House any longer. I am quite prepared to bow to the technical requirement of time-limit."

As the clock struck 6-30 at this stage, the debate terminated.

The Council then adjourned to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX III.

[Vide item ' XI. Communications to the Council ', page 53 supra.]

Notification No. 108, dated 18th December 1923, published in the " Fort St. George Gazette ".

Under section 72-C, sub-section (1) of the Government of India Act, His Excellency the Governor of the Presidency of Fort St. George is pleased hereby to appoint M.R.Ry. Diwan Bahadur Lewis Dominic Swamikannu Pillai Avargal, i.s.o., to be President of his Legislative Council for the remainder of the period referred to in section 72-C of the Government of India Act and with effect from the date of resignation of the Hon'ble Diwan Bahadur Sir Perungavur Rajagopala Achariyar Avargal, K.C.S.I., C.I.E., of his appointment as President of the Madras Legislative Council.

(By order of His Excellency the Governor in Council)

R. RAMACHANDRA RAO,
Secretary to Govt., Law (Legislative) Dept.

[5th February 1924]

Notification No. 109, dated 18th December 1923, published in the "Fort St. George Gazette".

In exercise of the powers conferred by rule 5 of the Madras Legislative Council Rules, His Excellency the Governor of the Presidency of Fort St. George has been pleased to appoint M.R.Ry. Rasipur Varatha Krishna Ayyar Avargal, B.A., M.L., to be Secretary to his Legislative Council.

(By order of His Excellency the Governor in Council)

R. RAMACHANDRA RAO,
Secretary to Govt., Law (Legislative) Dept.

Notification No. 4, dated 17th January 1924, published in the "Fort St. George Gazette".

M.R.Ry. Colattur Satagopa Achariyar Avargal, B.A., Superintendent, Office of the Secretary to the Legislative Council, to be Assistant Secretary to the Legislative Council.

(By order of His Excellency the Governor)

R. RAMACHANDRA RAO,
Secretary to Govt., Law (Legislative) Dept.

APPENDIX IV.

[Vide item 'XI. Communications to the Council', page 54 supra.]

(1)

Proceedings of the Seventh meeting of the Finance Committee, 1923-24, dated 6th December 1923.

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).
O. NICHOLSON, Esq.

Rai Bahadur Sir K. VENKATAREDDI NAYUDU, Kt.

„ T. M. NARASIMHACHARLU Garu.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal.

„ A. RAMASWAMI MUDALIYAR Avargal.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur.

Dr. P. SUBBARAYAN.

R. W. DAVIES, Esq., I.C.S.

The first item taken up for consideration was the demands for additional expenditure.

[5th February 1924]

(1) The following demands were recommended :—

	RS.
(a) Special staff for the Metur and Sangameswaram projects.	35,000
(b) Electric installation in the Alipuram jail ..	30,000
(c) Provision of Rs. 72,000 for the maintenance of trunk roads.	72,000
(d) Additional staff and equipment, Rayapuram Hospital.	11,000

The above expenditure may be met by reappropriation.

(2) Additional Sessions Judge, Coimbatore .. Rs. 3,348.

The Committee desired to be supplied with figures with regard to the criminal work as well as the figures with regard to civil work.

2. The Committee were informed that it was proposed to place Mr. Moir on special duty to revise the system of educational finance with particular reference to primary education, and expressed their approval of the proposal.

3. Industries Department, Part II schemes, 1924-25—

	RS.
(1) Building grant to St. Joseph's Industrial School, Trichinopoly, for the construction of a hostel.	21,870

The Committee recommended that a half grant be made and that the scheme be placed in class III.

	RS.
(2) Extension to the Danish Mission Industrial School, Panruti.	10,200

The Committee recommended that a sum of Rs. 3,600 be granted as a contribution towards the complete work.

They would class the scheme in class II.

(i) District Engineering staff—

	RS.
(a) Purchase of fresh hand-boring plant	82,300
(b) Purchase of power-drills	72,000

Out of these sums it is proposed to spend Rs. 51,360 under (a) and Rs. 48,000 under (b) in 1924-25. At the same time it is proposed to raise the fees levied for boring and for the erection of pumping plant.

The Committee recommended the scheme for acceptance and placed it in class II.

(4) Pallapalayam sugar factory—

	RS.
(a) Purchase of a new engine	9,050
(b) Construction of additional furnaces	3,300
(c) Additional recurring expenditure	2,650

Total .. 15,000

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The Committee recommended the scheme for acceptance in class III.

4. *32. Medical, Part II schemes.*—The following schemes were considered and classified :—

	RS.
(1) Intensive Educational Campaign on Hookworm.	28,500

Of this sum half, i.e., Rs. 11,750 to be met from Provincial Funds.

The Committee did not recommend the scheme for acceptance. They placed it in class IV.

	RS.
(2) Grants for private hospital buildings	36,400

The Committee were informed that the department is preparing a revised note. The consideration of the scheme was therefore postponed.

(3) Allowances to X-ray staff.

The Committee recommended that a fixed allowance of Rs. 150 be granted to Civil Assistant Surgeons employed on X-ray work and an allowance of Rs. 50 to Sub-Assistant Surgeons so employed. They also recommended that these allowances should be paid to officers under training and that no Presidency allowance should be granted to officers drawing these allowances.

The scheme was placed in class I.

(4) Scholarship to a Lady Doctor for study in England—

	RS.
The proposal is that one Lady Doctor should be sent to England in 1924-25 and should hold a scholarship for two years	11,950
Cost in 1924-25	3,400

The Committee recommended the proposal for acceptance but would fix the scholarship at £300 a year and in addition would recommend that a second-class return passage be provided.

They would class the scheme in class II.

(5) Renewal of ward furniture, General Hospital, Madras, Rs. 47,500.

The Committee recommended the scheme and placed it in class II.

(6) Opening of a dispensary at Paderu—

	RS.
Initial expenditure	4,000
Recurring expenditure	3,000

The Committee did not consider that this work is urgent and would place it in class III.

	RS.
(7) Medical school, Coimbatore, special equipment for the Chemistry and Physiology departments ..	5,825

The Committee recommended the scheme and placed it in class I.

[5th February 1924]

5. *Medical Buildings, Part II schemes, for 1924-25.*—The following schemes were placed before the Committee :—

(1) Mental Hospital, Madras—

	Total cost.	Contribution for 1924-25.
	RS.	RS.
(a) Twenty single rooms for males.	23,000	15,000
(b) New dispensary and operation theatre.	11,350	11,350
(c) Improvements to the water-supply.	11,775	11,775
(d) Improvements to the kitchen.	7,700	7,700
Total ..	53,825	45,825

The Committee would place item (a) in class II and items (b), (c) and (d) in class III.

(2) Chittoor Hospital—Quarters for the Lady Apothecary :—

	Total cost.	Contribution for 1924-25.
	RS.	RS.
	6,170	6,170

The Committee recommended the scheme and placed it in class III.

(3) Coimbatore Hospital—Extension of site—Purchase of 7 23 acres at a cost of Rs. 25,222.

The Committee desired to be informed what is the present area of the hospital compound and whether room cannot be found in it for part at least of the extensions.

(4) Vellore hospital—Out-patient dispensary—Rs. 18,500.

The Committee recommended the scheme for acceptance and placed it in class II.

6. *Civil Budget estimate—Pay of establishments.*—The Committee were informed that it is proposed to omit the entries against the detailed heads under the primary units in column 5 of the Civil Budget estimate and to show only the total cost against each primary unit. The Committee desired that a decision should be postponed until their next meeting.

FORT ST. GEORGE,
7th December 1923.

C. G. TODHUNTER.

[5th February 1924]

(2)

Proceedings of the Eighth meeting of the Finance Committee, 1923-24, held on Monday, the 17th December 1923, at 2-30 p.m.

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).
 Rai Bahadur Sir K. VENKATAREDDI NAYUDU, Kt.
 T. M. NARASIMHACHARLU Garu.
 JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur.
 Dr. P. SUBBARAYAN.
 M.R.B. A. RANGANATHA MUDALIYAR Avargal.
 A. RAMASWAMI MUDALIYAR Avargal.
 O. NICHOLSON, Esq.
 R. W. DAVIES, Esq., I.C.S.
 Mr. P. HAWKINS, M.I.C.E., was also present.

The Committee took into consideration Part II schemes for 1924-25. The schemes under head 55—Construction of Irrigation Works—and head 15—Navigation, Embankment and Drainage Works financed from ordinary revenues—were first considered.

I. 55—Irrigation Works—

(a) Classified by the Committee as class I—

(1) Installation of shutters in the Kistna anicut—

Amount of estimate	Rs.
Grant required for 1924-25	4,95,800
	3,81,000

(2) Extending the South Channel, Divi Pumping System—

Amount of estimate	Rs.
Government share	14,478
For 1924-25	8,324
	8,824

(b) Classified by the Committee as class II—

(1) Remodelling Tapeswaram South Side Channel—

Amount of estimate	Rs.
Grant required for 1924-25	88,900
	5,080

(2) Road dam at Vellar Rajan Vaikal, Shatlatope Anicut System—

Amount of estimate	Rs.
Grant required for 1924-25	29,210
	8,810

(3) Converting Pulivalam dam across the Kattar into a regulator—

Amount of estimate	Rs.
Grant required for 1924-25	21,780
	15,240

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(4) Minor works costing less than Rs. 10,000 each—Productive—

	Rs.
Amount of estimate	68,415
Grant required for 1924-25	68,415

(5) Minor works costing less than Rs. 10,000 each—Unproductive—

	Rs.
Amount of estimate	16,673
Grant required for 1924-25	16,673

(6) Subsidiary drains to Motur left side drain—

	Rs.
Amount of estimate	24,003
Grant required for 1924-25	12,000

(c) The Committee classified the following as class III schemes:—

(1) Automatic shutters to the Goomsur Anicut—

	Rs.
Amount of estimate	26,289
Grant required for 1924-25	26,289

(2) Improvements to the Jambu Cauvery—

	Rs.
Amount of estimate	50,800
Grant required for 1924-25	25,400

The works specified under (a), (b) and (c), being works for which capital and revenue accounts are kept, should be met from loans.

(d) Gōdāvari Delta system—Head Works division—

	Amount of estimate.	Grant for 1924-25.
	Rs.	Rs.
IX. Improvements to the Vizeswaram under-sluices.	1,46,050	63,500
X. Improvements to the Bobberlanka under-sluices.	1,27,000	38,100

The estimates for these works have not been sanctioned, and the Chief Engineer has yet to make his inspection. The Committee were therefore unable to take them into consideration.

(e) Improvements to the Red Hills Tank—

	Rs.
Amount of estimate	1,37,414
Grant required for 1924-25	26,670

The question of the contribution by the Madras Corporation is under correspondence. The scheme could not therefore be considered.

(f) Construction of a reservoir across the Rolla Vagu at Thippayapalem, Markapur taluk—

As this is an unproductive work, with a prospective return of only 2½ per cent, the Committee recommended that the cost thereof should be met by a sinking fund loan, the repayment of which should be spread over a period of thirty years.

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They would place it in class III.

II. 15.—*Works financed from ordinary revenues—*

(a) *Raising and strengthening left flood bank of the Cauvery—*

	RS.
Amount of estimate inclusive of percentage charges	55,658
Grant required for 1924-25	25,400

The Committee classed this in class I, but recommended that, as the work forms part of the Cauvery Delta system, it should be transferred to capital account and the cost of the improvement met by loan.

(b) *Diverting the Gokivadagedda—*

	RS.
Probable amount of estimate inclusive of percentage charges	27,500
Grant required for 1924-25	12,000

This work may be classed in class II, the sum of Rs. 12,000 being provided, if funds are available, in 1924-25.

(c) *Improvements to the Musiri Nattu Vaikkal—*

	RS.
Probable amount of estimate inclusive of percentage charges	53,700
Grant required for 1924-25	25,400

In the absence of finally sanctioned estimates the Committee are unable to recommend that the scheme be included in the budget in 1924-25.

2. The Part II schemes put forward by the Department of Agriculture were next considered.

(a) *The following schemes were placed in class II:—*

	RS.
(1) Opening of demonstration plots in North Arcot, South Arcot, Chittoor and Chingleput— Annual cost	3,000
(2) Appointment of a store-keeper at Samalkota on a salary of Rs. 35 to 60.	
(3) Popularisation of agricultural implements	1,660

(b) *The following schemes were placed in class III:—*

(1) *Additional staff—Millets specialist—*

	RS.
Recurring cost	3,980
Cost in 1924-25	2,805

(2) *Additional staff (4 assistants and 5 plant collectors) for cotton improvement work—*

	RS.
Cost in 1924-25 (11 months)	4,840

(3) *Two additional plant collectors at Aduthurai station—*

	RS.
Cost in 1924-25 (11 months)	550

[5th February 1924]

(4) *Demonstration maistris—Increase of number by five—*

	RS.
Cost in 1924-25 (11 months)	1,100

(5) *Construction of school at Agricultural College—*

	RS.
Estimate	3,700

The Committee would place this scheme in class III but recommend that the cheaper type-design of building recently devised for elementary schools should be adopted in preference to the more costly design put forward in the scheme.

(6) *Improvement of milk supply—*

This scheme involves the purchase of one Scindhi bull, six Scindhi cows, and six Montgomery cows and the provision required for 1924-25 is Rs. 10,300.

(7) *Staff quarters at the potato farm, Nanjanad—*

The Committee were informed that the staff would pay rent for their quarters. The cost of the work, which provides accommodation for the Manager, Assistant Manager and store-keeper, is Rs. 7,000.

(c) *Opening of a paddy breeding station in the Kistna Delta—*

Consideration of the scheme was adjourned in order that the presence of the Director of Agriculture might be secured.

3. *Veterinary Department—Part II schemes—*

(1) *Opening of six new dispensaries in 1924-25 in the following places:—*

Centres.	Centres.
Anantapur.	Kallakurichi.
Gurzala.	Harpanahalli.
Krishnagiri.	Gobichettipalayam.

The Committee were informed that, in view of the fact that seven dispensaries were being opened in 1923-24, the demand for 1924-25 would be reduced to five. The Committee would recommend, under class II, the opening of three new dispensaries and under class III the opening of two further dispensaries.

(2) *Thirty-eight peons for the touring veterinary assistants—*

	RS.
Estimated annual cost—	
Salary at Rs. 12	5,472
Travelling allowance	2,280
Total	7,752

The proposal is recommended for acceptance and placed in Class III.

[5th February 1924]

4. Co-operative Credit—Part II schemes—

(1) Additional staff for Malabar District—
Cost in 1924-25—

Pay of one Chief Inspector on Rs. 80 for 11 months 11×80 .	RS. 880
Pay of one Inspector for 11 months 11×40 .	440
Total ..	1,820

Travelling allowance for the above—

Chief Inspector	RS. 860
Inspector	300
Total ..	1,980

(2) Appointment of 16 Additional Honorary Assistant Registrars—
Estimated cost in 1924-25—

Travelling allowance for these gentlemen from 1st July 1924.	RS. 4,320
Pay and travelling allowance for 16 peons under them.	2,688
Total ..	7,008

The above two schemes are placed in Class III.

(3) Appointment of peons for Honorary Assistant Registrars outside Madras City—

Total number of peons 77—
Annual cost—

Pay	RS. 10,164
Travelling allowance	7,400
Total ..	17,564

The scheme is placed in Class II.

FORT ST. GEORGE,
18th Decr. 1923.

O. G. TODHUNTER

5th February 1924]

(3)

Proceedings of the Ninth meeting of the Finance Committee held on Tuesday, the 18th December 1923.

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

Rai Bahadur Sir K. VENKATAREDDI NAYUDU, Kt.

" T. M. NARASIMHACHARLU Garu.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur.

Dr. P. SUBBARAYAN.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal.

" A. RAMASWAMI MUDALIYAR Avargal.

C. NICHOLSON, Esq.

R. W. DAVIES, Esq., I.C.S.

The minutes of the previous meeting were read and confirmed.

2. The scheme for a paddy-breeding station in the Kistna delta, consideration of which was postponed so that the Director of Agriculture might be present, had, owing to the absence of the Director from Madras, again to be postponed.

3. The consideration of part II schemes was resumed, the first department taken up being the Land Revenue Department, which had only two schemes for presentation. They are—

- (1) Purchase of a rotary off-set machine for the Survey office at a cost of £2,012 12 0
Annual maintenance charges are estimated at .. £107 10 0 per annum.

The Committee recommended the purchase of the machine and placed the scheme in class I.

- (2) Restoration of Land Records Tahsildars, at an annual estimated cost of 2.17 lakhs of rupees.

As the proposal involves the restoration of expenditure which was cut out by the Legislative Council, the Committee were unable to accept the proposal on the basis of the information supplied in the Revenue Department's note and requested that the Commissioner of Survey and Settlement should attend the Committee to explain the proposition more fully.

4. Part II schemes under head 22. General Administration were next taken up.

- (1) Purchase of books for the Secretariat Library .. RS. 1,500
The scheme was placed in class II.
(2) Repairs to the "Regal" Van 1,000
The scheme was placed in class I.

[5th February 1924]

- (3) Grant of jamabandi allowance to karnams and menials in proprietary villages in which the Government revenue exceeds Rs. 300.
- | | |
|---------------------|------------|
| Annual cost | Rs. 17,500 |
|---------------------|------------|

The scheme was placed in class II.

- (4) Installation of standard balances and weights at Bezvada, Madras and Trichinopoly.

Cost (non-recurring)	Rs. 8,600
------------------------------	-----------

The scheme was placed in class III.

- (5) (a) Increase of pay of the head clerk of the Registrar-General of Panchayats.

The proposal was not recommended for acceptance and was placed in class IV.

- (b) Sanction of an increment of Rs. 4 to the third clerk and of Re. 1 to the attender in the above office.

The proposal was recommended for acceptance and placed in class I.

5. Head 24—Administration of Justice—Part II Schemes—

- (1) Opening of an additional District Munsif's Court to dispose of the arrears in the Poonamallee and Tiruvellore courts—

Cost in 1924-25	Rs. 5,805
-------------------------	-----------

The Committee desired to be informed whether the arrears could not be disposed of by utilising the court recently established at Madurantakam to relieve the Tiruvellore and Poonamallee courts.

- (2) Opening of an additional District Munsif's Court in South Kanara—

Estimated cost for 1924-25 (9 months) ..	Rs. 6,414
--	-----------

The scheme was recommended and was placed in class I.

- (3) Additional District Munsif's Court at Gudivada to relieve the District Munsif's Courts at Avanigadda and Masulipatam—

Estimated cost for 1924-25 (8 months) ..	Rs. 5,806
--	-----------

The Committee did not consider that the location at Gudivada of a court to relieve Avanigadda and Masulipatam was desirable. They therefore requested to be informed whether the court could not be used to relieve the congested courts by being stationed in the area of congestion instead of at Gudivada.

6. Head 41—Civil Works—Land Revenue—

- (1) Construction of a Divisional office at Narsapur—

Estimate	Rs. 42,500
------------------	------------

The Committee desired to be informed what would be the cost of repairing and improving the existing building.

[5th February 1924]

- (2) Construction of a Deputy Tahsildar's office, Narasannapeta—
- | | |
|------------------|------------|
| Estimate | Rs. 33,700 |
|------------------|------------|

The scheme was placed in class III.

- (3) Construction of quarters for the Deputy Tahsildar of Kudala and his staff—

Estimate	Rs. 33,000
Demand for 1924-25	10,000

The scheme was placed in class II.

7. Head 41—Civil Works—Agricultural Department—

- (1) Construction of quarters at the Agricultural College, Coimbatore—

	Rs.
(i) Three "D" type quarters at Rs. 1,900 each ..	5,700
(ii) Thirty "F" type quarters at Rs. 600 each ..	18,000
(iii) Twenty-two "E" type quarters at Rs. 1,150 each ..	25,300

Total ..	49,000
----------	--------

The proposal was placed in class III.

- (2) Quarters for the Deputy Director of Agriculture at Madura—
- | | |
|--|------------|
| | Rs. 28,350 |
|--|------------|

The scheme was not recommended for acceptance and was placed in class IV.

- (3) Extension of Agricultural College hostel ..
- | | |
|--|------------|
| | Rs. 80,500 |
|--|------------|

The scheme was placed in class III.

8. 41—Civil Works—Veterinary Department—

- (1) Veterinary College—

	Rs.
(a) Operation shed extension	2,400
(b) Dissecting room	10,248
(c) Dressing shed	12,080

The extension of the operation shed was recommended as a class III work. Items (b) and (c) were not recommended and were placed in class IV.

- (2) Veterinary dispensary, Adoni
- | | |
|--|------------|
| | Rs. 17,000 |
| Veterinary dispensary, Nandyal | 14,500 |

The scheme was placed in class III.

9. 41—Civil Works—Registration Department—

- | | |
|---|--------|
| | Rs. |
| (1) Office and quarters for Sub-Registrar and clerks, Buguda .. | 16,800 |
| (2) Sub-registry office, Valikandapuram | 13,600 |

[5th February 1924]

The proposals were placed in class III.

10. *Civil Works—Administration of Justice—*

	RS
(1) <i>Court-house for the District Munsif, Turayur</i> ..	65,000
Demand for 1924-25 ..	10,000
(2) <i>Court-house for the District Munsif, Gooty</i> ..	52,000
Demand for 1924-25 ..	10,000

These two schemes were placed in class II. Attention was called to the small proportion of the total cost which it is proposed to meet in 1924-25. It appeared to the Committee that, if the works, which are classed as extremely urgent, are taken in hand in 1924-25, a much greater proportion of the construction than that proposed should be carried through.

(3) *Court-house for the District, Sub and Munsif's Courts at Vizagapatam.*—The Committee desired to call attention to the low price which has been demanded for the site and building of the existing court in Vizagapatam, viz., Rs. 50,000. They considered that there is no justification for constructing a new court-house at a cost of three and half lakhs of rupees when Government court-houses are already in existence in Vizagapatam. They would therefore place the scheme in class IV.

(4) *Court of Small Causes, Madras—*

	RS.
Estimated cost	5.56 lakhs.
Demand for 1924-25	10,000

The Committee suggested that a further enquiry be made into the possibility of so re-distributing the space in the existing building as to secure a reduction in the cost of the extension.

(5) *Iron record racks in the High Court* .. RS. 13,400

The scheme was placed in class II—

(6) *Construction of a bungalow for the District Judge, Trichinopoly.* 48,770

The Committee were not satisfied as to the necessity for constructing a new bungalow at so high a cost. They therefore placed the scheme in class IV.

11. 32. *Medical—Grants to private hospitals for medical buildings.*—The Committee recommended that a sum of Rs. 23,876, equivalent to the first six head, schemes on the priority list, be entered in part I of the budget under this head.

They further recommended that a sum of Rs. 15,523, equivalent to the cost of schemes 7 to 12 on the priority list, be classified in class II of part II of the budget. The 13th item on the list was placed in class III.

12. The consideration of the Accountant-General's note on the Civil Budget Estimate was deferred till the next meeting.

FORT ST. GEORGE,
20th December 1923.

C. G. TODHUNTER.

[5th February 1924]

(4)

Proceedings of the Tenth meeting of the Finance Committee, 1923-24, dated 4th January 1924.

PERSENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).
M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.
Rai Bahadur T. M. NARASIMHACHARLU Garu, M.L.C.
Dr. P. SUBBARAYAN, M.L.C.
Janab MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.
C. NICHOLSON, Esq., M.L.C.
R. W. DAVIES, Esq., I.C.S.

The Accountant-General, Mr. A. A. L. Parsons, I.C.S., was also present. The minutes of the previous meeting were read and confirmed.

2. *Civil Budget Estimates—Pay of Establishments—Proposal to omit the entries against the detailed heads under the primary units—*

The Committee were of opinion that the proposal of the Accountant-General should be accepted so far as it related to permanent sanctioned establishments. They considered that the cost of temporary establishments should be entered separately and that detailed schedules of the temporary establishments should form part of the budget. The entries should continue to be made against all detailed heads against which the figures are at present entered in the accounts columns of the estimates.

PART II SCHEMES.

3. I. 24—*Administration of Justice—*

(1) Opening of a Temporary Sub-Court at Tellicherry, with effect from 1st June 1924.

	RS.
Cost in 1924-25	8,785

The Committee placed the scheme in class III.

(2) Additional establishment of two upper division and two lower division clerks for the Original Side of the High Court.

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Recurring	3,824	2,520

The proposal was placed in class II.

II. 25—*Jails—*

(1) Provision of recreation rooms for jail staffs in Central and District Jails.

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Non-recurring	6,000	6,000

[5th February 1924]

The Committee placed the scheme in class III.

(2) Appointment of literate officers as gate-keepers.

Estimated additional annual cost	Rs.
	793

The proposal was placed in class II.

(8) Supply of uniforms to sub-jail warder guards in Kurnool and Coimbatore districts.

	Estimated cost.	Provision for 1924-25.
	Rs.	Rs.
Recurring	3,850	3,850

The scheme was placed by the Committee in class II.

III. 26—Police—

Construction of a staff boat for the Superintendent of Police, Kistna.

	Estimated cost.	Provision for 1924-25.
	Rs.	Rs.
Non-recurring	9,000	9,000

The Committee placed the scheme in class II.

IV. 31—Education—

(1) Medical supervision of the hostel attached to the Government Training School for Women, Tanjore.

	Estimated cost.	Provision for 1924-25.
	Rs.	Rs.
Recurring	300	300

The proposal was placed in class I.

(2) The following schemes were placed by the Committee in class II:—

(i) Government Mappilla Lower Elementary Training School for Masters, Malappuram—Raising the standard to the status of a higher elementary training school.

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
Rs.	Rs.	Rs.	Rs.
7,068	1,000	4,336	1,000

(ii) Government Muhammadan Secondary School, Guntur—Opening of VI Form.

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
Rs.	Rs.	Rs.	Rs.
1,464	1,000	880	1,000

[5th February 1924]

The proposal to appoint a clerk and a peon was not recommended. The proposal to open Form VI with a trained graduate teacher on Rs. 75 a month and to provide Rs. 1,000 for equipment was recommended as a class II scheme.

(iii) Additional teacher for the Reformatory School, Chingleput.

	Estimated cost.	Provision for 1924-25.
	Rs.	Rs.
Recurring	555	385

(iv) Opening of six additional elementary schools for fisher children.

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
Rs.	Rs.	Rs.	Rs.
3,636	1,464	3,336	1,464

The Committee desired that an explanation should be furnished with regard to the necessity for a duty allowance to Headmasters.

(v) Queen Mary's College—additional staff—Science Department—one Demonstrator and one Mechanic.

	Estimated cost.	Provision for 1924-25.
	Rs.	Rs.
Recurring	1,434	720

(vi) Bifurcation of the Kistna district for educational purposes—Appointment of two District Educational Officers.

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
Rs.	Rs.	Rs.	Rs.
12,715	500	8,482	500

(vii) Scholarships tenable in higher elementary schools for girls—Increase in number from 36 to 50.

(viii) Scholarships—Special for Mappillas, Labbais and certain other classes of the Muhammadan community—Increase in number from 16 to 25.

(3) The following schemes were placed in class III:—

(a) Conversion of the Model School attached to the Government Training School for Women, Tanjore, into a middle school.

	Estimated cost.	Provision for 1924-25.
	Rs.	Rs.
Recurring	1,644	1,644
Non-recurring	700	700

(b) Opening of higher standards in the Model School attached to the Government Training school, Dindigul.

	Estimated cost.	Provision for 1924-25.
	Rs.	Rs.
Recurring	1,710	315
Non-recurring	2,550	390

[5th February 1924]

(c) Opening of additional lower elementary sections in the Government Training schools at Berhampore and Chicacole.

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Recurring	9,000	6,000
Non-recurring	570	570

(d) Opening of Form V in the Government Middle school for girls—Vellore.

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Recurring	4,880	1,360
Non-recurring	1,500	750

(e) Opening of Form VI in the Government Girls' Secondary school at Salem.

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Recurring	1,032	640

(f) Arts College, Rajahmundry—Appointment of a tutor in English.

Cost per annum Rs. 1,125.

(g) Ceded Districts College, Anantapur—Temporary tutor in physics—Permanent retention and conversion into assistant lecturer in the Subordinate Educational Service.

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Recurring	1,125	250

(h) Agency—Education—Government Elementary schools—Surangodo and R. Udayagiri—Opening of higher standards.

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Recurring	1,500	1,100

(i) Institution of two scholarships to England for Indian women. The proposal was placed in class III. A scholarship for £300 without a war bonus of £45 was considered to be ample.

(j) Government College, Mangalore—English assistant—Outside any cadre—Appointment to Subordinate Educational Service.

Cost Rs. 750 per annum.

(k) Scholarships tenable in Higher Elementary schools—Increase in number from 24 to 80.

(4) The Committee placed the following schemes in class IV:—

(i) Arts College, Rajahmundry—Transfer of the lecturership in chemistry from the Subordinate Educational Service cadre to the Madras Educational Service cadre.

[5th February 1924]

Cost per annum Rs. 4,095.

(ii) Deputation of a Madras Educational Service officer to England to study the educational systems of England.

(iii) Grant for the purchase of a building for the Indian Students' Union and hostel, London:—

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Non-recurring	15,000	15,000

V. 41. Civil Works in charge of Public Works Officers—Land Revenue Department—

Construction of a Tahsildar's office at Ramnad—

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Non-recurring	89,500	20,000

The proposal was placed in class III.

VI. 41. Civil Works in charge of Public Works Officers—General Administration—

Secretariat buildings—Alterations to the second floor and lavatories on the open terrace—

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Non-recurring	12,500	12,000

The Committee placed the scheme in class II.

FORT ST. GEORGE,
5th January 1924.

C. G. TODHUNTER.

(5)

Proceedings of the Eleventh meeting of the Finance Committee, 1923-24, dated 5th January 1924.

P R E S E N T :

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.

" A. RAMASWAMI MUDALIYAR Avargal, M.L.C.

Rai Bahadur T. M. NARASIMHACHARLU Garu, M.L.C.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.

Dr. P. SUBBARAYAN, M.L.C.

R. W. DAVIES, Esq., I.C.S.

Mr. M. R. KHAREGAT, Secretary to Government, Public Works Department, was also present.

Appointment of a special officer to examine the re-allocation of police stations in the six southern districts.

[5th February 1924]

The proposal was recommended for acceptance.

Total cost for four months	Rs.
.. .. .	7,660

2. 1. 41. Civil Works—Jail buildings—

(a) Construction of two blocks of 40 cells in Coimbatore Central Jail—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 72,400	Rs. 72,400

The Committee placed the scheme in class III.

In view of the fact that the Inspector-General states that he can secure a saving of Rs. 5,000 by the use of convict labour the sanctioned cost of the estimate may be reduced from Rs. 72,400 to Rs. 67,400.

(b) District Jail—Palamecottah—Construction of an extra-mural ward of six cells for female prisoners—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 18,740	Rs. 8,000

The Committee placed the scheme in class III. They recommended that the cost of the work should be reduced by the employment of convict labour.

(c) District Jail—Palamecottah—Improvements to cell-doors and locking arrangements—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 9,700	Rs. 9,700

The scheme was placed in class II. The estimate for Rs. 9,700 may, in view of the fact that the Inspector-General anticipates a saving by the use of jail manufactures, be reduced to Rs. 9,000.

(d) Sub-Jail, Koraput—Construction of a main gate and an office—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 17,060	Rs. 17,060

The Committee placed the scheme in class II.

(e) Electrification of Central Jail—Vellore—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 34,660	Rs. 11,420

The scheme was placed in class III.

(f) Electrification of the Borstal Institution, Tanjore—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 19,250	Rs. 15,000

The scheme was placed in class III.

5th February 1924]

II 41. Civil Works—Education—

(1) Extensions to the buildings of the Government College, Mangalore—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 29,000	Rs. 15,000

The consideration of the scheme was postponed until the estimates are ready.

(2) Construction of a building for the Government Training School for masters at Cuddalore—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 1,33,000	Rs. 50,000

The Committee considered that it was sufficient to provide for the cost of acquisition, viz., Rs. 22,000 in 1924-25 and placed that in class II.

(3) Acquisition of a site and construction of a building for the Government Higher Elementary Training School for Masters, Chingleput—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 49,000	Rs. 10,000

The sum sufficient to cover the cost of acquisition is Rs. 2,550. The Committee considered that it would be sufficient to provide in 1924-25 a sum of Rs. 2,550 for the cost of the acquisition of the site. They placed that in Class II.

(4) Teachers' College, Saidapet—Water-supply scheme—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 27,500	Rs. 4,600

The Committee placed the scheme in class II.

(5) Government Muhammadan Secondary School, Vellore—Construction of a building—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 43,000	Rs. 25,000

The scheme was placed in Class III.

(6) Construction of Science Block in the Queen Mary's College—

	Estimated cost.	Provision for 1924-25.
Non-recurring	Rs. 3,55,000	Rs. 1,00,000

The Committee recommended that the scheme should be deferred pending the formulation of the scheme for a general University Laboratory. A separate scheme may be prepared for providing laboratory accommodation in the Queen Mary's College for the Intermediate classes of the College.

[5th February 1924]

III. 41. Civil Works—Medical Buildings—

Land acquisition—Coimbatore Medical School and Hospital—
Purchase of 7.23 acres at a cost of Rs. 25,222.
The scheme was placed in class I.

IV. 41. Civil Works—Registration Buildings—

Construction of a District Registrar's office at Masulipatam—

	Estimated cost. Rs.	Provision for 1924-25. Rs.
Non-recurring	65,000	10,000

The Committee were informed that the office of the Salt Assistant Commissioner would probably be vacated by the Forest Department. They recommended that the possibility of using the Salt Assistant Commissioner's office should be considered.

V. 41. Civil Works—Industries—Buildings—

(1) Kerala Soap Institute—Additional works—

	Rs.
(a) Repairs to the existing road within the premises of the Institute	200
(b) Levelling site	1,300
(c) Embankment	4,200
(d) Compound wall	8,500
(e) Wrought iron gate	900
(f) Repairs to old buildings	750
(g) Unforeseen	1,350

Total .. 17,200

	Estimated cost. Rs.	Provision for 1924-25. Rs.
Non-recurring	17,200	15,850

Items (a), (b), (c) and (f) were placed in class I and items (d) and (e) in class III.

(2) Industrial Engineer's Workshops—Expenditure on certain necessary works—

	Rs.
(i) Engine and trolley shed and tiffin sheds	10,000
(ii) Compound wall	5,000
(iii) Fencing	2,000
(iv) Gates	940
(v) Earth filling	1,000
(vi) Unforeseen	560

Total .. 19,500

	Estimated cost. Rs.	Provision for 1924-25. Rs.
Non-recurring	18,940	18,940

The Committee placed items (i) to (v) in class II.

th February 1924]

VI. 41. Civil Works—Agency works—

(a) Bridge works—

	Estimated cost. Rs.	Provision for 1924-25. Rs.
Nowrangapur—Central Provinces road—		
(1) Bridge over Porligedda	82,100	25,000
(2) Do. Haradipattigedda	45,210	25,000
Gōdāvari road—		
(3) Bridge over Turabakavagu	21,800	5,000
(4) Do. Sitavagu	10,400	5,000
(5) Do. Kondapuramvagu	10,480	1,000

The Committee recommended that items (1) and (2) should be postponed. Items (3), (4) and (5) were placed in class III.

(b) Agency—Roads—Bridge—Anantagiri-Jeypore road—Construction of a bridge over the Kolab river—

	Estimated cost. Rs.	Provision for 1924-25. Rs.
Non-recurring	3,56,800	30,000

The scheme was placed in class III.

(c) Widening the Itikavalasa-Jeypore road—Koraput Agency—

	Estimated cost. Rs.	Provision for 1924-25. Rs.
Non-recurring	3,42,000	10,000

The Committee placed the scheme in class III.

VII. 41. Civil Works—Public Works Department Buildings—

Construction of a rest-house in Mangalore—

	Estimated cost. Rs.	Provision for 1924-25. Rs.
Non-recurring	19,200	10,000

The scheme was placed in class III.

3. 8. Forest—

Fire protection of the sholas on the Kundahs in the Nilgiris—

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
Rs.	Rs.	Rs.	Rs.
900	4,000	700	4,000

The proposal was placed in class II.

4. 38. Public Health—

(i) Formation of additional ranges of Deputy Inspectors of Vaccination in the Agency Division—

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
Rs.	Rs.	Rs.	Rs.
22,316	1,400	19,292	1,400

[5th February 1924]

The note of the department has not supplied information as to the necessity for 20 vaccinators. It was requested that an explanation should be furnished.

(ii) Creation of a leave reserve of district health officers—

	Estimated cost RS.	Provision for 1924-25. RS.
Recurring	5,500	5,500

The scheme was placed in class I.

(iii) Appointment of a travelling inspectorate of municipal water-supplies—

	Estimated cost. RS.	Provision for 1924-25. RS.
Recurring	20,000	20,000

The scheme was placed in class IV.

(iv) Mechanical Engineer for the inspection and supervision of municipal water-works—

	Estimated cost. RS.	Provision for 1924-25. RS.
Recurring	9,881	9,060

The Committee placed the scheme in class III.

5. 35. Industries—

(i) St. Francis Xavier's Industrial School, Tanjore—Building grant—

	Estimated cost. RS.	Provision for 1924-25. RS.
Non-recurring	78,024	50,000

The scheme was placed in class III.

(ii) Extension to the S.P.G. Art Industrial School, Nazareth—

	Estimated cost. RS.	Provision for 1924-25. RS.
Non-recurring	1,500	1,500

The Committee placed the scheme in class III.

(iii) Pasumalai Trades school—Extension to—Building grant.

The particulars of extensions to the buildings are—

	Rs.
(1) Addition to main building	6,628
(2) Construction of a blacksmithy shed	6,773
(3) Do. of a carpentry shed	5,891
(4) Do. of an engine room	2,150
(5) Do. of the east terrace	1,600
(6) Do. of latrines	816
Total	23,358

[5th February 1924]

	Estimated cost. RS.	Provision for 1924-25. RS.
Non-recurring	11,679	4,462

Items (2) and (4) were classed as class II schemes.

(iv) Development of the lace and embroidery industry—

Estimated cost.		Provision for 1924-25.	
Recurring. RS.	Non-recurring. RS.	Recurring. RS.	Non-recurring. RS.
11,000	15,000	9,895	15,000

The scheme was placed in class II.

(v) Hilsa hatching operations in the Godavari and Kistna rivers—

	Estimated cost. RS.	Provision for 1924-25. RS.
Non-recurring	500	500

Non-recurring

The proposal was placed in class IV.

6. Loans and Advances—Class V. Miscellaneous Loans—Organization—Cattle Insurance Societies.

The Committee placed the scheme in class III.

7. The appointment of a Committee to consider the question of standardization of jewellers' weights.

At the instance of the Development department, which had promised to remit to the proposed Committee as its main object of enquiry the question whether compulsion is practicable, the Committee reconsidered their recommendation of the 3rd December and classed the scheme in class III. The Development department has accepted a reduction in the estimate of cost from Rs. 1,000 to Rs. 300.

C. G. TODHUNTER.

FORT ST. GEORGE,
7th January 1924.

APPENDIX V.

[Vide item 'IX. Communications to the Council', page 54 supra.]
G.O. No. 1102, Finance, dated 21st December 1923.

READ—the following paper:—

G.O. No. 400, Finance, dated 1st May 1922.

ABSTRACT.—Committees—Public Accounts and Finance—Constitution of—1922-23.

Order—No. 1102, Finance, dated 21st December 1923.

The Public Accounts Committee of the Legislative Council for the year 1923-24 will be constituted as follows:—

Nominated by His Excellency the Governor.

- (1) Hon'ble Sir Charles Todhunter, K.C.S.I., I.C.S. (Chairman).
- (2) R. W. Davies, Esq., I.C.S., M.L.C.
- (3) A. J. Leech, Esq., M.L.C.

[6th February 1924]

Elected by the non-official members of the Council.

- (4) M.R.Ry. S. Arpudaswami Udayar Avargal, M.L.C.
- (5) The Raja of Ramnad, M.L.C.
- (6) M.R.Ry. B. Mahabala Hegde Avargal, M.L.C.
- (7) " P. N. Marthandam Pillai Avargal, M.L.C.
- (8) " R. Srinivasan Avargal, M.L.C.
- (9) " O. V. Venkataramana Ayyangar Avargal, M.L.C.
- (10) Janab Abbas Ali Khan Bahadur, M.L.C.

(By order of the Governor in Council)

R. W. DAVIES,
Secretary to Government.

To all departments of the Secretariat.
 „ the Accountant-General.
 „ all Secretaries of departments.
 „ all members of the Public Accounts Committee.
 „ the Secretary to the Legislative Council (for communication to the members of the Legislative Council).

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, 6th February 1924.

The House met at 11 o'clock, the hon. the President (Diwan Bahadur L. D. SWAMIKANNU PILLAI AVARGAL, C.I.E., I.S.O.) in the Chair.

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 and answers shall be arranged in order of subjects.

The Secretary shall call the name of each interpellator in the order in which the names are printed, 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.]

SUPPLEMENTAL QUESTIONS TO QUESTION No. 133-A—cont.

Mr. A. RAMASWAMI MUDALIYAR:—"Sir, in view of the statement made by the hon. Member in which he did not admit that the statement made by him on the occasion of the No-Confidence motion that he did not apply for either a paid or an honorary appointment was incorrect, may I request the hon. the Chief Minister to consider the advisability of placing on the table of the House the communications in his possession for the House to draw its own conclusion?"

Mr. C. RAMALINGA REDDI:—"I would like to say a word, Sir. I do not think that what the hon. Member, Mr. Ramaswami Mudaliyar, has said is quite accurate. I explained yesterday, and I did not contradict any correspondence but only the idea put forward that I first approached the Minister for the appointment."

The RAJA OF RAMNAD:—"May I know whether the hon. Member was nominated subsequently in pursuance of the request?"

The hon. the RAJA OF PANAGAL:—"He was not nominated. So far as the supplementary question is concerned the hon. Member for Chittoor stated yesterday that my statement was correct, but at the same time he added that his statement also was correct. I am afraid, Sir, that that position is consistent. His statement is contrary to the fact. I have got the letters with me to prove beyond all doubt that it is so and I shall gladly make a present of them to my hon. Friend. Let him read the letters and say if he did not apply for the places and that at his own instance."

The hon. the Raja of Panagal then gave away the letters to the hon. Member, Mr. C. Ramalinga Reddi.

Mr. S. SATYAMURTI:—"May I ask the hon. the Minister to lay on the table a list of all the Members who have applied to him for posts paid or honorary?"

[6th February 1924]

The hon. the PRESIDENT :—" I am afraid it is a very large order : the hon. Member had better make a separate request."

Mr. S. SATYAMURTI :—" I bow to your ruling, Sir."

Mr. SASIBHUSHANA RATH Mahasaya :—" In the answer it is stated that he also applied 'in connexion with two other appointments, namely, the Presidentship of the Legislative Council and the Vice-Chancellorship of the Madras University'. May I know if those two posts are also in the gift of the hon. the Chief Minister ?"

(No answer.)

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I ask the Minister for Local Self-Government whether it is the practice with him to intercede on behalf of his party men to get them appointments which do not lie in his power to give ?"

(No answer.)

Rao Bahadur C. NATESA MUDALIYAR :—" I want to put a series of questions arising on this. May I do so, Sir ?"

The hon. the PRESIDENT :—" I am really sorry the hon. Member is just a little late as we have passed on to the next question. I am sure he will be able to put his question separately."

Accountancy.

The Head Accountant Test Examination.

134 Q.—Mr. K. ABDUL HYE SAHIB : Will the hon. the Member for Revenue be pleased to state the number of Muhammadans who were selected for the Head Accountant Test Examinations in the Ceded Districts during the past two years and also the number of Hindus selected for these examinations in the Ceded Districts ?

A.—There is no 'Head Accountant Test Examination' as such. The hon. Member apparently refers to the head accountant's training given to the subordinates in Revenue Department. Collectors arrange for this training and the Government have no information in regard to the number of men selected for the training from each community.

Agriculture.

Cultivation of tank-beds.

135 Q.—Mr. G. RAMESWARA RAO : Will the hon. the Home Member be pleased to state if Collectors are empowered to allow tank-bed cultivation for raising food-crops in times of distress ?

A.—The orders now in force are those contained in G.O. No. 2964, Revenue, dated the 3rd October 1912, and the conditions under which permission should be granted are those mentioned in paragraph 1 of the Reference from the Board of Revenue No. 364, dated the 10th February 1904. Extracts of these papers are annexed.*

* Printed as Appendix I on page 167 infra.

[6th February 1924]

Amalgamation of Villages.

The proposed amalgamation of the shrotriyam village of Gouripuram with Kavini.

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

- (1) whether the shrotriyam village of Gouripuram in Hospet taluk is situated at the junction of three trunk roads and at the foot of a ghaut ;
- (2) whether there is a religious mutt to which pilgrims from various places periodically resort several times every year ;
- (3) whether orignal tribes like Lambadis reside in the forests and villages close by ;
- (4) whether it is under the consideration of the Government to amalgamate the shrotriyam village of Gouripuram with the neighbouring Government village of Kavini Basapur, and, if so, the reasons therefor ;
- (5) the savings to the Government which will result from the contemplated amalgamation ;
- (6) whether the shrotriyamdar of the inam village is willing to bear the loss to the Government, if any, by paying an equivalent contribution or in any other way ; and
- (7) the authority under which an inam village is clubbed with a Government village ?

A.—(1), (2), (3), (5) & (6) The Government have no information. (4) & (7) An inam village is clubbed with a Government village under the provisions of section 6 of the Madras Act III of 1895. The Board of Revenue being the authority under the Act, matters of detail relating to amalgamation of villages do not come up to Government.

Mr. A. RANGANATHA MUDALIYAR :—" With reference to clause 4 of my question No. 136, will the Government be pleased to obtain the information, Sir ?"

The hon. the RAJA OF KOLLENGODUR :—" Yes."

Bifurcation of District.

Bifurcation of the Kistna district.

137 Q.—S. R. Y. ANKINEDU PRASAD Bahadur : With reference to the Government Press Communiqué, dated 6th October 1923, and published in the Fort St. George Gazette on the subject of the bifurcation of the Kistna district, will the hon. the Member for Revenue be pleased to say—

- (a) what stage the matter has reached ;
- (b) whether any proposals for the re-arrangement of taluks have been made by individuals or by popular bodies ; and
- (c) if so, whether he will be pleased to lay them on the Editors' Table for the information of the people in the district ?

[6th February 1924]

A.—(a) & (b) The criticisms that were received by Government in response to the Press Communiqué, dated 6th October 1923, have been forwarded to the Board of Revenue for consideration and the Board's report is awaited. Details of the suggestions made are not therefore available with Government at present.

(c) The Government do not consider it necessary to publish all the proposals that may have been made by individuals or popular bodies.

Civil Justice.

Registrar, Court of Small Causes.

138 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the qualifications of the gentleman who has been appointed Registrar of the Court of Small Causes; and

(b) the names and qualifications of the gentlemen who were recommended for the appointment by the High Court or by the Chief Judge of the Court of Small Causes or by both?

A.—(a) He is a graduate in Arts and Law and a High Court Vakil and has served as an Additional Public Prosecutor, South Malabar.

(b) The Government decline to furnish the information as it is confidential and it is not in the public interest to disclose it.

Co-operative Societies.

Honorary Assistant Registrar of Co-operative Societies, Srivilliputtur.

139 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

(a) whether it is a fact that the Honorary Assistant Registrar of Co-operative Societies, Srivilliputtur, took away the receipt book, cash-book and loan-ledger from the Toppupatti Co-operative Credit Society No. A. 861, Srivilliputtur taluk, on 17th June 1923;

(b) whether it is a fact that the Honorary Assistant Registrar not only refused to return the books to the society but also used defamatory words when asked for them by the President of the society;

(c) whether it is a fact that the general body of the society in its meeting held on 9th August 1923 resolved to take necessary action (civil or criminal) against the Honorary Assistant Registrar and to represent the matter to the Assistant Registrar of Co-operative Societies, Tinnevely, and the Registrar of Co-operative Societies, Madras;

(d) what action has been taken by the department on the matter;

(e) whether the books have been returned to the society; if so, when and how; and

(f) whether Honorary Assistant Registrars are permitted to take away the books of Co-operative Credit Societies?

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

[6th February 1924]

Muhammadian representation among Honorary Assistant Registrars of Co-operative Societies.

140 Q.—Mr. YAHYA ALI: Will the hon. the Minister for Development be pleased to state whether it is a fact that there is no Mussalman appointed Honorary Assistant Registrar of Co-operative Credit Societies in the Anantapur district?

A.—It is so.

Criminal Justice.

Mr. Blackstone's Report.

Q.—Diwan Bahadur P. KESAVA PILLAI: Will the hon. the Law Member be pleased to state—

(a) whether Mr. Blackstone, the Deputy Inspector-General of Police, is engaged in making local investigations regarding the complaints and delegations that the people in some particular villages in the Penukonda and Channarayana divisions, Anantapur district, were helplessly enduring tyranny and oppression?

(b) if so,

(a) the names of the villages concerned and of the individuals complained against;

(b) the number of witnesses examined in support of the accusations, and the number examined in defence;

(c) whether it is a fact that the result of the prolonged personal enquiry was a report that tyranny and oppression have been prevailing in the villages and that the perpetrators have enjoyed immunity from law and justice;

(d) a summary of the lawless and oppressive actions brought to light;

(e) the nature of the measures recommended in order to safeguard the people from such tyranny and oppression in future; and

(f) whether Mr. Blackstone's report was forwarded to the District Magistrate for his opinion, and if so, whether the District Magistrate did or did not accept the recommendation of the Police?

A.—It is true that Mr. Blackstone, as Deputy Inspector-General, Central Anantapur, was instructed by the Inspector-General of Police in July 1923 to hold an inquiry into certain allegations of oppression and lawless action on the part of two brothers Bayappa and Govinda Reddi of Pamudurti village in the Penukonda taluk and their agents and supporters. The inquiry, which was completed in about two months and which involved the examination of 201 witnesses in the Penukonda taluk in support of the allegations and 66 for the defence, showed that there were good reasons for believing that the two brothers have for some time been guilty of many illegal acts including the extortion of money by various methods, the usurpation of powers that rightly belong to the Government and the defrauding of Government revenues.

[6th February 1924]

(b) the steps the Government propose to take to repair the heavy losses sustained by the inhabitants of the said district and to alleviate the distress of the poor?

A.—The hon. Member is referred to the letter, dated the 7th January 1924, from the Collector of Tinnevely which was published in the Madras dailies about the 16th January 1924.

Mr. S. SATYAMURTI:—"May I know from the Revenue Member whether the Government propose to take any steps to recoup the loss incurred?"

The hon. the RAJA OF KOLLENGODE:—"The Government will do all that is necessary and reasonable."

Floods in the Tinnevely district.

153 Q.—Mr. R. VEERIAN: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that serious damage was caused recently on account of heavy flood in the Tinnevely district leaving thereby 10,000 people homeless; and

(b) what steps the Government have already taken to relieve the suffering of the homeless people?

A.—The hon. Member is referred to the letter, dated the 7th January 1924, from the Collector of Tinnevely which was published in the Madras dailies about the 16th January 1924.

Forests.

Theft of sandalwood in South Kanara.

154 Q.—Mr. B. MAHABALA HEGDE: Will the hon. the Home Member be pleased to state—

(1) the total number of cases and the total amount of penalty levied in the villages of Thenkamijar, Badagamijar, Kallamundkurputtige and Marpady of Karkal taluk, South Kanara, in respect of sandalwood trees stolen from kumki lands;

(2) the revenue assessment payable by each of the wargdars concerned and the amount of penalty levied on each in the above villages;

(3) whether there is not a distillery in the midst of this group of villages in a solitary place surrounded by forests, and if the answer is in the affirmative, how far the said distillery is from the nearest police station;

(4) how many cases of theft of sandalwood trees from kumki lands in the above villages were detected by Government and how many culprits convicted; and what steps are taken about theft of sandalwood trees in forests beyond kumki;

(5) the quantity of sandalwood purchased from Government at auction by the distillery owner referred to in clause (3) above and the quantity of oil sold by him;

(6) whether the wargdars in South Kanara do not live in solitary houses especially in the interior on the foot of wooded hills unlike those in East Coast;

(7) the total amount of similar penalty levied in the district this year till the end of November 1923 and the number of wargdars from whom levied; and

[6th February 1924]

(8) whether the kumki lands are generally not in continuation of Government forests (reserve or otherwise)?

A.—(1) & (2) A statement containing the information is placed on the table.*

(3) There is a private sandalwood distillery in Puttige village surrounded by cultivated lands and not by forests. The nearest police station is four miles distant from the distillery.

(4) Twelve cases of theft other than those referred to in clause 1 have been detected since 1918 by forest subordinates. No one was convicted; in one case the charge against six accused was withdrawn for want of sufficient evidence; in another, the case was compounded and in the remaining cases the accused could not be traced.

A special staff of one forester and three forest guards is being maintained to prevent theft of sandalwood.

(5) No sandalwood was purchased from the Government by the distillery owner in question and the Government have no authentic information as to the quantity of oil sold by him.

(6) It is generally speaking true that wargdars live in solitary houses.

(7) A total sum of Rs. 392 has been levied as penalty from six wargdars in the North Mangalore division. In the South Mangalore division there has been one case of theft which is under enquiry.

(8) They are generally contiguous to Government forests or unreserved land.

Mr. B. MAHABALA HEGDE:—"With reference to clause (4) I want to ask whether the Government will take steps to institute proper check?"

The hon. Sir ARTHUR KNAPP:—"I am afraid, Sir, I must have notice of that question."

High Court Judges.

Number of High Court Judges.

155 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether he has since received any definite proposals from the High Court for an increase in the number of Judges;

(b) if so, for how many new Judges; and

(c) whether the Government have sanctioned or recommended to higher authorities any increase in the number of Judges?

A.—(a) Yes.

(b) Two.

(c) No.

Mr. S. SATYAMURTI:—"The answer to clause (c) is 'no'. May I know whether that decision of the Government is final or whether they are still considering the matter and are likely to sanction anything?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"So far as I can see there is no chance of any further recommendation."

[6th February 1924]

Irrigation.*Appeal from the inhabitants of the villages irrigated by the Red Hills Lake.*

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

(a) whether the Government have received any appeal from the inhabitants of the villages irrigated by the Red Hills Lake; and

(b) if the answer is in the affirmative, what action the Government intend taking upon it?

A.—(a) Yes.

(b) The memorial has been referred to the Superintending Engineer, Madras Circle, for report.

The repair of major and minor tanks and kuntas in Anantapur district.

157 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Law Member be pleased to state—

(a) the number of Government tanks both major and minor and kuntas in Anantapur district when the East India Company first took possession of the district;

(b) how many of these have fallen into disrepair and how many have been completely abandoned since;

(c) how many of these in disrepair do the Government propose to repair now or in the near future;

(d) how many of the existing tanks and kuntas are in good repair with capacity undiminished, and how many of these have been reduced in their capacity and to what extent; and

(e) if figures are not available for such an anterior time, whether the Government will be pleased to give the earliest possible figures?

A.—(a) & (b) Government have no information.

(c) To the end of 1922–23, 758 estimates had been prepared under the Tank Restoration Scheme aggregating Rs. 10,06,992 for repairing minor tanks, but these were not abandoned tanks. The estimates mostly provide for the improvement of existing tanks.

(d) Government are not aware of any reduction of the ayacuts under tanks. There is a natural tendency for the capacity of tanks to diminish owing to accumulation of silt. This process is very slow and its exact amount is not known.

Removal of silt from tank-beds by ryots.

158 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to state whether there is any objection to ryots removing silt from tank-beds, and, if so, the grounds for the said objection, and if it is allowed under certain restrictions, what are the terms?

A.—Ryots are at liberty to remove silt from the beds of tanks free of charge for *bona fide* domestic or agricultural purpose, and on payment of seigniorage for other purposes provided that no damage is caused to the tanks by such excavation and that in the case of tanks in charge of the Public Works Department the previous permission of the subdivision officer is obtained.

[6th February 1924]

Application for water for wet lands under the Tungabhadra in Bellary.

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

(1) whether the question of dispensing with application for water for wet lands under the Tungabhadra channels in the Bellary district is engaging the consideration of the Government;

(2) whether the Department of Public Works which at present disposes of applications for the use of water is of opinion that the existing arrangement requiring applications for water may be done away with; and

(3) whether the Executive Engineer met the ryots of Hospet in conference at Kamalapur on the 3rd December 1923 and whether the ryots prayed for the discontinuance of the existing practice in regard to water application on any or all of the following or other grounds:—

(a) undue delay in the grant of applications;

(b) needless expenditure on scribes and mamuls to subordinate officers;

(c) excessive and unnecessary work to the Public Works Department officials who have to register and pass orders and issue them, preserving copies thereof;

(d) needless cost to the ryots when they have to take delivery of the copies of the orders sent to them by 'unpaid' post?

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

(3) The Government have no information.

Jails.*Jail reforms.*

160 Q.—Diwan Bahadur P. KESAVA PILLAI: Will the hon. the Home Member be pleased to state—

(a) if they have carried out any of the recommendations (on jail reforms) made by the Indian Jails Committee (1919–20);

(b) if so, what they are; and

(c) what recommendations of the Jail Committee they intend to carry out in the near future?

A.—A statement which will answer the hon. Member's question is being prepared and will be laid on the table.

Mr. S. SATYAMURTI:—"May I ask the hon. the Home Member to give us an idea of the time when he expects the report to be laid on the table?"

The hon. Sir ARTHUR KNAPP:—"I hope it will be laid on the table within the next few days. The fact is, we have done a great deal towards carrying out the Jail Committee's recommendations and it will take some time to make a summary of what we have done."

Landing and Shipping Dues Committee.

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

(a) the names of ports in the Madras Presidency where 'Landing and Shipping Dues Committees' have been established;

[6th February 1924]

(b) the constitution of the Committee and whether the Members of the Committee are elected or nominated and by whom and by what constituencies;

(c) whether the contributors to the funds of the Committee have the right of representation on the Committee;

(d) whether it is a fact that the Indian nominations are left to the discretion of the Presidency Port Officer while the European nominations to the Committee are made by the European firms; and

(e) whether there are any rules or regulations governing this Committee and if so, whether the Government will lay on the table a copy of the same?

A.—(a) & (b) The following table shows the names of ports at which Landing and Shipping Fees Committees have been instituted and the number of members forming the Committee in each case. The members are all nominated:—

Name of port.	Number of members.
(1) Adirampatnam...	5
(2) Calicut ...	8
(3) Cuddalore ...	8
(4) Malpe ...	8
(5) Mangalore ...	9
(6) Masulipatam ...	9
(7) Negapatam ...	10
(8) Tellicherry ...	8
(9) Vizagapatam ...	8

(c) The fees are levied on all goods and passengers passing through the ports. The Committees are made up of persons having business at the ports.

(d) The answer is in the negative.

(e) Rules regulating the functions of the Committees were issued under G.O. No. 258, Marine, dated 17th August 1910. A copy is appended.*

Land Revenue.

Land revenue from Anantapur district.

162 Q.—Mr. G. RAMESWARA RAO: Will the hon. the Member for Revenue be pleased to furnish information on the following points:—

(i) amount of land revenue derived from Anantapur district during the period the district has been under the British rule;

(ii) amount spent during the period for

(a) repairing any irrigation sources,

(b) constructing protective works of irrigation, and

(c) constructing productive works of irrigation;

(iii) amount spent on famine-relief works during the period; and

(iv) amount of remissions granted during the period—

(a) for dry and

(b) for wet?

* Printed as Appendix III on page 169 infra.

[6th February 1924]

A.—(i) to (iv) The compilation of these statistics for a period of about 125 years, even if it be possible at this distance of time, will involve the expenditure of money and labour for which the Government see no justification.

Mappilla Rebellion.

Remission of sentences passed on Mappilla rebels.

163 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Home Member be pleased to make a statement regarding

(i) the remission of sentences or other forms of clemency shown to persons convicted in connexion with the recent Mappilla outbreak;

(ii) the number of people still in prison here or in the Andamans;

(iii) the number of people whose sentences have been suspended under the fines system;

(iv) the amount so far collected under that scheme;

(v) how much more the Government expect to realize;

(vi) the number of appeals from the judgment of the Special Tribunals and other Courts which dealt with Martial Law cases disposed of by the hon. the High Court so far and in how many cases the sentences of the Special Tribunals and other Courts which dealt with Martial Law cases were set aside or reduced; and

(vii) whether the Government intend to take any action on my Resolution regarding the immediate appointment of a committee to examine and remit sentences in all cases in which conviction has been obtained only on circumstantial evidence or where there was no proof of direct participation in violence?

A.—(i) In addition to the scheme of suspended sentences, the Government have ordered the reduction or remission of sentences passed on about 1,395 persons.

(ii) The number of prisoners in jails in Madras on 31st December 1923 was 7,553 and that in the Andamans in the middle of October was 1,219.

(iii) 17,688 up to the end of December 1923.

(iv) Rs. 6,14,228-15-9 up to the end of December 1923.

(v) The Government see no reason to anticipate that the balance of fines due, amounting to about 4 lakhs of rupees, will not be realized.

(vi) The number of appeals disposed of is 1,775. The number of appellants concerned in the appeals disposed of was 4,793 and the sentences on 972 persons were modified, the conviction being quashed in the case of 382 persons, and the sentences passed on 590 persons being reduced. A fresh trial was ordered in the case of 64 persons.

(vii) The Government do not propose to take any action on the Resolution before it is discussed in the Council.

[6th February 1924]

Mr. C. RAMALINGA REDDI:—"I want to put a supplementary question to the hon. the Home Member. If I remember rightly, the total number of people convicted was something like 30 to 32 thousands. But I see the number of appeals disposed of is only 1,775. For obvious reasons probably many have not come up with appeals. Practically I see that one-fifth were either acquitted or had their sentences reduced. Would it not be, Sir, gracious on the part of the Government if they pursue now a generous policy of remission of sentences as prayed for by Resolutions numerous signed?"

The hon. Sir ARTHUR KNAPP:—"I am not quite sure whether this is a request for information; it seems to be rather a recommendation. I remember, Sir, that your predecessor has reminded the House that anything which is not a request for information should take the form of a Resolution."

Mappilla rebels fined under the suspended sentence scheme.

164 Q.—Mr. K. UPPI SAHIB: Will the hon. the Home Member be pleased to state—

- (a) how many Mappillas have been fined under the suspended sentence scheme for offences connected with the rebellion;
- (b) what is the total amount of fine so levied;
- (c) how much has been already collected;
- (d) how many of the Mappillas so fined have made default in paying the fine; and
- (e) how many of them have been imprisoned for such default?

- A.—(a) 17,688 up to the end of December 1923.
 (b) Rs. 10,11,234-6-6 up to end of December 1923.
 (c) Rs. 6,14,228-15-9 up to end of December 1923.
 (d) 2,279, excluding one taluk for which figures are not yet ready.
 (e) 424 up to 30th November 1923.

Medical Service.

Compulsory retirement of Sub-Assistant Surgeons.

165 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

- (1) whether it is a fact that Sub-Assistant Surgeons who were compelled to retire under the Retrenchment scheme were not permitted to avail themselves of any kind of leave before retirement though they might be entitled to the same and that a special Government Order was issued to that effect;
- (2) if the answer to the above be in the affirmative, whether the hon. the Minister will be pleased to lay on the table the Government Order in question;
- (3) whether it is a fact that officers of less than fifty years of age and thirty years of service were made to retire, while those who were older and had put in longer service were retained; and
- (4) whether it is a fact that the local boards were given the option to employ their own Sub-Assistant Surgeons in medical institutions under their charge except taluk headquarter hospitals?

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A.—(1) Sub-Assistant Surgeons affected by the Retrenchment scheme were permitted to avail themselves of leave up to the date of expiry of the three months' notice.

(2) A copy of G.O. No. 1395, P.H., dated 20th August 1923, is laid on the table.*

(3) The Government would like to take advantage of this opportunity to explain fully the principles which guided them in giving effect to the Retrenchment scheme. The Government maintained a leave reserve of 15 per cent of the sanctioned number of appointments for Civil Assistant Surgeons and of 25 per cent in the case of Sub-Assistant Surgeons. The Retrenchment Committee which examined carefully the justification for this large reserve discovered that a very large percentage of this reserve was normally unemployed. At the time the committee examined the question, there were as many as 100 Sub-Assistant Surgeons who were not holding any sanctioned appointment but were attached as supernumeraries to various hospitals although the actual strength of the service was short of the sanctioned cadre by ten. The maintenance of a large number of officers for whom there was no work obviously involved a waste of public money and the committee recommended that the reserve staff should be reduced from 25 to 10 per cent of the sanctioned number of appointments. The obvious way to attain this object was to dispense with the services as far as possible of officers who were entitled to a full pension and who were not fit for promotion to the selection grade. The Government accepted the committee's recommendations but, in order to minimize the hardship resulting from such a large reduction of the staff, they decided to retain in service a number of officers sufficient to fill the vacancies occurring in 1923 and part of the vacancies in 1924. Forty Sub-Assistant Surgeons were provided for in this manner. In regard to the rest, the following plan was adopted:—

- (i) Men who were entitled to a full pension but had not been promoted to the selection grade to be discharged first;
- (ii) next, men who had not earned their first increment on 1st May 1923, in the order of juniority; and
- (iii) lastly men who had been condemned as unfit for further promotion.

Accordingly officers who had put in over 25 years' service and who had not been promoted to the selection grade were retired first. The number of officers falling under this category was 34. At the time when the orders were issued there were as many as 53 officers with less than 25 years' service who had been promoted to the selection grade. In other words, the officers who were retired had been superseded at least 53 times. The scheme did not affect officers in the selection grade, of whom a few who have completed 50 years of age and 30 years' service are still in service.

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

* Printed as Appendix IV on page 169 infra.

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The RAJA OF RAMNAD :—“ With reference to the answer to sub-clause (iii) it is stated, ‘ Accordingly officers who had put in over 25 years’ service and who had not been promoted to the selection grade were retired first.’ May I ask the hon. the Minister whether it is not a fact that those who had put in 26 years of service, 27 years of service and 28 years of service and who have been debarred from going to the selection grade have been retained? If it is so, may I request the hon. the Minister to kindly consider the fairness, of allowing people who have just completed 25 years being retained?”

The hon. the RAJA OF PANAGAL :—“ No one with 26 years of service, unless he is already in the selection grade, is retained.”

Granting of leave for retiring Sub-Assistant Surgeons.

166 Q.—MR. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Local Self-Government be pleased to state whether any orders were issued that sub-assistant surgeons ordered for retirement should not be granted privilege or other leave to be availed of by them preliminary to retirement, and, if so, the date from which the above orders were given effect to?

A.—The hon. Member is referred to the answer given to question No. 165. No particular date was fixed for giving effect to the order.

Appointment of Assistant Surgeons to taluk headquarter stations.

167 Q.—MR. S. SATYAMURTI : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether he proposes to appoint Assistant Surgeons to all taluk headquarter stations;

(b) whether sub-assistant surgeons of efficiency may not be posted to such stations;

(c) the reasons why sub-assistant surgeons in permanent service were compulsorily retired and their places given to more highly-paid Assistant Surgeons;

(d) whether a special Government Order was passed refusing leave of absence to sub-assistant surgeons compulsorily retired;

(e) whether officers less than 50 years of age were compulsorily retired, while men over 50 years of age are still retained in service; and

(f) whether the Government will allow these men compulsorily retired, to avail themselves of the full leave of absence to which they are entitled under the rules?

A.—(a) The answer is in the negative.

(b) The question does not arise.

(c) The reasons for the compulsory retirement of Sub-Assistant Surgeons are given in the answer to question No. 165.

(d) & (e) The hon. Member is referred to the answer given to question No. 165.

(f) The Government are not prepared to reconsider the orders already passed.

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Police.

Candidates selected for the Police Sub-Inspectors' training in Kurnool.

168 Q.—MR. K. ABDUL HYE SAHIB : Will the hon. the Law Member be pleased to state—

(a) the number of candidates selected for Police Sub-Inspectors' training held recently for the district of Kurnool; and

(b) whether it is a fact that the selected candidates are all Hindus and the only Muhammadan candidate who presented himself before the selection board was rejected and whether he was better qualified than the other candidates?

A.—The Government have no information.

MR. K. ABDUL HYE SAHIB :—“ May I ask the hon. the Law Member to call for the information?”

The hon. MR. C. P. RAMASWAMI AYYAR :—“ About the only Muhammadan who presented himself?”

MR. K. ABDUL HYE SAHIB :—“ Yes.”

The hon. MR. C. P. RAMASWAMI AYYAR :—“ Yes.”

Police Station at Pamudurthi.

169 Q.—DIWAN BAHADUR P. KESAVA PILLAI : Will the hon. the Law Member be pleased to state whether it is a fact that the Government have decided to locate a police station at Pamudurthi village; and, if so, why and at what and whose cost?

A.—The Government have sanctioned the reopening of the Police station at Pamudurthi temporarily for a period of one year at a cost of about Rs. 5,000. The cost is borne by the Government and for the reasons for this step the hon. Member is referred to the answer to question No. 141.

Promotion of a C.I.D. Inspector.

170 Q.—MR. SAMI VENKATACHALAM CHETTIYAR : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that a junior Inspector of the C.I.D. was temporarily promoted for one month to the rank of Deputy Superintendent to enable him to attend the Congress at Cocanada and that a number of Inspectors and Sub-Inspectors were placed under him during this period;

(b) whether he was given a duty allowance in excess of the allowance sanctioned to the cadre; and

(c) whether it is a fact that the Deputy Inspector-General of C.I.D., the Assistant to Deputy Inspector-General and six European clerks were deputed to Cocanada during the Congress and that a lump amount of about Rs. 10,000 was sanctioned for C.I.D. purposes at Cocanada?

A.—(a) An Inspector of the C.I.D. was temporarily promoted for one month to the rank of Deputy Superintendent of Police in connexion with the Congress at Cocanada. The Government have no information whether a number of Inspectors and Sub-Inspectors were placed under him.

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(b) Yes.

(c) The Deputy Inspector-General of Police was at Cocanada during the Congress. The Government have no information as to the exact number of the staff that accompanied him. The answer to the latter part of the question is in the negative.

Mr. S. SATYAMURTI:—"May I ask the hon. the Law Member whether the proposal to promote a junior Inspector of the C.I.D. to the rank of a Deputy Superintendent of Police emanated from the hon. the Law Member himself?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It did not."

Mr. S. SATYAMURTI:—"May I ask if the proposal to send any C.I.D. to the Congress deliberations emanated from the hon. Member?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It did not, because that system was in force ever since the Congress began."

Mr. S. SATYAMURTI:—"May I know whether he still continues to be Deputy Superintendent?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"He does not to-day."

Mr. S. SATYAMURTI:—"How long did he continue after the special duty at Cocanada was over?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Not a single day as far as I am aware."

Mr. S. SATYAMURTI:—"The Government said that they had no information as to the exact number of staff that accompanied him in answer to clause (c). They also said that a lump amount of Rs. 10,000 was not sanctioned for C.I.D. purposes at Cocanada. Will the Government be pleased to call for information as to the exact number of staff that accompanied and the exact amount sanctioned and spent?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The whole of it will be before the authorities."

Railways.

Wicket gates in Trichinopoly Road and Mill Road, Coimbatore.

171 Q.—Mr. R. VEERIAN: Will the hon. the Home Member and the hon. the Minister for Local Self-Government be pleased to state whether it is a fact that pedestrians suffer very much for want of wicket gates on both sides of the Railway cross cuts, Trichinopoly Road and Mill Road, in the Coimbatore town during the time of shunting?

A.—The Government have no information.

Mr. R. VEERIAN:—"Will the Government be pleased to call for information as to whether such hardships exist or not?"

The hon. the RAJA OF PANAGAL:—"Government will have no objection to do it."

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Retrenchment.

Recommendations of the Retrenchment Committee.

172 Q.—Mr. P. PEDDIRAJU: Will the hon. the Member for Finance be pleased to state—

(a) whether the Government intend to give effect to the recommendations of the Retrenchment Committee with regard to the revision of pay of the provincial services; and

(b) if so, how far?

A.—The hon. Member is referred to paragraph 11 of the Retrenchment Committee's report.

Separation of the Judicial and the Executive.

Report of the Committee on the separation of the Judicial from the Executive.

173 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(1) whether orders have been passed on the report of the committee on the separation of the judicial and executive functions; and

(2) whether the Government will be pleased to lay a copy of the order on the table?

A.—(1) No.

(2) The question does not arise.

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I should like the hon. the Law Member to state when orders will issue and whether they will issue in time to have the proposal included in the next year's budget?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am not sure whether it will be in time to be included in the next year's budget. The fact of the matter is this. The report of this Committee on the separation of the executive and judicial functions has been considered by Government, and there are two solutions proposed. The question is which alternative the Government is going to accept. As soon as it is decided, the Committee's report and the decision of the Government will be placed on the Editors' table, and it is expected that it will be done before the next meeting of this Council."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May we not have some idea of the two alternatives?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"As it is question time I am afraid I will tire the patience of the hon. the President."

Mr. S. SATYAMURTI:—"In view of the statement in the Council of State that the Government are not going on with this scheme in view of the fact that the recommendations of the Madras Government and another Local Government have not yet been received, will the hon. the Law Member be pleased to consider the advisability of expediting the recommendations to the Government of India at an early date?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am perfectly willing to do so. I am also a lawyer and I am interested in the subject."

Mr. S. SATYAMURTI:—"I am glad to hear it."

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Survey.*Officers attached to Survey Party No. II.*

174 Q.—S. R. Y. ANKINEDU PRASAD Bahadur: Will the hon. the Home Member be pleased to publish a statement as to the number of Officers and their subordinates attached to the Survey Party No. II with their salaries and the work expected to be done by each Officer?

A.—Two Assistant Directors of Survey are attached to Survey Party No. II. One of them is now drawing a pay of Rs. 450 per mensem and the other a pay of Rs. 350 per mensem. Government have no information of the actual distribution of work between these two officers.

The forecast of work for this party for 1923-24 is given below as reported in the Administration report for 1922-23:—

- (1) Cadastral re-survey of 235 square miles in the Divi taluk, Kistna district;
- (2) Cadastral survey (Estates) of 63 square miles in Kannivadi zamindari, Dindigul taluk, Madura district, and of 7 square miles in Nachiyar koil, Srivilliputtur taluk, Ramnad district.

Government have no information as to the number and salary of the subordinates attached to the party.

Tree-Tax.*Rate for taxation for coconut trees in the district of Trichinopoly.*

175 Q.—Diwan Bahadur S. Rm. M. Ct. PETHACHI CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the rate of taxation for coconut trees in the district of Trichinopoly is higher than that now in force in the district of Tanjore; and

(b) why there should be such difference?

A.—(a) Yes.

(b) The difference in the rate is due to the fact that in Tanjore there has survived an older system of taxation under which the trees planted on assessed land were taxed instead of the land on which they grow. This system has disappeared in all other districts including Trichinopoly.

Village Regrouping.*'Vattams' in the South Arcot district.*

176 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

(a) the number of Vattams reduced in South Arcot consequent on the regrouping of villages and the probable annual saving under this head; and

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(b) whether representations have been made to the Collector and the Board of Revenue protesting against the said regrouping of villages?

A.—The Government have no information.

Mr. R. SRINIVASA AYYANGAR:—"Will the Government be pleased to call for the information?"

The hon. the RAJA OF KOLLINGODE:—"I will do so if the hon. Member wants it."

APPENDIX I.

[Vide answer to question No. 135 asked by Mr. G. Rameswara Rao at the meeting of the Legislative Council held on the 6th February 1924, page 146 supra.]

G.O. No. 2964, Revenue, dated 31 October 1912.

The Government approve the Board's recommendation and accordingly direct that the power to permit cultivation of tank-beds shall vest in District Collectors. Such cultivation will be subject to the conditions proposed by the Board of Revenue in paragraph 1 of its Reference No. 354, dated the 10th February 1908.

(True extract)

L. M. WYNCH,
Acting Secretary to Government.

Board's Reference No. 354, dated 10th February 1908.

The Board requests that Government may be pleased to delegate to Collectors the power now vested in the Board to permit the cultivation of tank-beds in unfavourable seasons, subject to the following conditions:—

(1) That in the case of tanks under the control of the Public Works Department the officers of that department are consulted in the first instance and their consent is obtained;

(2) that the cultivation is restricted to crops, such as melon, cucumber, etc., which do not entail any material disturbance of the surface of the tank-bed;

(3) that the cultivation is charged at the highest dry rate of the village;

(4) that the tank-bed is equally divided among all the applicants and not monopolized by a few influential persons; and

(5) that the ryots are held responsible for the complete removal of sticks, stems, leaves of plants, etc., before water enters the tanks.

APPENDIX II.

[6th February 1924]

[Vide answer to question No. 154 asked by Mr. B. Mahabala Hegde at the meeting of the Legislative Council held on the 6th February 1924, page 155 supra.]

List showing the sandalwood thefts in kumaki lands in the villages of Tenkamijar, Badagamijar, Kalmundkur, Puttige and Marpadi.

Name of village.	Number and name of pattadar.	Assessment.	Amount of penalty levied.	Remarks.
Tenkamijar.	57. Jennappa Shetty alias Shankara Bhandary.	ns. A. 167 7	ns. ..	Kumaki privileges were suspended for a period of five years by the Collector in his order No. 2174/13, dated 16th October 1918.
Badagamijar.	15. V. Ramanna ..	14 11	..	Kumaki privileges were suspended for a period of five years by the Collector in his Dis. No. 640, dated 2nd July 1914.
	30. Mariappa ..	25 11	..	Do.
	21. D. Narayana Bhatta.	11 11	..	Do.
Tenkamijar.	35. Annappa Bhatta ..	31 15	..	Do.
	44. Kaveri Shethi and Vodipu Shetty.	293 11	..	Kumaki privileges were withdrawn by the Collector in his order No. 1016, dated 3rd October 1914.
Do.	40. Krishnaya Mulgeni Dhamappa Shetty.	20 11	..	Do.
Do.	41. Laxminarayana Pejathaya and Laxumamma.	83 2	..	Kumaki privileges were suspended for a period of five years by the Collector in his No. 638, dated 2nd July 1914.
	100. Laxminarayana Bhatta.	30 2	..	Do.
Puttige.	Manjappa Ballala.	296 3	..	Kumaki privileges were withdrawn by the Collector in his No. 1175, dated 28th July 1914.
	Sankappaya ..	71 8	..	Kumaki privileges were withdrawn by the Collector in his No. 294, dated 28th October 1919.
Badagamijar.	17. Venkappaya ..	10 13	..	Kumaki privileges were withdrawn by the Collector in his No. 662, dated 6th August 1920.
	18. Puttaya ..	69 1	..	Suspended for a period of three years—vide Collector's No. 643/23.
Tenkamijar.	70. Nagamma Hegadthi.	435 8	84	
Badagamijar.	82. Shamaya ..	33 8	12	
	9. Venku Bhatta ..	27 8	18	
	11. Mahadev Bhatta ..	2 11	6	
	14. Vasappa Bhatta ..	90 14	96	
	18. Puttaya ..	69 1	6	
	25. Venkatramana Bhatta.	5 10	18	
	27. Narayana Bhatta	31 7	12	
	29. Krishnaya ..	37 0	6	
	30. Mariappa ..	25 11	6	
	31. Devappa Bhatta ..	20 2	18	
	38. Krishna Bhatta ..	1 13	6	
	47. Ramanna Bhatta ..	5 10	6	
	80. Pommur Hongsu ..	29 11	26	
	56. Gumanna Shetty ..	60 4	18	
	64. Narayana Bhatta	37 0	6	
	65. Shinyaya and Aithu.	40 6	6	
	116. Parvathi alias Kaveri.	8 6	18	
Puttige.	13. Ranga Bhatta ..	86 13	12	
	59. Dharmasamaraja ..	217 12	44	
Marpadi.	71. Manjappa Ballala.	150 6	42	

Notices to pay the penalty on pain of forfeiting their kumaki privileges have been issued by the Collector in his order reference on C. No. 4711/23 V. 2, dated 22nd September 1923, to the Kumkidars concerned.

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APPENDIX III.

[Vide answer to question No. 161 asked by Rao Sahib U. Rama Rao at the meeting of the Legislative Council held on the 6th February 1924, page 158 supra.]

Rules regulating the functions of Landing and Shipping Fees Committees in respect of the funds entrusted to their management.

1. Any expenditure proposed to be incurred by the port authorities against the Landing and Shipping Fund should be referred for concurrence to the Landing and Shipping Fees Committee.

2. The Landing and Shipping Fees Committee should be consulted as regards provision in the budget estimates of items of expenditure against the Landing and Shipping Fund.

3. The Landing and Shipping Fees Committee may incur contingent charges within the sanctioned allotments for the year, provided their doing so is consistent with the orders of Government for the time being in force relating to any special items of expenditure.

4. The Landing and Shipping Fees Committee may sanction refunds of Landing and Shipping fees if they are satisfied that the refunds claimed are in order.

APPENDIX IV.

[Vide answer to question No. 165 asked by Rao Sahib U. Rama Rao at the meeting of the Legislative Council held on the 6th February 1924, page 161 supra.]

G.O. Mis. No. 1395, P.H., dated the 20th August 1923.

READ—the following papers :—

From the Surgeon-General, No. 1751-5 Est., dated 6th/10th July 1923.

Memorandum No. 16339-1, P.H., dated 12th July 1923.

Order—Mis. No. 1395, P.H., dated the 20th August 1923.

The Government are pleased to pass the following orders on the several points raised in the Surgeon-General's letter No. 1751-5 Est., dated 6th/10th July 1923.

2. *Procedure to be adopted in discharging Sub-Assistant Surgeons.*—The Surgeon-General has already been informed in Memorandum No. 16339-1, P.H., dated 12th July 1923, that the Government are not prepared to reconsider the orders in paragraph 3 of G.O. No. 937, P.H., dated 12th June 1923.

3. *Retention of the excess number of officers in the selection grade as supernumeraries.*—The Government sanction the Surgeon-General's proposal that the excess number of Sub-Assistant Surgeons already in the selection grade may be treated as supernumeraries till they are absorbed in the usual course. An equal number of appointments in the ordinary grade should, however, be kept unfilled so long as these officers continue as supernumeraries and vacancies

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occurring in the selection grade should not be filled up by promotion from the ordinary grade until all the supernumerary officers have been absorbed. The Surgeon-General should see that the total permanent strength of the service, inclusive of the supernumeraries, does not exceed the sanctioned strength of the cadre.

4. *Grant of leave to the officers discharged.*—The Government consider that no leave should be granted to these officers beyond the date of expiry of the three months' notice.

5. *Discharge of Local Fund Sub-Assistant Surgeons.*—The Government do not see sufficient grounds for asking local bodies to retire their servants in order to make room for Government officers.

6. In paragraph 4 of G.O. No. 937, P.H., dated 12th June 1923, the Surgeon-General was asked to submit, through the Accountant-General, a detailed statement showing the strength of the cadres of the two services as they will stand after the reduction. The statements appended to the Surgeon-General's letter No. 1751-5, dated 6th/10th July 1923, give only the total number of appointments of Civil Assistant Surgeons and Sub-Assistant Surgeons. The Surgeon-General is requested to submit a more detailed statement explaining clearly how the various figures have been arrived at as regards both permanent and temporary appointments. The statement should, as already ordered, be submitted through the Accountant-General.

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

P. L. MOORE,
Acting Secretary to Government.

To the Surgeon-General.

" Accountant-General.

Copy to the Finance Department.

II

AMENDMENT TO STANDING ORDERS.

The hon. the PRESIDENT:—"I have to inform the House that the following Gentlemen have been nominated for election to the Select Committee to consider the amendments to Standing Order 44 (1) (i):—

- (1) Rao Bahadur A. S. Krishna Rao Pantulu.
- (2) Mr. R. Srinivasa Ayyangar.
- (3) The hon. Mr. C. P. Ramaswami Ayyar.
- (4) Rai Bahadur T. M. Narasimhachari.
- (5) Mr. B. Muniswami Nayudu.
- (6) " Janab Muhammad Yahya Ali Sahib.

"As the number of candidates nominated for election is equal to the number of vacancies to be filled, namely six, I hereby declare the above-mentioned Gentlemen to be duly elected under Regulation II (4) of the Regulations for the holding of elections by means of the single transferable vote and I nominate Diwan Bahadur M. Krishnan Nayar, a Chairman of the Council, to be a member of the Select Committee."

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III

COMMUNICATION TO THE COUNCIL.

The SECRETARY then laid on the table a *list of various projects which have been delayed or held up owing to the non-passage of the Irrigation Bill.

IV

DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1923-24.

Grant I.

The hon. Sir ARTHUR KNAPP:—"Mr. President, in regard to the first motion which stands in my name I should like with your permission not to move it now, but to withdraw it and give you fresh notice. I may perhaps mention for the information of the House that a doubt has been just brought to my notice as to the precise form in which this motion should be brought forward. I should like to clear that matter before I place it before the House."

With the permission of the House the following motion was not made:—

The Government be granted an additional sum of Rs. 17,200 under Land Revenue Department for the grant of special pay to Deputy Collectors employed on settlement work and revision of adangals.

The hon. Sir ARTHUR KNAPP:—"Sir, on the recommendation of His Excellency the Governor I move—

That the Government be granted an additional sum of Rs. 9,600 under Land Revenue Department for the grant of special pay to officers in charge of parties and to the officer in charge of the Central Survey Office.

"As the House is aware, Sir, it is a matter which has already been under discussion at the last budget. The officers of the survey parties have been in existence for the last 20 years. The necessity for their allowance was explained last year by Sir Habib-ul-lah. He pointed out that every survey party had at least two executive officers of whom one was at the head of the party and that one officer was very much weighed with responsibilities. The fact is, as Sir Habib-ul-lah said, he is in the position practically of a commanding officer with all attendant risks and responsibilities. During the budget debate in the Council last March this allowance was cut out, after a very short debate consisting, if I remember right, of a speech of a few lines by an hon. Member and a very brief reply by the Member in charge. That is as regards the officers in charge of the parties. I may mention that my proposal also covers a similar allowance for the officer in charge of the Central Survey office. That allowance was severely cut out by the Council and the main grounds put forward for their action were that they disapproved in general special allowance and that the recommendations of the Retrenchment Committee ought to be awaited before the House were asked to consider whether this particular allowance was or was not justifiable. The recommendations of the Retrenchment Committee have now been received. In fact, I may say we have waited until their receipt before bringing this matter before the Council. As the Council is aware, the matter of allowance received very special and very careful consideration from the Retrenchment Committee. They were occupied on this subject from October to March and as a result of their labours the allowances all over the Presidency in every department have been systematised and the Committee have put forward proposals which promises

[Sir Arthur Knapp]

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to result in a saving of 11 lakhs of rupees. Every single allowance has been examined with the most zealous care and while I do not for a moment suggest to this House that it is bound by the recommendations of the Committee, I think, I may say that greatest consideration is due to the recommendations which are the result of so very exhaustive an inquiry and so much labour; the more so when it is remembered that the Retrenchment Committee consists of a majority of elected Members. I, therefore, venture to suggest that unless there are very strong reasons for differing from the opinion of the Retrenchment Committee it is only right that the House should accept their recommendation and pass this allowance."

The motion was put and carried, and the Grant was made.

Grant VII.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I beg to move—

That the Government be granted under Irrigation—

- (i) *an additional sum of Rs. 69,730 under '15. Other revenue expenditure financed from ordinary revenues—in charge of Public Works officers,' for repairs to irrigation works in the Cauvery, Madura, Trichinopoly and Tinnevely divisions; and*
- (ii) *an additional sum of Rs. 44,628 under 'XIII. Works for which capital accounts are kept—Working Expenses', for repairs to irrigation works in the Cauvery delta system (Tanjore district), and in the Srivaikuntam and Marudur anicut systems (Tinnevely district).*

"It may be asked, Sir, why when the Budget is so near us I have come before this House with this grant. The answer is pretty obvious. Such extensive damage has been wrought in regard to these various irrigation systems owing to the inundations and to the floods which have of late taken place that notwithstanding our desire to get as much as possible by reappropriation we have found ourselves unable to finance the necessary works.

"Let me with your leave, Mr. President, give details of what has been done. In the first place with regard to the Tinnevely division, for maintenance and repairs, a sum of Rs. 20,000 is asked for. This additional amount is required for the repair of damage caused to the several banks and channels by the heavy floods and in response to the urgent requests of the Superintending Engineer we have authorized him to proceed with the more urgent works in anticipation of the allotment of funds. In the Trichinopoly division a sum of Rs. 10,000 is required. Owing to the extremely adverse character of the season works have had to be carried on a very extensive scale so as to maintain the requisite supply of water in the most important channels. These works were damaged by the heavy floods of December and either they have to be reconstructed or repaired and the total demand that is required under this head was Rs. 21,500. Out of this we propose to meet by reappropriation Rs. 11,500. It is because we cannot get more by reappropriation that we have come to this House for Rs. 10,000 more.

"Then as regards Madura division the additional amount is required for repairing the damage done during the floods and for urgent works of closing the breaches in various banks. Out of a total of Rs. 23,200 that is required, we propose to meet Rs. 15,000 by reappropriation and have come to this House for the balance.

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"The next item is the Cauvery division. The amount is required to meet the liabilities in carrying out urgent works on account of the erosions caused by the heavy floods. Out of a total of Rs. 34,000, a sum of Rs. 22,000 has been allotted by reappropriation.

"As regards works for which capital accounts are kept, all these sums are required for the repair of damages. I may say to this House that so far as we have been able to meet these costs by reappropriation, we have done so. These are all urgent works caused by the unprecedented happenings of the last few months and I am confident that this House will pass this Demand."

The motion was put and carried, and the Grant was made.

V

THE TUTICORIN PORT TRUST BILL.

Clause 8, sub-clause (1).

The House then resumed discussion on the amendment to item (f), sub-clause (1), clause 8.

Mr. S. SATYAMURTI :—"Mr. President, I was expressing my surprise and my resentment yesterday at the hon. the Leader of the House having ventured to pour ridicule upon this very reasonable amendment of my hon. Friend, when 4 o'clock intervened. I want to resume at that stage and would like to repeat to this House that this amendment aims very moderately at giving expression to feelings, which I know, are shared by every Indian who values the self-respect of his country and since the last debate on a similar nature, events have happened which must have strengthened those who supported that motion and weakened the sentiments of those who opposed it. I need only mention the Kenya Immigration Bill which wants to carry out such reactionary recommendations that even the Conservative Ministry of Mr. Baldwin had to turn it down and ask the Government to frame a Bill on different lines altogether. They have introduced, Sir, in South Africa a Class Areas Bill designed to hurt Asiatics and Indians in particular. Therefore, all the events which have since happened tend to show that we must give some expression to this feeling of resentment. Then the hon. the Finance Member advanced two arguments which I venture respectfully to answer. First he said 'Australians, South Africans and New Zealanders may not feel the effect of the passing of this amendment.' But may I venture to submit to this House that when a man is being beaten by a bully, unless he is a coward, whatever his strength may be, he hits back with all the strength he can command? I am one of those who feel the injustice done to us and it may be my talk may not be effective but my self-respect demands that I should resent it. I will never assent and I hope the House will never assent to the position that, because India is weak, it must also take every humiliation by not even resenting it.

"Then the final argument of the Leader of the House was 'if you adopt this amendment how are the New Zealanders, the South Africans and the Australians going to know that?' When we discussed the question of the boycott of the British Empire Exhibition which would have been broadcasted all over the Empire and would have made the South Africans, Australians and others sit up and realize that India means business, we were told that for various economic and other considerations we ought not to boycott the British Empire Exhibition. Now, when we are putting forward a small amendment, we are told that it is too small and we can do nothing effective, therefore do

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not do it. I am sure this House ought not to reduce itself to the position of impotence, because we must not do great things lest we offend them and small things lest we may not offend them. Therefore the position is this: We want to assert our self-respect. You say that all those who serve on British Indian ports should be British subjects. We say that we are Indians; we are not treated as British subjects in certain colonies and so those colonies shall not have such rights here. I am anxious, Mr. President, that this House composed as it is of different parties of political opinion should all unite in standing up for the self-respect of the country and pass the amendment and give to the world the idea that whatever political differences there may be among Indians, on this matter of the self-respect of India as a nation they are all united, whether they be Ministerialists or anti-Ministerialists. It is with that hope that I venture to support the amendment and I respectfully commend it to the House so that the Government Members who still think in the old ante-deluvian way imagining that India is going to swallow any bitter pills, will also learn that India means business and if the Madras Government feel their responsibility they must revise their opinions on these matters. I therefore strongly support this amendment."

Mr. R. W. DAVIES:—"Mr. President, a soft answer turneth away wrath: and I do not wish to say anything on this occasion which will exacerbate or intensify the feeling which at least one section of the House, and perhaps more than one section entertains. The amendment that has been moved is an amendment which is based on sentiments which I should not attempt to minimise. They are sentiments the profundity and genuineness of which I do not for a moment question. I do not suggest for a moment that I can assuage the feeling which has been aroused over this Kenya question. But I think it desirable to endeavour to do so. In a House which is composed of two races, the two races that are in question with regard to this amendment, it is far from pleasant for a member of one of those races, the race which is attacked, to participate in a debate which is based on grounds of racial sentiments which the members of his own race do not in any way reciprocate. The reason of my intervention at this stage is that I consider that some Member of this House who belongs to the race which is the subject of the attack in this amendment—and it is a very small minority in this House—should rise to explain the position. Myself I am an European in India, in which country I have spent nearly a quarter of a century, and during the whole of that lengthy period, I have never to my recollection been either the target or the victim of any expression of racial ill-feeling. Nor have I myself—and in this I trust that those Indian Members of the House who are my friends and acquaintances, particularly those whom I knew in the mufassal, will acquiesce—nor have I myself ever given rise to any display of racial ill-feeling. In view of this experience of mine, it is not unnatural that I should have every sympathy with the sentiments, the aspirations and the feelings by which the hon. Mover and his Supporter have alike been influenced."

"The hon. Sir Charles Todhunter foreseeing the outcome of the discussion endeavoured to withdraw it from the region of racial controversy. I think that he has not been altogether successful and it is for that reason that I am following the hon. Member who has just sat down to the plane of discussion which he has chosen, and which perhaps he has every right to select. Before returning to this plane, there is one practical consideration which I should like to bring before the House. The present amendment is based on a very keen sense of national consciousness and that consciousness has been aroused

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to a very great extent in recent times, as Mr. Satyamurti will admit, by what is known as the Kenya decision. But I do not consider that the best method of giving effect to this resentment is the one that has been chosen on this occasion. I am merely putting forward this as a suggestion and not in a didactic or dogmatic manner. Almost all the countries of the world have their own Immigration laws and their own Immigration regulations, which are based largely on economic and rarely on political grounds. India, unfortunately for herself, has not yet got the authority to pass Immigration laws and Immigration regulations of exactly the same nature.

"But the time is coming, perhaps it may not be very distant, when India will possess that authority and will then be able to prevent and restrict, if she so desires, the entrance into this country of nationals of any other state or colony, the legislation of which in the opinion of Indians is restrictive and inequitable to the citizens of this country. In India, however, owing to the absence of complete power and complete authority to pass such legislation, we see that endeavours are being made in various parts of India to introduce by means of by-laws, by means of rules and in enactments such as the present one, which are only of local interest and application, restrictive clauses which have very little operative effect, which are not germane in real truth to the subject of the Bill and which therefore are bound very largely to prove ineffective. I would suggest therefore that a remedy which cannot prove effective and a remedy which has little relevance to the subject-matter of the particular local Bill should be treated as inadvisable and one that need not be pressed. I would further add, in view of Mr. Satyamurti's reference to the Kenya decision and the Kenya Immigration Bill, that I have seen in this morning paper—whether correctly or incorrectly reported—that it is the intention of the present Government at Home to revise the Kenya decision. And it has been announced both by the Secretary of State and the Viceroy that they are in entire sympathy with the Indians. Moreover a committee is to be appointed, an Indian committee, to deal and negotiate with the British Government in order to secure the review and the revisal of the steps which have been already taken and which have given offence to this country. I would therefore suggest that for this reason, as well as for the fact that the clauses have not been operative, the amendment might be dropped."

"One more word before I sit down—to return to the former plane. I may say that all India has been gratified recently by the recovery from a dangerous operation of one whom all Indians respect or revere, particularly the members of the party to which the hon. Member who has just spoken belongs (Mr. Kesava Pillai: "By all"), and more recently still, i.e., only yesterday when this amendment was being moved, an announcement was made that the same revered leader had been released from incarceration (cheers). I would say that this is not the day, nor the occasion to celebrate that release by embarking on a display of racial antagonism or bringing before this Council a debate which is based on racial antagonism. I do not think that if Mr. Gandhi himself were consulted on this matter he would advise the course which has been adopted. I ask those followers of his, not only those who like my hon. Friend from Ganjam wear his uniform, but those who do not, whether their own leader would desire that this matter of a Port Trust Bill should be made the occasion of racial controversy. In the circumstances I would suggest to the hon. the Mover of the amendment to reconsider his motion and withdraw his amendment."

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Diwan Bahadur P. KESAVA PILLAI:—"I congratulate the hon. the Finance Secretary on the magnificent speech which he has just now made. He hopes that India would in the near future possess the power to pass Immigration laws in order to prevent such nationals as have passed Immigration laws restricting the immigration of Indians into their countries. I am sure that it is not the spirit of India to exclude any foreigner entering this country and I think the same spirit would be upheld in spite of the provocation that has been given by Kenya and other colonies. We, the Indians, have displayed that spirit for thousands of years. They have given shelter to the Syrians, and the Persians, and they allowed the East India Company and other companies to trade here. They have always welcomed other nationals and other religionists. I do not think we can go back on our civilization and exclude any nationals because they exclude us. The only answer that I would give is that the Kenya question is not based on any economic question but based on racial arrogance which sways certain number of half-civilized nations. Some of these are backward colonies of mediocre civilization. I only hope that by our patience and by this grand spirit of brotherliness which we have extended to other countries, we shall be able to bring these to the same level of civilization as that of ours in the near future. I do not believe in retaliation. I would join my hon. Friend, Mr. Davies, who has displayed such a fine spirit and who has also paid a tribute to Mahatma Gandhi—however much we may disagree on political matters we all join in revering him—and request my hon. Friend the Mover of the amendment to withdraw it."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I have great pleasure in supporting this motion. First of all, I should thank the hon. the Finance Secretary for the very kind words in which he has expressed his sympathy with our movement and with various other matters. I shall take leave first of all to say that we did not so much like the way in which the Leader of the House attacked our proposal. If I were given a voice I should certainly be the first to say that those matters to which the hon. the Leader of the House made reference should be published in the 'Punch' and the 'Doodle', and advertise all he said if necessary by allotting some funds. After all, the Finance Department are always against all useful things concerning the welfare of our country and therefore we are not surprised that the Leader of the House should have attacked us by cutting jokes at us. We say that this is a question of sentiments. Are we not responsible to the sentiments of 300 millions of inhabitants of this country? I would submit there is absolutely no racial question. Indians including the Europeans residing in India are certainly against the doings of colonials against the Indian people. This question is not a question of race against race, but a question of India against the colonies. The European residents of India also feel that the treatment meted out to Indians by the colonials is not fair. We speak here as businessmen. We believe that if we make these people feel, really feel, that we are prepared to touch their pockets, we are sure they will try to minimize the evil effects of legislation against us. We have not yet got ample powers or full responsible Government to legislate effectively against the various colonies. We do not know whether we will get those powers very soon, or whether it will take a long time. We must at the same time realize that some of the Europeans, a large number of them residing inside India, want to postpone the date of granting full self-government as much as possible. Therefore, Sir, is it fair to say that people should wait till that day comes?

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Some people advise that we should legislate only when we have got full powers. Should we not pass a small legislation when we have got power to legislate it? Are we not to make a beginning? As a matter of business

12 noon. we ought to safeguard the economic principles of the country.

Why should we keep quiet, because this Resolution of the Madras Council may not reach the ears of the colonials? Well, Sir, the colonials are far more shrewd than what the Leader of the House takes them to be. Their representatives here will wire to the colonies; there will be a special service of Reuter which will flash urgent telegrams throughout the world that we in this Madras Council have passed a small measure, simply because we do not like the doings of the colonials. They should know that the people who passed the measure have got the fullest sympathy of the Europeans in this country. Whenever and wherever possible legislation will be enacted against the colonials who treat us not like men but like brutes. Therefore, from all these points of view we must legislate as much as possible.

"But we cannot forget what has been said in the name of the great leader Mahatma Gandhi. It was unfortunate that when that matter was referred to in this Council there was not much more jubilation than what was shown by a few members here. The release of the Mahatma is a great national matter. It is a thing for national rejoicing and jubilation. If any one thinks that by passing this amendment we would be marring the effect of his release, or the great joy and gratefulness that we feel towards the Government, however unrighteous might have been his arrest and conviction, I may assure him that this legislation would have no such effect. On the other hand, the release to-day after the great suffering in prison reminds us of the great sufferings of the Mahatma in South Africa. He it was who told us what the sufferings were and how they could be remedied. He taught us to fight the battle of non-co-operation and the battle of passive resistance so far as South Africa was concerned. We should now remind the colonials that we in our humble way remember his sufferings and would teach them to any extent possible that we are also businessmen and we could safeguard our business interests. Therefore I would appeal to the whole House to support this amendment unanimously and carry it through without division."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Mr. President, Sir, I believe the hon. Member Mr. Davies said that it raised a racial question. It is not really a matter which raises a racial question. The amendment is directed only against those colonies which do not treat Indians properly. Indians are citizens of India and as such they have the same rights and liberties as the Europeans and others naturalized here. Indians also have got the same rights of citizenship if they are naturalized in places like England, Scotland and many colonies. It is only in certain colonies that the rights of naturalized Indians are not respected. The present amendment is directed only against those colonies. Probably the wording of the amendment is not good; the words 'unless specially exempted by the Local Government' intended that the Governor would exempt those colonials who come from colonies which do not discriminate against Indians. The real object of the amendment is to discriminate against colonies who do not give full rights of citizenship to resident Indians there. That is the idea underlying the amendment, and looked at in that light I beg to submit that this amendment cannot be construed as evoking racial antipathies. If the Europeans here do not think that they ought not to make common cause with the Europeans in certain colonies who discriminate against Indians I can only say they are not

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taking the proper attitude. It does not raise a general question of race. It is a clear retaliatory measure which wants to discriminate against those people who have passed legislation affecting resident Indians in their own colonies. Looking in that light I hope the European Members of this Council will not object to the amendment. Many of them have adopted India as their home. The position now is clear; and I would request the permission of the hon. the President to move an amendment."

The hon. the DEPUTY PRESIDENT :—" Yes."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" I beg to move an amendment—

To delete the words 'unless specially exempted by the Local Government' after British colony and insert 'which does not give full citizen rights to resident Indians.'

"My object is the real object of my friend's amendment. This is a matter of sentiment that exists in this country with reference to the legislation undertaken by one of the colonies. It is a matter in which opinion is quite general. It extends from the Government itself which cannot be said to be purely Indian or to be actuated by racial considerations to the poorest man in the street. Such being the case the object cannot be viewed in any sinister light. It is a question in which every Indian is interested, and as such I hope it will receive the support of everybody in the House.

"The second question raised is whether it would achieve its object of effectively retaliating against the colonies and producing some effect. There are two aspects from which this matter can be looked at. It is a matter of self-respect for us. We don't want that people who don't treat us properly should be treated with all honour, comfort and equal rights in this country. That is one way of looking at it. The hon. Member Mr. Davies spoke about Immigration laws. Now this is a question of dealing with residents in the country. Indians are not getting the rights for which we and the Government of India have asked some colonies. Some of those colonials are trading in Tuticorin; and we shall show them that if they discriminate against Indians they would not have the same rights that we give to other people. That is one way of doing the thing, and I do not know any other effective way in which we can do this. We can only legislate to the extent of our power, to the extent to which we are able. I do not think that the objection raised is quite valid. With these few words, I beg to move my amendment and I request the hon. Members to accept it unanimously."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, I beg to second the amendment. We all appreciate the speech of the hon. Member, Mr. Davies, who appealed to the Mover of the amendment to withdraw it. But if there is anyone who has furnished sufficient justification for this amendment it is Mr. Davies himself. If we analyse his views, we would see that he does not oppose the passing of an Immigration Bill when we have the full power to do so. That shows clearly that we will be justified in taking necessary retaliatory measures when we feel that Indians abroad are not being treated properly. When once that position is conceded, it is really difficult to understand how he arrived at the conclusion that the acceptance of the amendment would mean that we do so on account of racial considerations. I am in full agreement with the views of the hon. Member. If we are convinced that this amendment would introduce unnecessary racial questions, I would not myself be a party to it. It only says that if citizen rights have not been

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granted by the Colonial Government, we should also adopt similar measures as far as we are concerned. To-day it may be an amendment regarding the Tuticorin Port Trust Bill; to-morrow it may be another matter; but the question before the House is whether the amendment is reasonable or not reasonable. We are signifying the disapproval of the methods adopted by the Colonies by all legitimate means. If we look at this question from this standpoint, I think all the Members of this House, to whatever race or creed they may belong, will have no objection to give their assent to this amendment.

"We all feel proud that attention has been drawn to the release of Mahatma Gandhi. It has created feelings of joy all over the country. While referring to it we have also been told that it would not be consistent with the occasion that such discussions should be going on. Sir, I take a different view of the situation. It is clear that, so far as we are concerned, we show no racial distinction here. We only express our resentment. We quite realize that the Mahatma, of all others, will be the last man to harbour any racial feeling. Even before his release, while he was a prisoner, laid up in the hospital, he proclaimed from the house-tops that he loved every Englishman in India. There is no other man who would voice such views under such circumstances. He is the only man. I may assure the hon. Members opposite that it is impossible to conceive of any racial distinctions in this amendment at all. On the other hand, it is distinctly the opposite of it. The question is a simple one. It is an admitted fact that there are some colonies which deny the ordinary, elementary rights of citizenship to Indians. In dealing with such colonies, are we not justified in passing a measure in this Council with a majority of Indian Members to the effect that persons of such colonies ought not to be given the same rights as are given to other people? I would ask the European Members of this House to ponder and consider before they give their vote over this question. I fail to imagine how there can be any difference of opinion so far as this point is concerned.

"The hon. the Leader of the House whose remarks we listened to with great attention did not suggest any specific reasons for rejecting this amendment except that it will not produce the desired effect. He did not find any unreasonableness in the amendment itself. He suggested, 'Do you expect this amendment to be circulated broadcast among the colonials so that they might realize the significance of the proposal? Therefore, the amendment may be nugatory.' That is all the objection put forward by the hon. the Leader of the House, and if that is all, I would ask him to consider whether he expects that every provision of any legislative measure is being understood by the whole world at large. We are going to have the Madras Irrigation Bill affecting large sections of our countrymen in this Presidency and in that connexion you will find statements made that there are many who do not understand the provisions of the Bill. Therefore, the possibility that this amendment may not be understood by several persons whom it is intended to affect, need not deter us from passing it even in a measure of this description. Therefore the only test is: is it reasonable or unreasonable? We need not care whether we have the machinery to make this provision understood by the various colonials or not. If we feel that we are justified in imposing this restriction, it is our plain duty to do so.

"I want to refer to one other question before I sit down. In accepting this amendment, I think we will be really giving correct expression to our intentions, that is, giving honest expression of our views. There was so

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much said about political honesty yesterday. If we are really politically honest and if we feel that we Indians should be properly treated in the colonies, we should unhesitatingly accept this amendment. Therefore, I request, that without any dissentient voice this amendment should be accepted. If there is a colony where Indians are being properly treated, it is not fair to say that those Colonials should be subjected to this disability. Where Indians are not granted full rights of citizenship, the members of those colonies should be subjected to this disability.

"I do not think it is necessary to retain the last words of the amendment, viz., 'unless specially exempted by the Governor in Council or the Local Government.' It is not desirable at all to have a saving clause to give power to the Government. If we have a saving clause like that, the whole effect of this amendment will be practically taken away. I think that by giving such power to the Government, Mr. Peddiraju will be taking away the object of this amendment itself. That is what strikes me. I therefore think that the amendment of Mr. T. A. Ramalinga Chettiyar should be accepted by every section of the House, whether Indian or European."

The hon. the DEPUTY PRESIDENT:—"Does the hon. Member Mr. Peddiraju accept the amendment?"

Mr. P. PEDDIRAJU:—"Sir, I will wait a little while and watch the discussion."

The hon. the DEPUTY PRESIDENT:—"We will avoid discussion."

Mr. P. PEDDIRAJU:—"Sir, the words 'full citizen rights' have got a doubtful interpretation in my opinion and therefore I would be glad if it is changed into 'equal citizen rights along with the colonials.' Sir, Kenya Indians are given 'full citizen rights' which does not mean much."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, I have no objection to amend my amendment accordingly."

Mr. A. RAMASWAMI MUDALIYAR:—"Sir, I do not think that an amendment can be moved at this stage. The proper procedure would be for the hon. Mover to withdraw his amendment first and then allow the next amendment to be moved."

The hon. the DEPUTY PRESIDENT:—"He will be asked to withdraw. I thought that if this was accepted by the hon. Member, Mr. Peddiraju, it will avoid discussion."

Mr. P. PEDDIRAJU:—"I am not withdrawing my amendment and I do not accept the amendment of Mr. Ramalinga Chettiyar."

The hon. the DEPUTY PRESIDENT:—"The hon. Member wants to add the word 'equal' between the words 'give' and 'citizen'."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, I have no objection to the amendment proposed."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I formally move it, Sir."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I formally second it."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, with your leave and with the leave of the House, I will take away the words 'white born' from the amendment and then it will read—

'or, is a British subject of any British colony which does not give equal citizen rights with the colonials to resident Indians'."

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The hon. the DEPUTY PRESIDENT:—"Mr. Peddiraju will please withdraw his amendment."

Mr. P. PEDDIRAJU:—"The amendment in favour of which I am asked to withdraw mine may be read, Sir."

The hon. the DEPUTY PRESIDENT:—"I thought the hon. Member was all attention. It runs thus:

'or is a British subject of any British colony which does not give equal citizen rights with the colonials to resident Indians.'

"Is the hon. Member satisfied now?"

Mr. P. PEDDIRAJU:—"Sir, I beg leave to withdraw my amendment in favour of the one proposed by Mr. Ramalinga Chettiyar."

The amendment was by leave withdrawn.

Mr. BRADFORD LESLIE:—"I would like to ask one question, Sir, and that is, whether the word 'Colonial' includes the Self-Governing Dominions of the Empire."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"It does."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do not want the House to be under a misapprehension. On the principle of statutory construction, the word 'Colonial' does not include Self-Governing Dominions."

Mr. C. RAMALINGA BEDDI:—"Since my hon. Friend has raised this question, why not we make it clear by saying 'Colonies or dominions'?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"May I suggest for the consideration of the House and of the Leader of the House that as this is a matter in which an amendment upon amendment upon amendment has been proposed, this matter may be postponed till to-morrow to see if a kind of formula cannot be framed or a formula which may be beyond the range of controversy introduced? If I may say so respectfully, I am only speaking from the point of view of making the Statute perfectly clear. I earnestly appeal that the discussion on this clause may be held over till to-morrow so that what is in the minds of the various hon. Members may be carefully considered. We desire accuracy of language."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"There is no objection to that course being adopted."

The hon. the PRESIDENT:—"I take it that the hon. the Leader of the House has no objection to having this clause taken up to-morrow."

The proposition that clause 8 of the Bill be taken up to-morrow (7th February 1924) was agreed to.

Clause 9.

Rai Bahadur T. M. NARASIMHACHARLU:—"I beg to move—

for the words 'Local Government' occurring after the words 'but the' substitute the word 'Board.'

"Clause 9 will then read thus:

'The Chairman and Vice-Chairman shall hold office during the pleasure of the Local Government. The remaining Trustees shall hold office for a term of two years from the date of election or appointment, as the case may be, but the Board may at any time accept the resignation of any Trustee.'

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"It will be seen from the nature of my amendment that it is unnecessary that the Local Government should have the power to accept the resignation. The Board itself can do it and that power can therefore be given to the Board instead of to the Local Government. My point is that the Board can be trusted at least to accept resignations. If the Board cannot be trusted with other powers, it can at least be trusted to accept resignations. That is my position."

Mr. R. SRINIVASA AYYANGAR :—"I second the amendment."

The hon. Sir CHARLES TODHUNTER :—"Sir, this is not a highly important proposal for enhancing the powers of the Port Trust Board. The present wording of the clause was taken from the Madras Port Trust Act. The reason for this wording is simply that the Local Government has to nominate trustees and therefore, if a particular trustee wishes to resign, he intimates his desire to resign to the Local Government and the Local Government accepts it and nominates a successor. The creator accepts the resignation of the creature. I think that is the normal and proper procedure. I do not wish to press my opposition to this motion, but I think it is not very desirable to make a minor difference between clauses when dealing with the same question in different places. In all the other Acts, this power is reserved to the Local Governments. I should therefore prefer it if the hon. Mover would leave matters as they are, but, if he presses his amendment, I shall be prepared to accept it, though with some reluctance."

Rai Bahadur T. M. NARASIMHACHARLU :—"Sir, I see that the Government always thinks of nominations. The Board consists also of elected members and I do not see why the Government should have the power to accept nominated members' resignations as well as elected members' resignations. I trust the hon. the Leader of the House would accept this."

The hon. Sir CHARLES TODHUNTER :—"Sir, since the hon. Mover sets so much store by this amendment, I accept it."

The amendment of Mr. Narasimhacharlu was then put and carried and added to the Bill.

12-30 p.m. Clauses 9, 10 and 11 were consecutively put, passed and added to the Bill.

Clause 12.

Rai Bahadur T. M. NARASIMHACHARLU :—"Sir, I beg to move the following amendment:—

For the words 'one month', substitute the words 'two months'.

"It will be seen that the clause says that

'On the occurrence of a vacancy in the office of a Trustee elected under section 6, the vacancy shall be filled up within one month by the Chamber of Commerce or the Municipal Council, as the case may be.'

"The next clause, that is clause 13, says that

'If a trustee is not elected on the date notified under section 10 or within the period allowed by section 12, the Local Government may appoint a Trustee and the person so appointed shall be deemed to be an elected Trustee.'

"Now, Sir, on account of the stringency of clause 13, if by any chance there was delay and the period of one month elapses, the Chamber as well as

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the Council may lose the chances of election altogether. Therefore I submit that this one month is too short and I propose to substitute two months for one month."

Mr. R. SRINIVASA AYYANGAR seconded the motion.

Mr. C. GOPALA MENON :—"Mr. President, Sir, I oppose the amendment for this reason; that if there is a delay of two months, the interests of the Chamber by not having a representative on the Board for looking after their interests will suffer. As vacancies have been filled up within a month's time in Madras, there is no reason why a similar Port Trust like the Tuticorin Port Trust could not hold an election and return a representative within one month."

The hon. Sir CHARLES TODHUNTER :—"Mr. President, this again is not a matter of very vital importance, and I may repeat that it is just as well to stick to the existing practice, which has not yet given rise in Madras to any difficulty. I think there is less reason to suppose that it will present any difficulty in Tuticorin where everybody can be found within a hundred yards. If, owing to factions for or some other reason election in these bodies is delayed, their interests may suffer. As I pointed out on another motion, the interests are very much divided, and if you find certain interests not represented at all at any meeting of the Board owing to the failure of a particular body to carry out an election within time, it would not be very desirable. In a small place like Tuticorin, an election can be managed in one day if necessary. Therefore I should prefer that these minor amendments were withdrawn."

Rai Bahadur T. M. NARASIMHACHARLU :—"As my own party man objects to my amendment, I beg leave to withdraw it, Sir."

The amendment was by leave withdrawn.

Clauses 12, 13 and 14 were then consecutively put, passed and added to the Bill.

Clause 15.

Rai Bahadur T. M. NARASIMHACHARLU :—"Sir, I move the following amendment:—

In sub-clause (2) for the words 'Local Government', substitute the word 'Board'.

"This is also a question in regard to which the Government think that they can know the intentions of a trustee who is absent, better than the Board itself, whose members are present on the spot. I think they, the members, are expected to know better the intentions of the person who is absent, and I do not see any reason why, if there is any doubt at all on the question, that should be decided by the Local Government and their decision should be final. I think, Sir, in a matter like this the decision of the Board will be more acceptable than the decision of the Government which sits far away from the locality. I therefore commend this amendment for the acceptance of the House."

Mr. C. V. VENKATARAMANA AYYANGAR seconded the motion.

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, I would ask the hon. Member for Cuddapah to consider this point. The question of the appointment of acting trustee is raised where any trustee departed with any

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particular intention. The hon. Member will be aware that there may be cases where on account of local factions or jealousies the Board may itself come to a clearly adverse conclusion. Is it not much better that, where a question of whether a trustee who departed with a particular intention or other should forfeit his seat arises, persons not on the spot but holding a detached position should be placed in the position of judges? After this explanation, I hope the hon. Member would not press his amendment."

Rai Bahadur T. M. NARASIMHACHARLU:—"Sir, I would only submit that there is absolutely no reason to apprehend that they are going to establish a Board with factious members in it. If those members can be trusted with the daily management of the work of the Port Trust, I do not see why on this particular matter they should not be trusted. If you assume that the Board will consist of factious members, it is much better that we do not enact this legislation at all. If you assume that normally they will be all sensible persons, then I do not see any reason why they should not be given this power of deciding whether a particular Member departed with a particular intention or not. I submit that the argument advanced even by the hon. the Law Member is not at all convincing to me."

The hon. Sir CHARLES TODHUNTER:—"Sir, may I point out, with reference to this third attempt to paint the lily and to guild the refined gold of the Madras Port Trust Act, that the hon. Gentleman seems to have overlooked the words with which the clause begins? The clause only comes into operation if a question arises as to the intention with which a trustee has departed. If the trustees are all such good people as my humble Friend says, no question will arise; so no harm will be done. Again, as I said in connexion with another clause, this is a provision common to all the large Port Trust Acts in India, and it is intended for exceptional cases in which an awkward question may arise between parties on the Board. In such cases, as my hon. Colleague the Law Member has said, the matter would be better dealt with by an impartial body, and not on the spot."

The amendment was by leave withdrawn.

Clauses 15 to 21, both inclusive, were all consecutively put, passed and added to the Bill.

Rai Bahadur T. M. NARASIMHACHARLU:—"Yesterday, the hon. the Leader of the House said that he would propose an amendment under clause 22."

The hon. the PRESIDENT:—"I understand that it will come after clause 22 is passed."

The hon. Sir CHARLES TODHUNTER:—"Sir, I beg that the consideration of clause 22 may stand over till after I move this amendment."

"In accordance with the undertaking given yesterday, I now beg to move, subject to the permission of the House, that there be added after clause 22 the following clause as clause 23:

"23. Notwithstanding anything contained in this chapter, the Local Government may by notification direct that the Board shall elect, in such manner as may be prescribed, one of its trustees as vice-chairman. Such vice-chairman shall hold office for the remainder of his term as trustee. The provisions of sections 14 and 16 shall not apply to a vice-chairman elected under this section."

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"I think the reason for this clause has been sufficiently explained, and I do not think that I need go into it at length."

The hon. Mr. C. P. RAMASWAMI AYYAR seconded the motion.

The new clause 23 was put, passed and added to the Bill.

Clause 22 was then put, passed and added to the Bill.

The hon. Sir CHARLES TODHUNTER:—"Sir, I now ask the permission of the House to move the following comprehensive amendment providing for all the alterations in the numbers of sections in the case of all the clauses following clause 22 and all references to them in other sections throughout the Bill:—

- (1) *Re-number existing clauses 23 to 120 as clauses 24 to 121 respectively.*
- (2) *In clause 8—*
 - (a) *in sub-clause (1) (d), for the figure '27', substitute '28'.*
 - (b) *in sub-clause (1) (e) (vii), for the figures '39' and '41' substitute '40' and '42' respectively.*
- (3) *In clause 22, sub-clause (3), for the figures '24', '97' and '23' substitute the figures '25' and '98' and '24' respectively.*
- (4) *In existing clause 23, in the 'Explanation', for the figures '24' and '26' substitute the figures '25' and '27' respectively.*
- (5) *In existing clause 24, sub-clause (3), for the figure '99' substitute '100'.*
- (6) *In existing clause 25, for the figures '23', '24', '24' and '99' substitute '24', '25', '25' and '100' respectively.*
- (7) *In existing clause 26, sub-clause (1), for the figures '24' and '23' substitute '25' and '24' respectively.*
- (8) *In existing clause 27, paragraph 1, for the figures '23', '24' and '26' substitute '24', '25' and '27' respectively.*
- (9) *In existing clause 32, sub-clause (8), for the figure '39' substitute '40'.*
- (10) *In existing clause 36, for the figures '33' and '34' substitute '34' and '35' respectively.*
- (11) *In existing clause 39, sub-clause (2), for the figure '41' substitute '42'.*
- (12) *In existing clause 40—*
 - (a) *in sub-clause (1), for the figure '39' substitute '40'.*
 - (b) *in sub-clause (2), for the figure '39' substitute '40'.*
- (13) *In existing clause 41—*
 - (a) *in sub-clause (1) (a), for the figure '39' substitute '40'.*
 - (b) *in sub-clause (1) (b), for the figure '40' substitute '41'.*
 - (c) *in sub-clause (3), for the figures '39', '43', '44' and '45' substitute '40', '44', '45' and '46' respectively.*
 - (d) *in sub-clause (4), for the figures '43', '44', '45', and '40' substitute '44', '45', '46' and '41' respectively.*

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- (14) *In existing clause 42, sub-clause (1), for the figures '39' and '41' substitute '40' and '42' respectively.*
- (15) *In existing clause 43, for the figure '41' substitute '42'.*
- (16) *In existing clause 45, for the figures '43' and '44' substitute '44' and '45' respectively.*
- (17) *In existing clause 46—*
 (a) *in sub-clause (1), for the figures '43', '44' and '45' substitute '44', '45' and '46' respectively.*
 (b) *in sub-clause (3), for the figures '43', '44' and '45' substitute '44', '45' and '46' respectively.*
- (18) *In existing clause 48, sub-clause (1), for the figures '74' and '66' substitute '75' and '67' respectively.*
- (19) *In existing clause 49, for the figures '43', '44', '45' and '46' substitute '44', '45', '46' and '47' respectively.*
- (20) *In existing clause 55, for the figure '56' substitute '57'.*
- (21) *In existing clause 59, for the figure '54' substitute '55'.*
- (22) *In existing clause 62, sub-clause (1) (b), for the figure '55' substitute '56'.*
- (23) *In existing clause 65, for the figures '110', '111' and '113' substitute '111', '112' and '114' respectively.*
- (24) *In existing clause 78, sub-clause (1), for the figure '98' substitute '99'.*
- (25) *In existing clause 88, for the figure '87' substitute '88'.*
- (26) *In existing clause 91, for the figures '88', '89' and '90' substitute '89', '90' and '91' respectively.*
- (27) *In existing clause 97, sub-clause (1), for the figures '23', '24' and '26' substitute '24', '25' and '27' respectively.*
- (28) *In existing clause 99, for the figure '98' substitute '99'.*
- (29) *In existing clause 107, for the figure '84' substitute '85'.*
- (30) *In existing clause 108, for the figures '33', '34' and '36' substitute '34', '35' and '37' respectively.*
- (31) *In existing clause 114, for the figure '101' substitute '102'.*
- (32) *In existing clause 118—*
 (a) *in sub-clause (2) (e), for the figures '39' and '40' substitute '40' and '41' respectively.*
 (b) *in sub-clause (2) (f), for the figures '39' and '42' substitute '40' and '43' respectively.*
 (c) *in sub-clause (2) (g), for the figure '87' substitute '88'.*
- (33) *In Schedule I, in the heading, for the figure '28' substitute '29'.*

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I second the motion."

The hon. the PRESIDENT :—" The hon. the Leader of the House has indicated a number of amendments affecting only the numbering of clauses and the cross references to numbers. There are 33 of them and any hon. Member who wishes to examine the list may do so.

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[The President]

The amendments have been duly seconded. If the House has no objection, we will take these amendments as read and I shall put them to the House. I take it nobody has any objection. They are merely numerical."

Mr. C. RAMALINGA REDDI :—" They are numerical and numerous."

The hon. the PRESIDENT :—" The question before the House is whether the amendments consequent on the introduction of a new clause after clause 22, be passed and stand part of the Bill."

The motion was put and passed. The amendments were carried and allowed to stand part of the Bill.

There being no amendments to clauses Nos. 23 (old number) to 120 (inclusive), they were put, passed and allowed to stand part of the Bill.

Schedule I was then put, passed and added to the Bill.

The hon. Sir CHARLES TODHUNTER :—" May I now move, Sir, that further discussion of the Bill be adjourned till to-morrow in order that we may arrive at a satisfactory conclusion on the subject of clause 8?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I second it."

The motion was put and carried.

VI

ELECTION OF MEMBERS TO THE MADRAS AND SOUTHERN MAHRATTA RAILWAY ADVISORY COMMITTEE.

The hon. the PRESIDENT :—" I have a small announcement to make before we take up the next item on the agenda, and that is, that the ballot papers for the election of Members to the Advisory Committee of the Madras and Southern Mahratta Railway will be distributed by the Secretary during the luncheon interval. The ballot box will be placed in the Secretary's room and will be at the disposal of voters between 5 and 6 p.m. to-day; the result will be declared to-morrow. The nominations are—

Mr. V. Madhava Raja.

Mr. J. D. Samuel.

Mr. P. Siva Rao.

Mr. Sami Venkatachalam Chettiyar.

Mr. W. Vijiaraghava Mudaliyar."

VII

THE MADRAS IRRIGATION BILL.

The hon. Mr. C. P. Ramaswami Ayyar having been called upon to make the motion which stood against his name as the next item on the agenda, Rao Bahadur C. V. S. NARASIMHA RAJU rose and said :—" Mr. President, under Standing Order No. 34, I move that the consideration of this item on the agenda, viz., the motion of the hon. the Law Member regarding the Madras Irrigation Bill, be postponed till the first day of the next session."

The hon. the PRESIDENT :—" The hon. Member will have to wait until the motion has been made."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Under Standing Order No. 34, no notice is necessary."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Until the House is seised of the business, no motion for adjournment can be made. Mr. President,

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I beg leave under the Standing Orders to introduce the Bill and I shall move that the Bill entitled 'The Madras Irrigation Bill' be read in Council."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I rise to a point of order, Sir. A motion for adjournment has been made by my hon. Friend, Mr. Narasimha Raju, under Standing Order No. 34. That rule provides for an item of the business being postponed. The item of the business to be taken up is the consideration of the Irrigation Bill. Until that motion is disposed of, I do not think that the hon. the Law Member can make his motion."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"On that, Mr. President, may I say a word? If the parliamentary precedents be consulted, they are clear to the following effect. I had anticipated a motion of this kind. At page 251 of the latest edition of May, you will find that it is only in the midst of a debate on a question that a Member may move that the meeting be adjourned. Adjournment cannot be granted (that is at page 252) for the purpose of obtaining a postponement of a matter like a legislative business standing on the notice paper. At page 283 it will be found that it is not regular to discuss the merits or the demerits of a Bill and ask for postponement for the purpose of withdrawal or postponement until the House has been formally seized of the business."

Mr. S. SATYAMURTI:—"May I say one word, Sir? We go to analogous provisions in other places only when there is no distinct provision in our own Standing Orders. If you will kindly turn to Standing Order No. 34, you will find this:

"A motion that any meeting or business be adjourned or postponed or that the Council pass to the business next in order in the statement of business may be moved at any time and without previous notice as a distinct question but not so as to interrupt a speech. If the motion is carried, the meeting or business shall be adjourned or postponed accordingly."

I suggest, therefore, Sir, that the words 'at any time' mean 'at any time', and, as a matter of fact, the hon. Member, Mr. Narasimha Raju, moved for the adjournment of the business before the Council at a time so as not to interrupt anybody's speech. I, therefore, submit, Sir, that the motion is properly made, and it is for you now, Sir, to allow a discussion on that. If on putting the motion to the House it is carried, the business will stand adjourned. That is my submission, Sir. May's Parliamentary Practice has nothing to do with this."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"On more than one occasion such an adjournment has been moved in this House."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"As a matter of precedent, Sir, when the Irrigation Bill of 1914 was attempted to be moved by the hon. Sir Alexander Cardew, a motion for adjournment of that business was moved by the hon. Mr. Sarma. Therefore, the hon. the Revenue Member had no opportunity of moving that question. There is that precedent, Sir. The motion was made and carried, before the Bill was introduced."

The hon. the PRESIDENT:—"The hon. Member might have given me some notice of his motion. It is obviously a very important point and cannot be disposed of at a moment's notice. The House will now adjourn for lunch and re-assemble at 2 o'clock, when I shall give my ruling on the point."

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Mr. C. V. VENKATARAMANA AYYANGAR:—"I have also given notice of a motion for adjournment, Sir. That may also be considered."

The hon. the PRESIDENT:—"That will be considered after 2 o'clock."

The House then adjourned for lunch.

After lunch (2 p.m.)

The hon. the PRESIDENT:—"The points of order upon which I have to give a ruling are: (1) whether the motion that any business be adjourned can be moved under S.O. No. 34 before the meeting at which the motion is made has become seized of the business in question; (2) whether in the particular case in question, namely, the introduction of the Madras Irrigation Bill of which due notice has been given by the hon. the Law Member, who was due to speak thereon at 1 p.m. to-day by leave of the President, the hon. Member, Mr. C. V. S. Narasimha Raju, had the right to make a motion under S.O. No. 34 so as to prevent the hon. the Law Member from making his speech introducing the Bill."

"On the first point the hon. the Law Member contends that the answer, if parliamentary practice is to be followed, should be in the negative. It may be necessary to consider this point on some future occasion. But I do not think it arises now, because I consider, with reference to point (2), that the hon. Member, Mr. C. V. S. Narasimha Raju, had no right to make a motion so as to prevent the hon. the Law Member from beginning his intended speech. It is agreed on all hands that if the hon. the Law Member is once permitted to begin his speech, he has the right not to be interrupted until it is over by a motion under S.O. No. 34. Two hon. Members, the hon. the Law Member and Mr. C. V. S. Narasimha Raju, were on their feet at the same time, of whom the former had obtained the President's leave to speak next, and the latter had not, although by rising from his place he certainly intimated a desire to speak. Such a desire, in ordinary parliamentary phrase, is an *inchoate* desire until the Member who has risen has caught the Speaker's eye. I consider that of the two hon. Members the hon. the Law Member had obtained the right to speak first, and except on a point of order he had the right not to be interrupted by the hon. Member, Mr. Narasimha Raju. This ruling answers the points of order raised by the other hon. Members who took part in the same discussion."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, I realize that I am performing a very difficult task indeed in moving for leave to introduce the Irrigation Bill. I realize the circumstances which led to the rejection by a big majority of this House of the Bill which was introduced by my very eminent predecessor, the late Sir K. Srinivasa Ayyangar. Realizing those circumstances, I also realize that the Government have taken certain steps to overcome some of the difficulties which threatened and ultimately endangered the passage of that Bill through this House. It may be that all the difficulties which are confronting hon. Members have not been solved. It is perfectly true to say that the proceedings of the Irrigation Bill Committee which had been placed on the table of this House would disclose that on many matters the Government have not been able to adopt or accede to the demands made by that Committee; for certain of those departures from the recommendations of this Committee the Government must assume responsibility, and for others they cannot, and those others are not unimportant. I may say that we have been obliged to follow the mandate of

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the Government of India in certain particulars. But these are matters which I shall develop later on.

"But let me assure this House that to any representation coming from any quarter of this House in the course of the passage of this Bill or any appeal from any vested interest—should I be so fortunate as to secure that particular stage in its destiny of passing through the Select Committee—to offer representations, the Government will bestow its most anxious consideration.

"Let me in the first place allude to that memorial, that very moderately expressed and convincing memorial presented yesterday by my hon. Friend, Dr. P. Subbarayan, on behalf of the landholders, an appeal which bears on its face the impress of the work of one of the acutest and the justest lawyers in the Presidency of Madras, Mr. S. Varadachariyar, to whom I shall take this opportunity of paying the tribute that he deserves. We found in him a just critic and a sagacious opponent and I could see both from the studied language and moderation of the memorial that Mr. Varadachariyar had presented, as he alone could present, a case with a cogency all his own. There are two or three points in that appeal which deserves and will receive very careful consideration at the hands of the Government. There are two points especially, which I shall have to advert to, later on on which differences of opinion are not only natural but also appropriate and which will receive careful consideration at the hands of the Government.

"Now after having said that I may say this: Why have I not acceded, as normally any Government anxious to introduce such a big and largely conceived legislation like this would accede, to the request of Mr. Narasimha Raju for the motion for adjournment?"

Rao Bahadur C. V. S. NARASIMHA RAJU:—"No motion was made."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I stand corrected. I meant the motion that was attempted to be made. I hope the House would kindly forgive that inaccuracy.

"Speaking on this matter in the year 1905, the Government of India said this. They were asked on that occasion for a large loan in regard to the Cauvery project, and what did the Government of India say? They said:

'The Government of India, as at present advised, are decidedly of opinion that legislation is necessary in Madras in order to secure to Government such power of control over the waters stored for irrigation as will enable it to make the best possible distribution thereof and to prevent embarrassing litigation, although they will be prepared to consider the present scheme when they have received a satisfactory reply. Even in the event of the sanction of the Secretary of State being accorded, they would be reluctant to authorize the commencing of construction until the irrigation law has been placed on a satisfactory state.'

They said this in 1905. We again approached them with regard to a large irrigation project in 1909. What did they say then? They said:

'I am to invite attention to the correspondence of the Government of India in which the Government of India have expressed their reluctance to authorize the commencing of construction of the Cauvery project until the irrigation law has been amplified so as to secure for the Government such power of control over water made available for irrigation at public expense as would enable the best possible distribution in the supply of water and to avoid embarrassing litigation. The Government will therefore not be able to recommend the undertaking of such a large and costly scheme as the Tangabhadra project until the necessary legislation has been made.'

"Similar statements were made in 1912, again in 1919. I may say that a similar statement was also made when I proceeded to Simla in connexion with another large project, the Metur project,

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and made an appeal to the Government of India. We feel that, whereas other provinces are stealing marches over us, we are behind them very much. What is the reason? Within the last two or three years, the Satlej project has practically reached fruition; the Sukkur project has been sanctioned; and such other projects have been taken up taking advantage of the limited amount of money available to them. We feel pessimistic about being able to get any money necessary for our large projects unless we are able to go and tell them, 'Your objections have been answered; your difficulties have been remedied; this Presidency is willing to place the Irrigation Law on a satisfactory basis.' It may be that among Members on this side of the House; or on the other side of the House, or within one side of the House, there might be differences as to details. But from my place here I will say this: that the Government is ultimately pledged to no more, but to no less, than this, namely, the principle that is enunciated by the Government of India, and they are pledged to this for the simple and obvious reason that unless they pledge themselves and they pledge this House to that principle they may not be able to carry out these schemes which are necessary, vitally necessary, to an agricultural population like ours. Whenever I come before this Council asking for grants for irrigation, I have met with generous response, and that is so because it is realized and justly realized that irrigation is the first and foremost duty of the State in this country. They realize that in an agricultural country, dry in many places as this Presidency is, without adequate facilities for irrigation, we shall not produce any prosperity. Let us for a moment think of the two large schemes which are before us. Take the great Sangameswaram scheme. This is in a somewhat inchoate stage, inchoate because His Exalted Highness the Nizam has to consent to certain pourparlers in order to put that scheme into execution. But if we have the means and that scheme is started, what does it mean? It means that it will be possible to traverse the greater part of Southern India, from the Kistna up to the Cooum, taking that project through some of the most arid and desolate parts of the Ceded Districts so as to make those districts a garden of vegetation instead of being the barren scene of conflicts between officials and famine conditions.

"Take again the Metur scheme. What will it mean? We have an extent of a quarter of a million acres which will become available for irrigation, and irrigation will be on the same lines as in the Cauvery delta. That region will be a garden whereas it is practically barren and desolate to-day. I have only recounted the two most important and largest schemes. There are tens, dozens, and hundreds of schemes awaiting development. Wherever we turn, we are handicapped by the lack of legislation, and it is for that reason that successful administrators have failed to achieve a solution of this problem of agricultural depression.

"As I said, what is the Government pledged to? The Government is pledged—again I repeat from my place here—pledged to no more than the maxim stated in that letter of the Government of India, and to no less. So long therefore as Government is able to inaugurate its great schemes so as to make it possible for these schemes to traverse proprietary and ryotwari tracts, so as to make it possible for the Government to see that the schemes pay their way with a proper perspective of the needs of the province, it is all that they are concerned with. In this connexion, it must be realized that these projects must be viewed from the point of view of the whole Presidency. It would not do to take a parochial view of one particular

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project considering whether that one pays or not. We must take a birds' eye view of all the irrigation projects and see that they are put on such a footing that they are able to pay their way and that the ideal should be the greatest good to the greatest number. The Government is not committed in the sense of being forced to embark on any new and indefensible system of taxation. They do not desire to confiscate. They have not embarked on any policy of taking away the existing rights of proprietary landholders. I am now reminded of the passage in one criticism which was made on this matter. I may say at once that I have received complaints that I have not given a full hearing to all of them. The newspaper *Swarajya* started by saying that I was going to placate zamindars because I have yielded to their blandishments and their undoubted influence. The next day, the same newspaper in connexion with the possibility of the further progress of this Bill, has said that the Ministers propose to support the Bill, that they have sold the zamindars and that the zamindars can no longer rely on the Ministers. It seems to me that when those two issues are read together, I can legitimately say that on the whole the path I have pursued is right. If to-day it is alleged I have yielded to the zamindars and to-morrow I am charged with something to the contrary, I think on the whole I have struck the right path. Now, I do not desire to pursue this matter. But I do desire to say that it has not been the desire of the Government, it has not been the object of myself or of anybody charged with the responsibility for this legislation to take away any rights or to trample upon any obligations that have been incurred. Attempts have been made to carry out the doctrines as far as possible laid down in the decisions on the mutual relations of the zamindars and the proprietors with the Government. We have been attempting in this respect to incorporate the very words of the Urlam decision. I realize that in a part of that memorial to which I have already adverted it has been said that what I have given by one hand is sought to be taken away by another. If that be so, there is nothing to prevent any attempt to bring into operation, all the decisions that to-day regulate and have sought to regulate the mutual relations between the zamindars and the Government.

"Now, then, after having said that, I must at the risk of appearing to be censorious say this: that I have with very great care perused many criticisms on this Bill. But what I cannot understand is the attitude on the part of the persons who are pledged to make such alliances as will defeat the Government and to enter into such combinations as will force the Government measures to be thrown out. To such Members of such a party and to all Members—here again the nominated Members are not at a discount—I earnestly appeal not to reject the Bill because of its present form and not to get consideration of this Bill postponed for a long time so as to enable people to express their views; because that is not a fair and just appraising of the work on this Bill. I plead for generosity of treatment in regard to this matter. It is not the object of this Bill to confiscate zamindari rights; it is not a Bill to take away any right of the ryotwari or the proprietary landholder. It may be that though animated with these objects we have imperfectly carried out those objects; it may be that we have not succeeded in giving effect to all the desires of the more forward and progressive Members of this House. If so, they have every chance, every opportunity to put forward their contentions in the Select Committee and in this House when it comes for full consideration.

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"Now, I am in one respect in a more fortunate position than that great lawyer who moved this Bill on the last occasion. I have the support of my hon. Colleagues, the Ministers, not a blind and unquestioning support, not a mere adherence for adherence's sake, but I have their support for the general principles of the Bill; they are critics of some of the details found there. Nevertheless, they are willing to concede to the root principle of this Bill and have this discussed. I have the support of many of the prominent Members and responsible men on the Opposition benches who also hold the view that an irrigation law is necessary and is absolutely inevitable and that unless that is done no agricultural progress is possible. Fortified by the support of my Colleagues to my right and of my Colleagues on the Opposite Bench, I approach this Council and ask them to consider this Bill with an eye to its principles and not to oppose for opposition sake.

"Now, let me consider another aspect of it, namely, the possibility of a long adjournment which has been adverted to in the newspaper *Swarajya*. Let me recall the work of that Committee, and in this connexion my zamindar friends will not mistake me if I say this: that I nominated zamindar after zamindar to serve on that Committee. For some reason or other, they could not and did not take active part in the deliberations of that Committee. But I must make an exception with regard to the Secretary of the Landholders' Association, Mr. Venkataranga Rao, who attended every sitting from the first to the last, and no more truculent and no more persevering critic could be found to some of its provisions than my respected friend Mr. Venkataranga Rao. But my hon. Friend opposite, the Raja of Ramnad, absented himself on more than one occasion. I asked my hon. Friend the Raja of Telaprole to attend. But he did not attend except once or twice; the Raja of Vizianagram asked the Diwan to attend on two occasions, and he finally presented me with a statement that this Bill was useless. Then I asked the Maharaja of Pithapur to attend. He said he could not. Whom else can I ask than these three considerable zamindars? They are the persons with the greatest stake in the country. I asked them to come and help to remedy the defects and to take away the difficulties found in the Bill. For some reason or other, they did not attend, but still I would implore them to take an interest in this Bill and put forward suggestions, constructive suggestions. I for one will welcome the day when they all will join to consolidate and put forward their contentions. And there is one thing more to be said on behalf of the zamindars. As I have already said, I have referred to my Friend Mr. Venkataranga Rao. Mr. Narasimha Raju, who is himself a large proprietor and who represents a zamindari constituency, was there from first to last."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I did not represent the zamindars there."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"He represents a constituency which is largely zamindari. Am I correct? (After a pause) My hon. Friend, Mr. Narasimha Raju, attended on every occasion, and I will indeed be failing in my duty if I were not to acknowledge that most of the changes that have been introduced into this Bill and most of the amendments that have been made have been his and his only. Now, if the zamindars feel aggrieved that more has not been done in order to assuage their fears, well, I must say at the risk of offending some of my hon. Friends who are here,

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that it is largely their fault. Because if they had attended we should have had that help that we have a right to expect.

"And, now, let me turn to another series of criticisms which have also a bearing on the issues on this subject. It has been said that riparian rights have not been safeguarded, that they have not been properly codified, and that no attention has been paid to them. May I remind this House that so far as the relation between the ryotwari holders in the ryotwari tracts and the Government is concerned, there is no difference between this Bill and Sir Srinivasa Ayyangar's Bill, and yet during the whole of this year no criticism has appeared until this Bill was published from the ryotwari holders or on behalf of any of them. Might I not therefore presume that what has escaped the vigilant and ceaseless attention of the representatives of these interests during all these twelve months might also have escaped the eye of the Law Member and his committee and his advisers? We may have omitted to bring forward provisions safeguarding all those interests. But what is there to prevent them from putting forward their case belated though it may be?

"Then to come to the application for adjournment of the Bill. In so far as this Bill is an alteration or modification of the last Bill it must be admitted that it is a modification in favour of the zamindars and not against. If there are any new points that have to be brought forward, the zamindars, the illustrious representatives of the hereditary aristocracy of the country, had the opportunity all these twelve months to bring forward. They cannot quarrel with me and say 'You have improved it in our favour; we want more time.' I humbly submit that an application for adjournment on that score does not look fair. If for twelve months they have not thought about these matters and put forward their suggestions, I cannot help it. Nobody can leave them out. The constitution of this House cannot leave them out. All I say is that the application for the adjournment of the consideration of this Bill is prompted neither by the desire to help the zamindars or the ryots. I must be pardoned for putting this case strongly. A mere blocking or obstructive application is a thing which I deprecate with all the strength I can command. Forgive me if I say that I cannot otherwise construe the application for long adjournment excepting on that basis. Because at the risk of repetition may I say this that the changes between the last Bill and the present one are changes in favour of the zamindars. So far as the old Bill was concerned their criticisms are writ large over the pages of newspapers, law journals, and other places. So far as the ryots are concerned they had a champion, a doughty champion, in Mr. Ramachandra Rao, and there may be points which he failed to press forward and which may yet come forward. All that I say is, there is yet time for further consideration. Therefore a mere adjournment for six months or three months is not a thing which can be called either a proper or reasonable request. Now I have already brought to the attention and notice of the House the reasons why the Government from time to time for over hundred years pressed forward that a scheme for placing the Irrigation Law on a sound basis was necessary. The two despatches of the Government of India make it clear as to what is at the bottom. This is practically the only Province in India where there is no Irrigation Law. You have got the Burma Act, the United Provinces Act, the Bengal Act, the Punjab Act and the Bombay Act. This is the only

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Province that has not got an Irrigation Law. We cannot blame the Government of India if they say that without codification of the rules we cannot sanction large sums because there may be chances of embarrassing litigation.

"Now, then, I have placed before the House a list of various projects which have been delayed or held up owing to the non-passage of the Irrigation Law. It is not only a complaint of the Government. In certain tracts the want of water is felt so much that the inhabitants of the locality concerned come forward and say to the Government 'We are willing to pay a higher water-rate than the normal and prevailing rate. Will you construct such and such irrigation project, so that you might bring relief and succour to this particular locality?' Our answer has been 'We cannot.' Because it has been ruled by our legal advisers that such engagements bind only the immediate contracting parties and do not in legal language 'run with the land.' The result has been that where the inhabitants have been solicitous of progress of irrigation, we cannot make such agreements possible according to law. Such things are codified in this project of law. Mr. President, Members of this House will see the list of projects worked out on a productive basis which had to be held in abeyance on account of water-rates agreed to being higher than current ones. There are 39,000 acres which would have been cultivated but for want of water in the Ganjam district. In Kurnool there are 46,000 acres and so on and so on, until you come to a total of nearly two hundred thousand acres or one-fifth million of acres of land which cannot be cultivated and which cannot be brought within the range of water which is the prime necessity in the absence of Irrigation Law. It has been pointed out to me by my hon. Colleague on the right that in the Ganjam district alone there are 31,200 acres which cannot be brought under irrigation on account of the absence of such law. Moreover, I have pointed out in the list that there are larger irrigation projects which cannot be worked out without Irrigation Law. If the Metur project is carried out, 280,000 acres could be irrigated in the Tanjore district. Seven hundred and thirty-five thousand acres of first crop and 160,000 acres of second crop could be had in Kistna and Guntur districts. The Tungabhadra project involves thirteen crores and it will bring about a million acres of wet crop. Is it therefore not a matter of prime and urgent importance that we should set our House in order to begin betimes and see that what has not been possible till now is made possible and see that this country realizes its great destiny as an agriculturist country? No one is more anxious to have industrial progress than myself. But let us conceive it as dependent upon the agricultural prosperity. The rest will come of its own accord. Shall we contemplate with equanimity the possible delay of a year more? Because so far as the present state of things are concerned, shall we not hope that we can go up to the Government of India before this Budget and ask them for funds for some of our bigger projects? We know Madras is the Cinderella of the provinces. The other provinces are nearer the throne of grace. Bombay and Calcutta can always get money and Madras cannot. Our voice is impotent. Other provinces are able to get more than ourselves. If we allow this Budget year also to pass before we approach the Government of India, then probably at the end of the year there may not be enough money for us and for another year we will have to wait. In any way, it may be said that the Bill may not be passed into law before the Budget year. At least we can tell all concerned that this House is committed to an Irrigation Law, and that it is perfectly prepared

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and ready to put on the statute some law for regulating the mutual rights of the zamindar and the tenant and the ryot on the one hand and the Government on the other.

"Now there is another class of criticism which I must refer to in passing. It is a criticism made by a very influential landholder of the southern districts for whom I have much respect. He begins his criticism with the observation that the Bill is a socialistic legislation. He says that the jurisdiction of the courts has been taken away in important questions. All that I can say is, if I am blamed as a socialist on the one side and a partisan of the aristocrats on the other, I do not know what I am. I am an advocate of the rights of each person being preserved intact and the interference of the Government coming in where it is necessary and not otherwise, that is, where it is not absolutely necessary. As for the jurisdiction of the courts, I may say this. In clause 90 of the Bill we have made a general provision that, save as excepted in certain specific sections, the jurisdiction of courts is not taken away. Supposing the Members of this House and the Select Committee come to the deliberate conclusion that in some of the seven or eight matters which are indicated and to which I have referred the jurisdiction of the court is to be restored, by all means do so. You will not have any insuperable objection from a lawyer of 20 years' standing regarding jurisdiction of courts. His objection may be that where courts cannot adequately function, then alone should it be necessary to see that a rough and ready method should be arrived at. If it is strongly felt that the courts' jurisdiction should be restored or preserved, by all means do so. No one is committed to a policy of ousting the jurisdiction of courts. It must also be noticed that in clause 101 of this Bill there is a power reserved for the purpose of making rules on most of the matters on which the jurisdiction of the courts is taken away. For instance, take the very question of taxation. Let us turn to clause 101. What do we find? We find that 101 (f) says 'declaring the rates of water-cess leviable under this Act.' That is a matter which is subject to rules. Those rules have to be placed under sub-clause (3) of clause 101 before the Legislative Council for a period of not less than two months while the Council is in session. Therefore you will find that on many of the matters on which, for instance, the rights of the courts that function on these matters have been taken away those things have been embodied in rules which will be placed on the table of the House. The object of the framers has been to preserve the jurisdiction of the court in as many instances as possible, and, where there is no jurisdiction given to the courts, rules should be framed, which rules will be subject to the scrutiny of this House. Therefore there are two tribunals, the courts on the one hand and the House on the other. If it is thought that the courts will be more convenient method of fighting out these matters than the operation of these rules, by all means have them; they are matters which are not fundamental and are not of the very essence.

"Now let me run very briefly and very fast through some of the changes that have been suggested. They have all been summarized in the Statement of Objects and Reasons. In clause 6 an attempt has been made to exclude natural resources wholly situated in an estate. In the clause dealing with appropriation we have sought to embody the exact language of the Ullam decision. In clauses 12 to 15 we have sought to institute a record of rights wherever it was necessary. In clauses 16 and 17 we have provided

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for individual notices. Certain criticisms have proceeded on the footing that the Government were mainly or essentially or largely actuated by a desire to tax and that forthwith we shall perhaps under section 42 localise and commute into acreage and tax the zamindars to the extent to which their territories do not come within the purview of the operation of the rule. It was not the intention of the Government to make this primarily a taxation measure. It was the intention of the Government to make this a taxation enactment to this extent and no more. You cannot build large irrigation projects and you cannot bring into existence large schemes without borrowed capital and you must pay interest on borrowed capital. You must somehow provide for all these things and provide also for a comprehensive irrigation scheme for the whole Presidency. How are you going to do it?

"It is for this House and the Select Committee to consider what are the safeguards subject to which taxation may be levied and what ought to be done by way of furtherance of the object which animates the hon. Members of this House."

The RAJA OF RAMNAD:—"In that case why should the existing works be brought in?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"They cannot but be brought in for this reason. Suppose we take a large scheme on hand, say, the Kistna or the Tungabhadra scheme. There are certain works which are in existence in various zamindaris. Suppose they are to be brought into the large scheme. How else can we do it except by including the existing irrigation sources? Suppose you want to have a great dam. In a country like this we cannot have large schemes without going into the smaller entities or units and bringing them into line with the larger schemes. How else did our ancient kings construct their great schemes? If they could not enter into the territories or domains of zamindars for the purpose of constructing these works, how did they link districts to districts and bring about these great schemes? It is only that which is sought to be done here and nothing more."

The RAJA OF RAMNAD:—"If the hon. Member is going to bring in the existing works, how is he going to get over the judicial decisions and the recognized rights of persons?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The answer to that is very simple. Apart from what may be called engineering or scientific equations, we do not propose to do anything else. That is, suppose you are entitled to certain things by judicial decision or by sannads, get them; and if I may again refer my hon. Friend, the Raja of Ramnad, to clause 64 he will see what the policy of the Act is. Compensation in such cases is to be provided in terms of water as far as possible. Where we cannot give the compensation in terms of water, where it is not practicable to do so, then we give compensation in money. The scheme of the Bill, therefore, is that we respect the existing rights and if existing rights have to be encroached upon for the sake of a larger scheme, we compensate. We do not take away a single item of right. Compensation in terms of water is the primary method and if we cannot compensate in water then we compensate in money. That is the object of clause 64 of the Bill.

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"Now it may be conceded that there is a great necessity for this Bill. Nobody wants to take State control unless it is absolutely necessary. - But surely in a country of this kind it must be conceded that there is a great necessity for a certain amount of State control; because of the need for large storages of water and the avoidance of the great wastage that is taking place. For instance, the other day I was in Pondicherry negotiating with the French Government with regard to the Cauvery. We found that on pooling our reserves together we could save considerable amount of water and that we have been allowing the water run into waste because of small differences between us. It was my privilege to reduce some of the possibilities of friction and we came to a kind of effective arrangement. Each one of us realized that for want of harmony between the subordinate officials of this Government and the French Government a large amount of water was flowing to waste. It is because of these circumstances that in this country it is the primary responsibility of the Government as is also the duty of the people to see that water is not wasted into the sea but is utilized for the greatest good of the greatest number. The practice generally in other provinces has been summarised by the late Sir K. Srinivasa Ayyangar. The enquiries of a special officer for this purpose showed that whereas year after year other provinces are advancing and inaugurating great schemes, we, on account of circumstances financial or otherwise, have not been able to do anything. I confidently hope and trust that that reproach will not be levelled against us any longer.

"Now there is another set of criticisms to this Bill, and that is with regard to the compulsory labour clause. It is assumed that I have somehow made it obligatory upon one to do a certain work which has not been obligatory before under the Act of 1858. But I took away the distinction between the labouring and other classes, because it seemed to me, if I may say so, that that is the most wholesome provision of this Bill. That invidious distinction between the labouring and other classes for the purpose of kudimaramath and other works is now sought to be taken away. But if hon. Members want to go back to the language of the Act of 1858 and have the labouring classes, by all means let them do so. But I assure hon. Members of this House that no startling change has been attempted between the last Bill of 1858 and this present Bill. We have merely sought to codify the existing law with one exception.

"Then there was criticism with regard to percolation and so on. It is impossible for me, on account of the convention of absolute confidential character that exists with regard to the communications between this Government and the Government of India, to deal at length on this matter. But I can say there are many points on which we do not see exactly eye to eye with the Government of India. If on certain points this House expresses itself unequivocally, we will consider them carefully and we will press on behalf of the Council to the Government of India to see that certain features in regard to which this Government itself is rather doubtful are eliminated or included as the case may be.

"I do not propose at this stage to traverse through the various sections of the Bill; nor would hon. Members thank me if I were to do so. But I would say this; that in the main four root ideas have been at the bottom of this Bill. We have sought in the first place to consult every

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interest concerned in agricultural operations. In the second place, we have realized that compensation in water should be given where possible. Thirdly, we have sought in all cases where the jurisdiction of the courts is practicable, to bring them in. We have sought moreover to follow the decision of courts as far as they can be followed and we have not sought to take away any rights. If it is proved that the intention or the result of the Bill is to confiscate any vested interests, then all that I can say is that the Government do not propose to confiscate any existing rights and will see that the rights are preserved to this extent, namely, that where those rights conflict with the rights of the State which has to control and regulate distribution of water for the greatest good of the greatest number, then the private rights may have to be compensated for but they will not be confiscated. I am perfectly willing to take hon. Members through the various clauses of the Bill but I do not propose to do so now except in a very cursory fashion.

"Turning to clause 7, the objection that has been raised is to existing irrigation and drainage. That has been put forward in that memorial to which I have alluded and that objection has again been put forward by the Raja of Ramnad. Then under section 11 the objection has been raised that we have not made any provision for riparian rights. There has been a comprehensive criticism that various sections have taken away the jurisdiction of courts. As to all these matters, I would only say that I am recommending this Bill as a sketch. Let us all work at it so as to make of it a useful resultant. I am not wedded to one form or another or to one particular solution of the difficulty or another. Let us take it as a beginning and make of it a finished product and let us see that the reproach that has been levelled against us is removed."

The hon. the RAJA OF KOLLENGODE:—"I beg to second the motion."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, Sir, I propose under Standing Order 34 that the consideration of this Bill be postponed till the first sitting in March."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"My difficulty is that we may meet about the 4th March for financial consideration and practically the whole of the month we will be engaged with it. With the leave of my hon. Friend and with the leave of the President, may I say this: It is not my intention to hurry this matter. I realize the complexity of the interests involved. I realize the interdependence of the many interests in this matter and I do not propose to hurry the matter in the Select Committee. I will give an undertaking, if my hon. Friend wants it, that the first meeting of the Select Committee will not be held until the end of March and meanwhile I will have the Bill translated into Tamil, Telugu, Malayalam, Oriya, Tulu and all other vernaculars. I will give a further undertaking that I will allow counsel to appear on behalf of every interest."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, what the hon. the Law Member says is that we all want an Irrigation Bill. If he wants to commit this House that we are all seriously in favour of an Irrigation Bill, the best method for him to do is to table a Resolution and make us unanimously accept it, that we want a Bill of that nature. But my difficulty now is that in various quarters it is felt that this Bill which is now put forward in this House has not been sufficiently before the public.

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Sir, we the representatives here are expected to focus or reflect public opinion on a matter like this.

"It is a measure proposed to deal with vested interests. It is a measure that deals with taxation to a very great extent. An assurance has been given by the hon. the Law Member that he does not want in any way to affect the vested rights. It is also said that this measure shall not be treated as a taxation measure, and that there is no idea of raising additional fines than what is to be raised under the Irrigation Cess Act. These are the two assurances which he has given and I am glad that he has given them. But he has himself furnished sufficient grounds to this House why the further consideration of this Bill should be adjourned. It is stated that *Swarajya* said on the first day after it saw this Bill, that the hon. Member in charge had shaped the Bill in such a way as to placate the opinion of the Zamindars. It is said that one important critic of this House called the measure a socialistic measure. It is possible for every one who has given a first reading to this Bill to frame such contradictory views. An eminent lawyer of Madras with whom I held a conversation told me that after a ten hours' reading given by him to this Bill—he said that 50 per cent of his cases were on irrigation matters—it was very difficult for him to understand its provisions. I think it is admitted that this Bill has not appeared in the vernaculars of the province. It deals with 80 per cent of the population and they have got the right to express their views on it. I think that in an important matter like this, it would be better for the Government to receive the views of the people. That is why I have brought forward this motion that the consideration of this measure be postponed till the 1st day in March. I do not think the hon. the Law Member can say that this is obstructive tactics. My only plea is that the Bill has not been before the public for a sufficiently long time to focus their opinion on the merits of the Bill.

"It has been said that the first Bill which was introduced in this Council and which was rejected by it was before the public for nearly twelve months. When the first Bill was rejected by this House, the public knew that it was not acceptable to this House. For one like myself who himself has laboured in Committees, all that I can say is that the Bill has been presented with a new cult. Whether this new cult is to be accepted by the public as well as the House remains to be seen. I can submit one fact and that is that the way in which this Bill is now submitted is quite different from the way in which the previous Bill was submitted. The main principles in the previous Bill are also embodied here and they shall not be interfered with. The hon. the Law Member said that he wants an Irrigation law giving control to the Government over certain waters as in the terms of the Government of India Resolution, but all that is not to be found in the Bill. That is the only assurance given by him and we want to go into the merits of the Bill.

"The next point at issue is whether the main principles of the Bill as they are found in the Bill are to be controverted in the Council or whether they have to go to the Select Committee. I do not think there is any provision in the Standing Orders to allow the main principles of the Bill being controverted in the Select Committee. Sir, it has been said that the ryots' criticism is not before the Government or that it has been presented to the Government in the Committee stage. An eminent ex-member of this

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House who has had considerable experience of these matters, Mr. M. Ramachandra Rao, did present the various views from the standpoint of the ryots. But I may be permitted to say that all his labours and all his representations were brushed aside in most cases. Not one of his suggestions is to be found in the Select Committee's Report. Perhaps the Government think that his suggestions are not practical to be adopted by the Government."

The hon. the PRESIDENT :—"Does the hon. Member want to speak on the adjournment of the consideration of this Bill or on the merits of this Bill? If the latter, I think he is correct. But if the former, I do not see the relevancy of his remarks to the subject in question."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I only want to show that the public must have their say on all these points."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I say, Mr. President, that some recommendations of the Committee were not accepted. They were not accepted because of administrative reasons. Some were not accepted because of certain principles laid down by the Government of India resolution against which we cannot go."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I only want to draw the attention of the House to the chapter on compensation. The Committee unanimously resolved that in the case of dry lands situated in zamindari areas which were receiving water-supplies those lands should get a compensation when Government water was cut off and there are similar resolutions affecting the interests of the ryots."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"That is a matter on which the Government of India have ruled."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"That is a matter of administrative sanction by the Government of India."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"They would not allow the Bill excepting on that principle."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"We, as representatives of this House, have got every right to reject this Bill as this provision is there. If we, as representatives, cannot take the responsibility of giving our seal of approval for a measure of this sort, the Government must agree to allow some time for the public to focus their opinion on an important matter like this. We know what fate the previous Bill met with. The Bill was introduced in this House and was rejected, and His Excellency the Governor when proroguing the Council said that the Bill was rejected by a majority, but that a Committee had been appointed to consider the various objectionable features of the Bill"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I am always loath to interrupt hon. Members when they are on their legs; but it is a perfectly well-understood practice that it is not regular to discuss the clauses of the Bill or the merits of the Bill when we are discussing a motion for the adjournment of the consideration of the Bill."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I am only adducing reasons why we must have some time before we accept or reject the Bill. Well, these are the reasons why we want time: there is the constituency behind us; we should put before them the whole case."

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Mr. C. V. VENKATARAMANA AYYANGAR:—"I have great pleasure in seconding this motion. I am one of those who think that the Bill should be introduced very soon and I am one of those who would prefer any Bill to no Bill. We have to take into consideration some points which the hon. the Law Member referred to yesterday when he was making some references to nominated Members. I appeal to every one not to ignore the non-English-knowing Members. There is a large number of Members who do not know English" (laughter).

3-15 p.m. Rao Sahib P. V. GOPALAN:—"Sir, among the nominated Members there is only one who does not know English."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I am referring to hon. Members as a whole. I did not want to make a distinction between elected Members and the nominated Members. I refer to all the Members elected as well as nominated, official as well as non-official" (laughter).

Mr. M. RATNASWAMI:—"On a point of order, Sir, may I know whether there are any official Members who do not know English?" (laughter).

Mr. C. V. VENKATARAMANA AYYANGAR:—"This is not a point of order, Sir. When I said 'official Members' I wanted to take hon. Members as a whole without excluding anybody. I said elected or nominated, official or non-official or ex officio, etc., etc., Members of this Council. And I do so now, Sir. There is a large number of Members who cannot be expected to know English so well as to be able to go through the volume of literature that is being placed in our hands during the last two or three days. I do not see there is any disparagement in not knowing English, as some people seem to think. It is not an insult if you are told that you do not know English. I wish I did not know English (laughter). Anyhow we represent here the masses who do not know English and we have to go and appeal to them. Well, Sir, I do not know whether the Bill has been published in any vernacular. If not, how do you expect those Members who do not know sufficient English to understand the provisions of the Bill, and help us to come to some conclusion on it. Are we going to ignore those Members? There are a fairly large number of them as I have already told you.

"I am one of those who sincerely desire that this Bill should be introduced as early as possible, and not merely introduced but passed. Therefore I want to disarm opposition as much as possible. There is already a good deal of opposition and why should we unnecessarily increase it?"

"The hon. the Law Member said that the Select Committee would not sit before April. With the passing of the present amendment the Committee may sit in March. The hon. the Law Member made a speech even before the proposition was properly proposed. He suggested that the whole of March would be occupied with the Budget. We have got the programme before us which you have been very kind to send us. We see from that that between the 8th and the 17th of March there is absolutely no Budget discussion. And therefore can you not go on with the Bill during that time? Where is the harm?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, what about the Budget Resolutions? What about the preparations to meet them? Are the hon. Members going to forego the right of moving Budget Resolutions?"

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Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I still do not understand his argument. Between the 8th and the 17th of March there are, to be very correct, eight days. . ."

The hon. the PRESIDENT:—"I think I may come to the rescue of the hon. the Law Member. It is a fact that there are eight days, but they are days on which everybody will be busy. Everybody will be immersed in the business of Budget motions, either preparing them or else planning to resist them. It is not a time available for business of the kind before us."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, so far as I am concerned, I will point out that we have the 30th and the 31st when there will be no Budget fear, and the Budget ghost would have disappeared from the Council Chamber. There is absolutely no reason however why we should not have the 1st and 2nd of April. All that we are concerned is that we want time so that this Bill may be published in the vernaculars, and that all of us might go through all its provisions. Otherwise we would be giving a weapon to the enemies of the Bill who would say that the Bill was rushed through the House in a hurry.

"Again, it is not known exactly what recommendations of the non-official Committee were accepted by Government and what not. It was expected that the Government would issue a communiqué. It will be more useful if such a statement is prepared."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I have placed the proceedings on the table of the House, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR:—"That contains the proceedings of the meetings; the number of days we met, the number of recommendations made, etc. But I want to know matters of this kind: it was once suggested that if any natural tank was in a zamindari estate it would not be taken possession of by Government, but if it was in a ryotwari estate it might be taken possession of. It would be well if the various recommendations of the Committee are published with a note as to which have been and which have not been accepted by the hon. the Law Member or by the higher authority, the Government of India. There is absolutely nothing lost in giving some time.

"I understand that some Members are determined to oppose the Bill if the adjournment is not given. There will also be a number of people who will think that the Government have some ulterior object in rushing this Bill through. The correct course will be to publish the Bill in the vernaculars for the sake of the public at large, give them time to raise their objections and make their representations, and thus disarm opposition. Otherwise it would be jeopardising the whole Bill. I beg the hon. the Law Member to consider whether in spite of his determination it is not desirable to give some time and adjourn the consideration of the Bill. He will also have the satisfaction of introducing it before the end of March so that he might arrange for some loans from the Government of India. I appeal to the hon. the Law Member and other Members to vote for the adjournment so that we might have some day in March which is convenient to the Members of the Council.

"Again, there is no use of saying that representations can be made before the Select Committee. The members of the Select Committee are expected

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to be guided by the discussions in this House at the time of the introduction of the Bill. All useful and legitimate arguments from English-knowing and non-English-knowing Members must be available to the Select Committee. While I am one of those who are anxious that some Bill in preference to no Bill should be introduced, I want to disarm opposition as much as possible both inside and outside this House. With these words I beg to second the motion."

(The hon. the President then read the amendment.)

Mr. C. V. S. NARASIMHA RAJU :—" It is to be taken in the first meeting in March, Sir."

The hon. the PRESIDENT :—" That is, the hon. Member intends that it should be taken up on some day in March, other than the days appointed for the discussion of the Budget. Discussion will now proceed on this motion."

Rao Sahib K. V. RAMACHARI :—" Mr. President, Sir, I beg to move that if any adjournment is given, it must be for at least six months. The provisions of the Bill were known only very recently. It would take some time to translate the Bill and publish it in the papers. March is very near to us; there are only about 25 days before us. It will take a longer time to make the provisions of the Bill well known to the people, in whose interests it is said to be brought into the Council. The subject has been under discussion for the past so many years, and nothing will be lost by giving six months' time."

Mr. M. RATNASWAMI :—" On a point of order, Sir. Does not a motion for the postponement of a Bill for six months amount to a rejection of the Bill? It is hardly an amendment."

The hon. the PRESIDENT :—" This is simply a motion under Standing Order No. 34. It is just like Mr. C. V. S. Narasimha Raju's motion."

Mr. M. RATNASWAMI :—" Adjournment for six months, Sir?"

The hon. the PRESIDENT :—" Yes, it is a motion to the effect that the business be adjourned or postponed."

Rao Sahib K. V. RAMACHARI :—" The Government have been considering this subject for many years and they are not going to lose anything by granting six months more. It is also said that the Bill is intended for the people."

"We, the representatives of the people, come forward and say that we want an adjournment for six months so that we can go through the provisions of the Bill carefully and suggest suitable amendments."

"I will now make certain observations with regard to certain provisions of the Bill. The Bill provides for the control of important irrigation works. It perpetuates the system of taxation by Government without an effective control by the representatives of the people. It gives very extraordinary powers to the subordinate officers of Government. Besides, there are other provisions which are highly injurious to the interests of the people. There is also clause 6 which contains every insidious provision."

Sriman SASIBHUSHANA RATH Mahasaya :—" Are these observations about the contents of the Bill relevant to the motion for adjournment, Sir?"

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The hon. the PRESIDENT :—" I am sure the hon. Member will bear that in mind."

Rao Sahib K. V. RAMACHARI :—" Even a slight alteration in the course of a water work will enable the officials to increase the water-rate and it cannot be set right by safeguards. For these reasons I request the hon. the Law Member to postpone the First Reading of this Bill for six months."

Mr. M. GANGARAZU :—" I second the motion, Sir."

The hon. the PRESIDENT :—" The motion made by the hon. Member Mr. Ramachari is that the consideration of this Bill be postponed for six months. The House will probably agree with me that the discussion had better proceed on these alternative motions for postponement. At the end of the discussion each motion will be voted upon separately, first, the one for postponement for six months and then the motion for adjournment to the beginning of March."

Mr. J. A. SALDANHA :—" Mr. President, evidently this Bill does not appear to be a party measure. For, I find that there is difference of opinion among the Ministerialists as also among the Opposition. Having regard to this, I am sorry that I shall differ from the leader of my own party and from the Secretary or the Whip of my party. (Mr. Kesava Pillai: Hear, hear.) I must give expression to my independent opinion on this Bill. I for one accept the principles of the Bill as a whole. I have carefully read the whole of the Bill and also the various Acts which are in force in the other provinces in the matter of irrigation projects, etc. Practically every province in India has got its Irrigation Act. There is firstly, Mr. President, the Bengal Act of 1871, then the Northern India Canal and Irrigation Act of 1873 which is the oldest of our Acts on the Indian Statute Book, and then there is the Bombay Irrigation Act. There is also the Burma Act, and, further, there is the Act of 1920 on Minor Irrigation Works which was passed in the United Provinces. So we have got five different Acts in India dealing with the subject. Reading through the provisions of this Act carefully I find that they are not more drastic than the Acts of other provinces. I find that the Madras Act is not only much more comprehensive and animated by greater consideration for the rights of the people than all the other Acts, but it safeguards the interests of the higher landholders, the zamindars. I find that in the different Acts which are in force in the other provinces, there is absolutely no distinction made between the waters that are and that are not wholly situated within an estate. In fact, all the waters in the other provinces, whether they are situated in a zamindari estate or not, are brought under the control of the Government and are subject to certain drastic provisions which make it highly detrimental to their rights. So, taking our Bill as a whole, I find it in principle quite acceptable. Suppose there are a number of provisions in the Bill open to criticism, the best course I will adopt will be to bring in a number of amendments to those provisions. That should not be done at this stage. The objectionable provisions can be considered at the Committee stage and suitable amendments brought forward. Even if hon. Members have not been able to study the Bill very carefully and note all the provisions that are open to criticism, they have ample time to do so after it is introduced."

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This Bill will then be translated and there will be ample time for all classes of the people in the province to go through the Bill carefully and put forth their objections before the Select Committee. I am sure, Mr. President, the Select Committee will be a large one representing all classes of interests and all the districts. I hope South Kanara and Malabar will not be neglected as is usually done. Having regard to the assurance given by the hon. the Law Member that representatives of all interests will be included in the Select Committee and that the Bill will be translated into all the vernaculars of the province to be considered and digested by all classes, I feel that this motion for postponement is an ill-considered one and should not be supported.

"Further, I wonder how, by the 4th March, this Bill can be translated, printed and published in the *Gazette*. If there are Members in this Council who cannot read all the literature on the subject, the question is whether Government are in a position to translate all the literature before them. All that could be done is, I believe, to translate the Bill with the Statement of Objects and Reasons. I am sure except one or two hon. Members in this Council, the hon. Members are able to study and understand the Bill. At the present stage, if one or two are not able to fully understand the provisions of the Bill, perhaps the hon. Members will find it convenient to get them translated and placed before them at an early date. But I doubt very much whether such translations could be had before the 4th March. There would have been some sense in adjourning the consideration of the Bill till after the mid-summer holidays, because by that time it could be translated. But to put off the Bill for six months would be simple waste of time and money. We have come all the way to Madras for the consideration of this Bill, upsetting our programmes and calculations. Much time has been wasted already by the postponement of the earlier meeting. For these reasons I would urge upon the hon. Members to let this Bill pass the First Reading and be referred to a Select Committee."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, I am indebted to the hon. Member who spoke last for certain remarks of his which have cleared the atmosphere. My hon. Friend, the Member from Madura, has asked for an adjournment for six months. I understand that he would take me for a poor advocate of my case if I did not convince the hon. Members of this House that I am a keen debater. I must say that unless we make a move on, we cannot approach the Government of India before this Budget Session without this Irrigation law which is on the anvil. If I have not convinced hon. Members of this House about the urgency for a measure of this kind, then indeed I have failed in my advocacy. I would simply say this: that an adjournment for six months would, in my view—and, let me not be taken to be unmerciful or too cynical or pessimistic—be tantamount to a rejection of the Bill.

"Let me, on the other hand, turn to what is *prima facie* a much more moderate and reasonable proposal of my hon. Friend, Mr. Narasimharaju—indeed most of his proposals are generally reasonable—(Mr. C. V. Venkataramana Ayyangar: Hear, hear), (Laughter)—that there should be an adjournment only up to 1st of March. Let us for a moment analyse why that proposal for adjournment is made. The adjournment is asked for in order that the public may familiarize themselves with the Bill and the

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literature that has clustered round it. One of my valued Friends, the hon. Member from Coimbatore, spoke feelingly of those Members of the House who had not the advantage of an acquaintance with English. If they have not got an acquaintance with English, how are they going to take part in the debate and master the literature connected with the Bill? How is it to be translated between now and the first of March and made available for them? (Hear, hear.)

"Well, Sir, I hear an interruption 'hear, hear'. That interruption means either that the adjournment up to the 1st of March is of no avail or it may mean that an adjournment for six months or a year, as is indicated in the present motion, is desirable. ('Hear, hear', probably from Mr. Satyamurti.) I expected nothing else from my hon. Friend who intimately and perpetually allies himself with such Members of the House as would give him the advantage of that alliance. To see that the Government does not pass this measure is his programme. And if it suits his programme to see that this Bill should be adjourned for 20 years because it would take 20 years for all the 47 millions of people to be acquainted with the purpose or the objects of this Bill . . ."

Mr. S. SATYAMURTI:—"Sir, I must not be supposed to suggest anything so absurd."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, let me resume what I was saying. But if I have offended the hon. Member for the 8-45 p.m. University, let me apologise to him, and it is my duty to do so (Hear, hear). In regard to the motion, let me say this. My object is to show that this adjournment up to the 1st of March will not be very useful if the adjournment is asked for the purpose of familiarizing the people or the public of this Presidency with the literature that has gathered round this measure. The effect of the adjournment really is that, excepting for the purpose of enlightening certain persons who are not acquainted with the English language in this House and their getting to know all the provisions of this Bill, it would not serve any useful purpose. I say also that I am not committed to aught save that paramount principle which I have pleaded for. If that principle is conceded, I am prepared to have every other matter subjected to scrutiny in the Select Committee. I say so as a Member of the Government, and precedents are not uncommon where even matters of principle which are contested are opened for discussion in the Select Committee. I hope that will satisfy the requirements, and an adjournment of that character would not really serve any purpose from that point of view, while the earlier motion also would not serve the purpose—the one purpose which animates the Mover and, I am sure, all of us."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, it seems to me that no useful purpose will be served by the adjournment motion that is now before the House either for a month or for six months. If the Bill is allowed to go forward now and is sent to the Select Committee, the chances are that the Select Committee will not be able to submit its report to the Council before the commencement of the next Session, that is, somewhere I take it in the beginning of August, or it may be even in September. In any case, we shall have some six months from now before the time when the report of the Select Committee will come up before this Council for consideration. The Select Committee certainly has the power of examining witnesses and calling any person or persons whom it wants to examine and taking

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into consideration all points of view that may be placed before it by any person or persons whatsoever. I am sure that during the six months the Select Committee will be able to do its work completely and to the satisfaction of all persons interested in this Bill. The very arguments that have been advanced by some of my hon. Friends who are moving for adjournment, furnish ground for the conclusion that there is no need for the adjournment. In giving reasons for the adjournment, my hon. Friends were referring in detail to several clauses in the Bill. That itself shows that, so far as those clauses are concerned, they have studied the Bill very carefully. That, I thought, is an argument rather against the adjournment than for the adjournment. Then, again, drafts of Irrigation Bills in one form or other have been before the public for the last 18 years. The first Bill, I believe, was published in the year 1905, the next one was published in 1909 and there have been other Bills since then. No doubt, there have been differences between some of these Bills and the present Bill, but many provisions of all these Bills are the same, and if after 18 years the people of this Presidency have not been able to acquaint themselves with the main provisions of this draft Bill, I doubt whether an adjournment for 24 days or even for six months will enable them to study the provisions further. I perfectly agree with my hon. Friend, Mr. Venkataramana Ayyangar, in thinking that it is very essential that the Bill should be placed as an Act on the Statute Book as soon as possible. The result of our postponing this Bill will be that we shall not be able to place any law on irrigation on the Statute Book before, say, somewhere in 1925: it will not be possible for this Council to pass such an important measure as this even before the end of 1925. And, as I already submitted, if it is postponed only for a period of 24 days, practically no useful purpose will be served.

"Then again, there is this consideration which has already been referred to by the hon. the Law Member that many irrigation projects have been held up either for want of funds or for want of a law on the subject. I myself remember that when in 1905 in the Legislative Council, as it then existed, I moved for the construction of certain irrigation works in the district of Malabar, the reply that was given on behalf of the Government by Mr. Bradley, who I believe was then the Chief Secretary, was that there was no law enabling the Government to construct dams across the rivers and that the Government had no funds. The sooner the possibility of such arguments is got rid of, the better for the country. I spoke now only with reference to the district of Malabar, but what I said applies generally to the whole Presidency. Having regard to all these considerations, it seems to me that the sooner we take up this Bill for consideration, the better it will be for all concerned. The matter has been pending for a very long time—it seems to me for an unconscionably long time—for about twenty years. Let us not postpone this matter any further. For these reasons, I am for the immediate consideration of this Bill."

Mr. B. VEERIAN:—"Sir, I am not at all in favour of the adjournment of this Bill. I have several sound and solid reasons why its introduction should not be postponed, and I am going to state them. Delay, I consider, is a dangerous thing, and we should take up the present opportunity given to us. If a student wants to pass his B.A. examination, he sits in his room, reads day and night, even after going to the doctor and taking medicines, crams the whole portion and passes his examination. So also, if a person has so much

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interest in the Bill, he ought to have gone through the Bill. And, Sir, if there are some who are not English-knowing gentlemen, they can approach the English-knowing gentlemen and with their help find out what the provisions of the Bill are and in that way they ought to have understood them. Now, as regards the time wanted, I doubt very much whether, even if we give two months or four months or two years, any good result will be produced. I am sure, Sir, that this is only a poor man's Bill. We want to see whether this Bill would do good to a great number of people. That is the test. Whatever motion may be brought forward here, there is a certain party which says, 'This is not right; that is not right; this is incorrect and that is also incorrect'. But I want to know from them, Sir, what is correct after all (laughter and cheers). But my worthy and hon. Friend, Mr. Venkataramana Ayyangar, said that there were many non-English-knowing gentlemen who would want to know the provisions of the Bill. But, Sir, to attain Swaraj several mass meetings are held for the benefit of persons who know only a vernacular, but I have heard the leaders at such meetings speaking only in English, and there they quietly pass resolutions to the effect that they want immediate Swaraj and that it should be given them at once. I want to know whether the whole audience present there understand the whole thing. Certainly not. If ignorance of English does not matter there, I do not see why it should matter here. For these reasons I oppose this motion."

Sriman BISWANATH DAS Mahasaya:—"Mr. President, Sir, I entirely agree with my hon. Friend from Vizagapatam to this extent. I was a Member of this hon. House in the last Council and when the Irrigation Bill was then introduced, it was generally spoken of by the Opposition as the poor man's Bill. We very much regret and deplore that that Irrigation Bill was thrown out by a very overwhelming majority of the House on grounds known to themselves. I see before me my hon. Friend, Mr. Muniswami Nayudu, and before whose advocacy of the rights of the zamindari tenants I bow down; he took that opportunity to plead that the Bill did not go far enough and we were opposing it on that score. I am sure that the present Bill itself is not perfect. No human measure is perfect, and the Bill is after all a human measure. The hon. the Law Member has done all he could to give an assurance to the House that he is prepared and willing to accept any reasonable amendment and that he is willing to give any reasonable time for the consideration of the Bill by the Select Committee. It may be that he is anxious to push through the Bill in the Select Committee soon, but the Select Committee may take its own time. It may take two, three, or even five months if necessary to ascertain the opinion of the people in the country. It is only a few days back that my hon. Friend from Kistna, Mr. Peddiraju, said that at an informal meeting of the ryots on the subject of irrigation several representations were made by the tenants. It is said that an assistant engineer got up and said, 'Look here, gentlemen, wait for the Irrigation Bill, and you will have all that you want'."

Mr. P. PEDDIRAJU:—"The said engineer stated that it was Mr. C. P. Ramaswami Ayyar's Bill."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I may at once say, Sir, that he was not authorized to say so."

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Sriman BISWANATH DAS Mahasaya (*cont.*):—"I stand corrected, Sir. It will not, therefore, be reasonable, or look well, if we at this stage say that we want more time. Time we have had, probably amply. We have had 12 months before us to go through the provisions of the Bill. Then I find, Sir, that this Bill is quite different from the one that was introduced by the late lamented Sir K. Srinivasa Ayyangar. That Bill was rejected and the interest of the zamindari tenants was sacrificed, and mercilessly sacrificed, by a House which now claim that they represent the people. I am very sorry, Sir, and I am in fact weeping within me when I see that the Bill does not give all the protection needed to the zamindari tenants. To that extent I am very sorry to find that the interest of one-fifth of the population of this Presidency is sacrificed. There may be some reason in saying that you want an adjournment of the Bill for one month. But if you say that you want to have it adjourned for six months, then some other hon. Member will come forward and say that he wants an adjournment for ten months. There will be no end to such proposals for adjournment. I would appeal to the hon. Members to consider whether or not we should give our assent to this poor man's Bill being referred to the Select Committee. About details we might differ, but if we agree to consider the Bill now, we shall try our best to remedy the defects in the Select Committee. In the words of the hon. Member for Vizagapatam, I would appeal to this House to bear in mind that no law could be enacted unless we put our seal of approval upon it, and we cannot be expected to give our assent to it unless we approve of it. I would appeal to all the Members to consider well this question before giving their votes on this motion, and since it is not a party measure, no party is bound by any of its conventions. Therefore, I would appeal to individual Members of this House to consider well and cast their votes."

Diwan Bahadur P. KESAVA PILLAI:—"Sir, first of all, I beg to congratulate the House that it has a Member in the hon. Mr. C. P. Ramaswami Ayyar, who has made such a magnificent presentation of the Bill (hear, hear). After hearing him and of his solicitude to consult all interests and to hear all objections, that there should be any doubt in the minds of some hon. Members regarding the hon. the Law Member's correct attitude on this important measure is to be regretted. I oppose the motion of my hon. Friend, Mr. Narasimha Raju, as well as the motion of the hon. Member, Mr. Ramachari, for adjournment. If it is possible, the House should proceed at once to accept the introduction of the Bill and to allow it to go to the Select Committee stage. For the reasons already adduced by my hon. Friends from Ganjam and from South Kanara, it will serve no useful purpose to accept any adjournment that has been proposed. I would earnestly appeal to all my hon. Friends who are interested in the welfare of the Presidency, and especially to those of the dry districts, to reject both these motions."

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, I feel constrained to oppose both the amendments before the House. A month's adjournment is practically pointless and is not likely to serve any useful purpose. Six months' adjournment seems to be futile, and there may be considerable danger, I apprehend, in holding up a Bill for a period of six months. As a Member of the old Council itself, I took some part in the discussion of that ill-fated Bill, and I can say without fear of contradiction that the majority of the Members of this House have acquainted themselves with the detailed

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provisions of the Bill. It is not necessary for me at this stage to enter into any detailed discussion of the merits or the demerits of the Bill in some of its important provisions and I propose to reserve my remarks for a future occasion. But, so far as the present motion is concerned, I venture to state that this motion is rather misconceived. Having regard to the attitude of the hon. the Law Member in the elaborate statements that he made that reasonable opportunities will be given and that all reasonable representations will receive due consideration, there is absolutely no reason why we should try to place an embargo upon the Bill at this stage. The hon. the Law Member told us that the Select Committee, whatever its complexion or constitution may be, is not likely to commence its labours till about the beginning of March. That means it will give plenty of time for various public bodies and private institutions and private gentlemen to meet together and settle their well-considered resolutions and pass them on to the Select Committee for their consideration. It would also be possible for us to make ourselves felt through the medium of the Select Committee which will be constituted. In my humble judgment, the Bill is long overdue, and the hon. the Law Member, after some correspondence with the Government of India, has after all thought it fit to place this Bill before the House at a belated stage, and, as such, we should not oppose the introduction of the Bill. In these circumstances, I feel constrained to oppose the motion for adjournment."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, even on the last occasion, when the hon. Sir K. Srinivasa Ayyangar introduced the Irrigation Bill, I voted against its rejection. As one coming from the districts which are in urgent need of big irrigation schemes which have no chance of being initiated unless a measure of the kind now under discussion is enacted, I feel it my duty to give all the support I can for leave being granted for the introduction of this Bill (hear, hear). In saying so of course I am not committing myself to any acceptance of the details embodied in the Bill. I know there are some provisions in the Bill which are open to serious objection, but I do not despair of rectifying those defects either in the stage of the Select Committee or later on. I do not know whether hon. Members of this House who were sitting here last time are unaware of the fact of the introduction of some of the Bills in this House and of their emergence subsequently from the Select Committee beyond all recognition from the form they originally had. If that were possible in the case of some Bills, I do not see why we should now despair of bringing about reasonable changes in the Bill as now placed before us. So, Sir, I would appeal to the Members of all parties in this House not to treat this Bill as a party question as they did last time—very unfortunately as I think. I would appeal to them to take a broad view of the matter and to give leave only for the introduction of the Bill. I would also suggest to the hon. the Law Member to afford all facilities he can for representations being made in the Select Committee stage also. It may be that the ryots may not be able to present their objections by themselves, and they may have the necessity of invoking the aid of lawyers in presenting their points of view. I am asking him to permit representations being made by their vakils or agents. I think the hon. the Law Member is prepared to give us facilities in this way, and I do not see any reason why, after the statement that he has made, we should refuse leave for the introduction of the Bill at this stage. He has shown to us the urgency of the

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Bill and the need for its being introduced now. I do hope that the Council is not averse to the introduction of the Bill."

Mr. P. SIVA RAO :—" Mr. President, I have got the misfortune to differ from the hon. the Mover of this motion. I was a Member of the Irrigation Bill Select Committee. I was one of those who warmly advocated such a legislation. Now, Sir, it is undoubted that there is imperative necessity for such a legislation for our Presidency. We have been rightly characterized as backward in not possessing a legislation of this kind when almost every province boasts of it. The disabilities the Madras Government is labouring under for want of such a legislation have been lucidly pointed out by the hon. the Law Member. He has pointed out how the Government have been unable to finance big irrigation projects for want of financial help from the Government of India and how, before certain powers are reserved to the Local Government for the regulation of water in the land, no progressive schemes can be possible in this Presidency. It ought to convince anybody, Sir, that we ought to accept this legislation and see that it is carried as soon as possible. I was hesitating a good deal before I could make up my mind to reject the proposal of my hon. Friend Mr. Narasimha Raju. His was a very moderate demand. He asked for an adjournment by 24 days for the consideration of this Bill. But there is this obvious drawback to that motion as to whether 24 days will serve any useful purpose. As for the proposal of six months' adjournment, it savours of a proposal to reject the Bill. Now, Sir, when I say that the Bill is beneficial to the people and that it will be conducive to the greatest good of the people of our Presidency, let me guard myself against being construed as giving my support to the measure without any objection whatever. It is full of many objectionable features and it shall be the endeavour of the hon. Members who may be fortunate enough to serve in the Select Committee to weed out those objectionable features. We also regret to note, Sir, that some of the most important recommendations made by the last Committee have not been adopted by the Government for one reason or another. They may be excellent reasons so far as the Local Government is concerned, but we will strive our utmost to bring up those amendments for adoption by the Legislative Council when the time comes. On the patent defects of the Bill, I shall reserve my remarks for another occasion. Speaking on the adjournment motion, coming as I do from the famine zone of the Presidency, as one who feels the utmost need for the promotion of irrigation schemes such as the Tungabhadra project, which, I say, has tickled my ambition, by way of protecting us from the dire effects of famine from year to year, I will at once vote against this adjournment. Then, Sir, some of these provisions have to be examined in detail at the time of the Select Committee, and the hon. the Law Member has given us the undertaking, and very wisely too, that the Select Committee will not be arranged to sit before the Budget is over. It will thus take us to the first week of April and during these two months, you will have ample time for calling in representations. Probably, certain representatives of ryotwari and zamindari interests may be examined as witnesses before this Committee, and the Select Committee will bestow every possible consideration and do justice to all the interests involved in a measure of this kind.

"With these words, Sir, I oppose this motion."

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Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Sir, I was one of those who were for a short adjournment of the Bill when I entered the Council Chamber. But, after hearing the brilliant speech of the hon. the Law Member and the way in which he has been able to explain the change of heart between the Government now and that of last year, I have changed my mind, and I am convinced that no purpose will be served by adjourning the discussion on the introduction of this Bill at the present moment. He has, Sir, demonstrated the necessity for having this Bill introduced at once. He has said that it is only after introducing this Bill and informing the Government of India that the Council has taken the matter on hand in earnest that we can apply to them for funds. The funds are likely to be promised to other provinces. So, it is absolutely necessary that our application goes to them as early as possible.

"Then, there is the other thing, viz., that by acceding to the introduction of this Bill, we will be considered to have accepted the main principles of the Bill. The difficulty of several Members was that they did not know what the exact main principles of the Bill were on which the Government insisted. Now, we have got the statement of the hon. the Law Member that he does not consider any matter in the present Bill as main principles which could not be altered in the Select Committee. He says it is only a framework in which anything can be put in by the Select Committee. That is what he has stated. On the basis of that statement, I think there is absolutely no difficulty for any of us to vote for the introduction of the Bill. As I said, regarding the necessity for going into the principles and seeing whether we agree to them or not, according to the hon. the Law Member, there are only two or three matters which he said were there, and therefore everything else can be changed in the Select Committee and afterwards in the Council. So, it is absolutely unnecessary to have further time for consideration of this matter. I think that everything that is necessary can be done either in the Select Committee or in the Council. For these reasons, I have changed my view for adjournment for a short time.

"As for the Bill, I do not want to say anything now because only the adjournment motion is now before the House."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—" Mr. President, Sir, I have been listening carefully to the reasons put forward in support of the application for the adjournment of the consideration of the motion made for the introduction of the Bill, and I see no valid reasons justifying the adjournment for a month or for six months. Unlike my hon. Friend from Bellary, Mr. Ranganatha Mudaliyar, I was one of those who opposed the introduction of another Bill last year about this time. That Bill was, I am very glad, rejected, and it had very good results. That Bill was conceived not only in the Secretariat but without consulting the various representatives of the people who might be interested from various points of view. But, since then, the rejection of that Bill has had a very good effect, if I may say so, upon the bureaucrats. For, once they thought fit to appoint a Committee not merely of Members of this House representing the various interests but also gentlemen who were not Members of this House, gentlemen who had vested interests which had to be safeguarded and others who were considered experts whose advice was considered useful in shaping the Bill. The Bill that is now presented, I am aware, does not contain all the recommendations that have been made by that Committee. But, at the same time, I am aware and I

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have a catalogue of the several deviations from the old Bill which are of importance and which have been desired by that Committee. That Committee sat in April and May, and, taking the old Bill as the basis of the discussion, it practically went over all the sections suggesting amendments. With those amendments before it, there was a further discussion which from time to time was postponed owing to the exigencies of election engagements of the various Members, with the result that it met only in November last. So, the Bill that is now presented to us, though failing to satisfy the desires of the several interests in some matters, has to a great extent gone to satisfy those desires. In these circumstances, on the ground that it has not been published in the vernacular languages, applying for adjournment for one month only will not secure to that Bill or to those interested in the Bill or in such a measure any great advantage. For, nobody who has suggested this adjournment has also suggested that the Government should within this interval reshape or alter the Bill so as to meet any criticism that might be urged between now and the next month. The object not being that, there is no harm done in considering the question whether leave should be given at this meeting. No useful purpose will be served by putting it off for one month or six months. As for six months' adjournment, as has been pointed out by the hon. Member in charge of the Bill, it might be for the consideration of the rejection of the Bill, and as for one month's adjournment there will be no useful purpose served at all. I find that he has given an assurance that he would not hurry up the stages of this Bill. Sufficient time will be given for publication in all the vernacular languages and for receiving representations from all persons interested inside this House and outside this House. It may be necessary to receive representations from lawyers. I think it would do well not to seek this adjournment.

"Moreover, there is one feature in the history of this Bill. A Select Committee, so to say, has sat over this Bill, which had a hand in shaping this Bill, though not every portion that was wanted to be altered has been properly dealt with. There will be another Select Committee consisting of Members of this House which contains a number of new Members. I expect a number of new Members who happen to have come into this Council to be included in the Select Committee whose advice it will be an advantage and a privilege to have in the shaping of this Bill in the Select Committee. I have no doubt that others outside the Council will give their evidence or suggestions as witnesses before the Select Committee. For these reasons, I do oppose the application for adjournment."

Mr. C. RAMALINGA REDDI:—"I move for a closure."

The hon. the PRESIDENT:—"I am not for putting the motion for closure just yet for this reason. There are two motions for adjournment before the House and I expect that Members opposed to the Bill will be ranged on the side of either of these motions. They are as it were a little stick and a big stick with which to beat the Bill. If hon. Members desire that the discussion should be continued after these motions have been disposed of, I have no objection, but ordinarily, I should say, the discussion of these adjournment motions should leave little room for prolonged discussion of the main motion in case they both fail."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"As a matter of fact, if I may venture to say, I shall be obliged to the various Members who have been

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giving their remarks at this stage on what they conceive to be the principles either obnoxious to them or in favour of them, so that it might guide me in further deliberations. What is voted upon now will be only the adjournment motions."

The hon. the PRESIDENT:—"In that case, I will put the motions for adjournment one by one."

At this stage, Rao Sahib K. V. Ramachari applied for leave to withdraw his motion, which was granted; the motion was accordingly by leave withdrawn.

Rao Bahadur C. V. S. Narasimha Raju's motion was then put and declared lost.

At the instance of Dr. P. Subbarayan a poll was taken with the following result:—

4-30 p.m.

Ayes.

1. The Zamindar of Kurupam.
2. Hony. Lt. Madurai.
3. Mr. P. N. Marthandam Pillai.
4. " P. C. Muttu Chettiyar.
5. " C. Ponnuswami Nayudu.
6. " K. Prabhakaran Tampan.
7. " P. T. Rajan.
8. " P. Sagaram.
9. " K. Sarvarayudu.
10. " Chavadi K. Subrahmanya Pillai.
11. " C. Ramalinga Reddi.
12. Rao Bahadur C. V. S. Narasimha Raju.
13. Mr. A. Chidambaram Nadar.

Noes.

1. The hon. Sir Charles Todhunter.
2. " Sir Arthur Knapp.
3. " Mr. C. P. Ramaswami Ayyar.
4. " the Raja of Kollengode.
5. " the Raja of Panagal.
6. " Rao Bahadur Sir A. P. Patro.
7. " Diwan Bahadur T. N. Sivagnanam Pillai.
8. Mr. R. W. Davies.
9. " P. Hawkins.
10. " E. W. Legh.
11. " C. Madhavan Nayar.
12. Dr. John Mathai.
13. Mr. P. L. Moore.
14. " G. F. Paddison.
15. " H. Tireman.
16. " J. A. Davis.
17. " A. J. Leech.
18. " C. Nicholson.
19. " T. R. Venkatarama Sastriyar.
20. " C. E. Wood.
21. " Ari Gowder.
22. " S. Arpudadaswami Udayar.
23. " P. K. S. A. Arumuga Nadar.
24. " A. V. Bhanooji Rao.
25. " N. Devendrudu.
26. Sir P. Tyagaraya Chettiyar.
27. Rao Sahib S. Elleppa Chettiyar.
28. Rao Bahadur P. C. Ethirajulu Nayudu.

14. Mr. K. Koti Reddi.
15. " P. Anjaneyulu.
16. " M. Gangarazu.
17. " S. Muttayya Mudaliyar.
18. Dr. P. Subbarayan.
19. Mr. P. Peddiraju.
20. " M. Sitayya.
21. " M. R. Seturatnam Ayyar.
22. " C. V. Venkataramana Ayyangar.
23. " S. Satyamurti.
24. " T. Adinarayana Chettiyar.
25. Rao Sahib U. Rama Rao.
26. Mr. P. C. Venkatapati Raju.

29. Rao Bahadur Cruz Fernandes.
30. Rao Sahib P. V. Gopalan.
31. Mr. L. C. Guruswami.
32. " Mahabala Hegde.
33. Rao Bahadur K. Krishnaswami Nayudu.
34. Mr. V. Madhava Raja.
35. " B. Muniswami Nayudu.
36. Rao Bahadur A. M. Murugappa Chettiyar.
37. Mr. C. Muttayya Mudaliyar.
38. " O. M. Narayanan Nambudripad.
39. " B. Obalesappa.
40. " K. S. Ponnuswami Pillai.
41. " G. Premayya.
42. " P. S. Rajappa.
43. " B. Ramachandra Reddi.
44. Rao Bahadur P. Raman.
45. Mr. A. Ramaswami Mudaliyar.
46. " J. D. Samuel.
47. " K. Sarabha Reddi.
48. " K. Sitarama Reddi.
49. " R. Srinivasan.
50. Diwan Bahadur P. Kesava Pillai.
51. Rao Bahadur C. Natasa Mudaliyar.
52. " T. A. Ramalinga Chettiyar.
53. " A. S. Krishna Rao Pantulu.
54. Mr. P. Siva Rao.
55. Briman Bawanth Das Mahasayo.
56. Bai Bahadur T. M. Narasimhaachari.

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Noes—cont.

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| 57. Mr. V. O. Vellingiri Gounder. | 73. Mr. Abbas Ali Khan. |
| 58. " A. Ranganatha Mudaliyar. | 74. " Haji Abdulla Sahib. |
| 59. " J. A. Saldanha. | 75. " G. Abdulla Ghatala Sahib. |
| 60. Sriman Saibhushana Rath Mahasayo. | 76. " Abdul Hye Sahib. |
| 61. Mr. R. Srinivasa Ayyangar. | 77. " V. Hamid Sultan Marakkayar. |
| 62. Sir K. Venkatarajdi Nayudu. | 78. Khen Bahadur P. Khalif-ul-lah Sahib. |
| 63. Mr. P. V. S. Sundaramurti. | 79. Mr. T. M. Moidu Sahib. |
| 64. Rao Sahib T. C. Tangavelu Pillai. | 80. " T. N. Bava Ravuttar Muhammad Sahib. |
| 65. Rao Bahadur O. Tanikaohala Chettyar. | 81. Khan Sahib Saiyid Diwan Abdul Rasaaq Sahib. |
| 66. Mr. K. Venkatachala Padayachi. | 82. Mr. Munshi Abdul Wahab Sahib. |
| 67. Rao Bahadur C. Venkataranga Reddi. | 83. " Muhammad Yahya Ali Sahib. |
| 68. Mr. M. Ratnaswami. | |
| 69. Diwan Bahadur M. Krishnan Nayar. | |
| 70. Rao Sahib K. V. Ramachari. | |
| 71. Mr. W. Vijayaraghava Mudaliyar. | |
| 72. " R. Veerian. | |

Neutral.

1. Mr. C. Gopala Menon.
2. The Raja of Ramnad.

3. Mr. C. Maruthavanam Pillai.
4. Mr. G. Rameswara Rao.

Ayes: 26.

Noes: 83.

Neutral: 4.

The motion for adjournment was lost

The discussion on the motion of the hon. the Law Member that the Bill be read in Council was then resumed.

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Mr. President, Sir, as I said already, I support the motion that is now before the House. There is no doubt whatever that the Irrigation Act has been a matter of great delay in this Presidency and it has been stated that other Presidencies which probably had not as much irrigation facilities as Madras have had their Acts long ago. But our Presidency in which the facilities are greater and the number of works that can be taken up is many more than in other Presidencies has had no Act hitherto. It is due, Sir, to want of, probably, proper understanding between the Government and the people. There was always some difference or other when the Irrigation Bill was projected in this Presidency and even last year the reason why that measure was not allowed even to be introduced was due to the fact that the Government took an unbending attitude and said that they were committed to more or less everything that was in the Bill. The speech that has been now made by the hon. the Law Member has shown that the Government does no longer take up the same unbending attitude, and are now prepared to yield and meet the people on their own ground: that is the change of attitude that has been taken. That augurs well for the fate of the present Bill.

"Sir, the present Bill is not an ideal measure. A Bill prepared by the Government and introduced on a matter like irrigation in which there is any amount of room for difference of opinion between the people and the Government is not likely to be an ideal measure. Even when it goes before the Government Select Committee and emerges out of it, it is only going to be a compromise. So naturally in the present Bill there are several points which cannot commend themselves to the people, to the representatives of the people here. For instance, the question has been raised whether the statement of the rights of the Government made in sections 6 and 7 of the Bill is quite correct, whether that reproduces the actual right of the ryots with regard to

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the land in their possession. The very terms 'Government land' occurring in several places is objected to in some places and it is feared that in the use of that term some difficulties may arise in the future. Then the Bill omits a very important matter. It does not define the liabilities of the Government. It is very particular about the enunciation of the rights of the Government. It even claims more than what Government possesses at the present moment. But the Bill is almost silent with reference to the liabilities of the Government. For instance when the Government collects water-rates it is the duty of the Government to see that the sources and distributaries and other things are kept in proper repairs. There is no statement at all as to the liability of the Government with reference to keeping the sources of water-supply in proper repair. Then, Sir, there is this archaic provision about the compulsory labour. No doubt the hon. the Law Member has told us that he only reproduced what was in the former Bill but there is no reason whatever as to why they should be reproduced at all in the present Bill. Again with regard to the water-cess that has to be levied, there are some very inconvenient courses proposed in the Bill. There are for instance provisions for increasing the rates without really effecting any improvement in the facilities that the land enjoys. Also there are other provisions of the Bill which also have to be looked into, as, for instance, the provisions about compensation which require looking into very carefully. If I go into the details of the provisions with regard to compensation, I can show that in very many matters the provisions made are not adequate.

"As the hon. the Law Member has told us in the beginning of his speech that this is only a framework and he is not committed to everything in the Bill and that all matters can be gone into in the Select Committee and that he is not wedded to what is stated in the Bill, I do not think anything will be served by going into minute details just at present. But, Sir, in the main it will be necessary to say that the provisions relating to the award of compensation have given rise to suspicion in the minds of the ryotwari landholders and the zamindari landholders. So, that chapter will have to be very carefully looked into before it can assume a final shape in this Council.

"Then, Sir, there are provisions made for new works as well as for works already in existence. With reference to the new works, there is probably reason for some of the rules that are proposed to be made; but with regard to the old works also same provisions have been made. Now, Sir, the hon. the Law Member explained in his speech, that with reference to certain works certain rights will have to be taken over by the Government either by paying compensation in water or otherwise. But with reference to other rights whether it is necessary to leave out the stringent provisions in the Bill is another question to be gone into. I believe, Sir, I have stated sufficiently to show that the Bill as it stands is not likely to command the approbation of the people generally. The old Bill was even worse. This Bill at least has some improvements but the other one was even worse, and the gentleman who was in charge of the Bill was unbending and he was not prepared to give the assurance held out by the hon. Mr. C. P. Ramaswami Ayyar to-day.

"Then, Sir, with regard to the zamindars, a number of changes have been made in their favour. Probably, if there is anybody who ought to feel satisfied with the changes and who ought to co-operate with the Government in helping the passing of the Bill through the Council, I think it is they. It is unfortunate that they have not done so but they are still claiming more

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and more privileges. This is a Bill to help the country as a whole and I am afraid there is a misconception that the Bill is for the Government to protect their interests. It is not the case and if that misconception is kept on we cannot realize that it is for the sake of the people that the Bill has been introduced and has to be passed. Probably many such misconceptions will very soon vanish. After the change in the attitude of the Government, if there is a change in the conception of this measure in the minds of the people also, I have no doubt that we will be in a position to come to an amicable agreement on almost all the points, before the Bill reaches the final stage in this Council.

"I congratulate the hon. the Law Member on the excellent speech he has made and the very good impression he has been able to create in the minds of the Members and I do wish that this Bill will very soon be passed into law and be considered as a monument for the energy and for the ability its promoter has shown by that."

4-45 p.m. Mr. S. ARPUDASWAMI UDAYAR :—"I heartily support the Bill that has been introduced by the hon. the Law Member. While doing so, I must in all fairness admit that what is really at the back of the mind of my Friend Mr. Narasimha Raju is that certain recommendations made by the Select Committee of which he was a member have not been given effect to by Government, either the Madras Government or the Government of India. I remember, Sir, that he was one of the most energetic Members of the Select Committee and there is also a memorandum appended to the report signed by him and Mr. Ramachandra Rao, the leader of the Opposition in the old Council. There was also another gentleman, a very energetic and ardent champion of the rights of the zamindars, viz., Mr. G. Venkataranga Rao. It might be that the recommendations made by these gentlemen, and also others were really governed by principles which they thought were very essential. It is left to them now to recollect what those recommendations were or if it is not possible for them to remember what those recommendations were, I am sure the hon. the Law Member will be in a position to state what those recommendations were which were submitted to the Government of India and how many of them were not accepted by them and why. As regards the question whether an Irrigation Bill is necessary, I think there is no difference of opinion in this Council, nor is there difference of opinion in the country or in the province. Many people have come to me—and I represent a constituency the majority of landholders in which are petty mirasidars—with requests that the projects held up for want of an Irrigation Bill should be of a nature to benefit them. They feel that all their labours very often bear no fruit and become unavailing because of the sudden stoppage of the flow of water in some channel or because they depend upon periodical showers. From Trichinopoly to Madura one can see dry lands where people are sinking wells with very great difficulty and irrigating dry lands. If showers fail they are driven to privation and misery. So as regards those ryots they are willing to contribute anything which would enable them to see some kind of channel constructed which will convey water to their fields. Already many have come to me and asked me to consult the hon. the Law Member and to see the Engineer in charge of Metur project and try to irrigate some portions of the Tanjore district which they fear fall outside the Metur project. Secondly, Sir, whether the present Bill or the Bill, in its present form is necessary is another question. Now here difference of opinion possibly may arise. Even these differences of opinion relate to three or four

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6th February 1924] factors. Have the rights of the zamindars been adequately recognized and safeguarded? Have all the rights clearly defined and acknowledged by the decisions of the High Court and the Provincial Council been given effect to in this Bill? The hon. the Law Member has made a frank statement on that point, viz., that in certain clauses of the Bill he has actually incorporated and made use of the very language of the Urlam decision. The hon. the Law Member who has taken the trouble to embody the very language of the Urlam decision will be prepared to listen to the depositions of mirasidars and other ryotwari interests and also depositions led by our vakil friends who are expected to go into all the intricacies of law and disentangle all those intricate clauses which people fear might be interpreted prejudicially to the interests of the zamindars and the tenants. Secondly, there was an admission by the hon. the Law Member that the ryotwari interests have not been championed and upheld to the same extent, but have nevertheless been to the best of his ability safeguarded. This admission that very many did not seem to take up the championship or advocacy of the interests of the ryotwari landholders will be specially noted by the Members of this Council. I hope that now that the ryotwari landholders know that adequate representation has not been made they will supply the deficiency and enable the hon. the Law Member to meet their wishes satisfactorily and as fully as is compatible with the essential principles which form the groundwork of this Irrigation Bill and which are not opposed to the rights hitherto enjoyed and respected.

"Thirdly, as regards the complaint that the jurisdiction of the courts has not been sufficiently recognized, even there the hon. the Law Member has left it open to the members of the Select Committee and for the members of the Council representing the interests of the zamindari and ryotwari landholders to include this jurisdiction of courts in the several chapters or clauses whence it has been excluded.

"As regards the fourth complaint, viz., compulsory labour, even there the admission has been made by the hon. the Law Member that if a distinction has not been sought to be made between coolie labour and other kinds of labour, it was more with a view to avoid a certain kind of language than for really conferring any hardship upon the people. So if Members think that some distinction ought to be made between the labouring class and the non-labouring class they are quite welcome to introduce this distinction. On the whole, Sir, we are led to think that every honest endeavour and every sincere attempt has been made to meet the wishes of the Members of the Select Committee who represented various interests and that every attempt will be made to adequately safeguard the interests of the zamindars or ryotwari holders and of all those that will be affected by this Irrigation Bill if but proper representations are made and suitable amendments brought in.

"There is also another reason why I should urge that the Bill be taken up and made into law as soon as possible. That is the temper and disposition of the hon. the Law Member and solicitude manifested by him to meet the wishes of Members who represent different interests. That is an important asset. I think hon. Members will take full advantage of this excellent disposition and solicitude he has manifested and see that this Bill is so modified as to operate for the benefit of the vast majority of people. On these grounds I think the House will be unanimous in carrying the Bill."

The hon. the President then called upon the hon. the Law Member to reply.

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Mr. S. SATYAMURTI:—"There are many Members anxious to speak on this motion."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"As I was saying, Mr. President, it may be useful to the Government to know exactly the points of view put forward by various representatives so that I, as the President of the Select Committee, may be able to guide the deliberations of the Select Committee. I shall be indebted to hon. Members for their observations. I am interrupted and interrogated whether it is going to the Select Committee. I am always speaking subject to what may happen. There is a Select Committee sitting at 5-10. For that reason may I suggest that we may resume the discussion to-morrow?"

The House then rose for the day to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX V.

[Vide item 'III. Communication to the Council', page 171 supra.]

List of various projects which have been delayed or held up owing to the non-passage of the Irrigation Bill

Serial number.	Name of district.	Name of project.	Estimated cost (with year).	Area proposed to be irrigated.
A.—Schemes which are beset with difficulties with zamindars in the way of their further progress.				
1	Ganjam ..	Alipur Channel ..	Rs. 25,000—(1921) ..	Ac. 1,200.
2	Do. ..	Dharabasingi Reservoir ..	....	....
3	Do. ..	Vamsadhara Project ..	90 lakhs—(1920) ..	30,000 of new irrigation and additional supply to 47,000 acres of old irrigation.
4	Do. ..	Extension of Nagarikatakam Channel.	71,000—(1904) ..	8,130.
5	Visagapatam.	Nagavalli Reservoir ..	26.14 lakhs—(1911)..	....
6	Do. ..	Tuni Reservoir ..	57 lakhs—(1922) ..	40,000.
7	Do. ..	Increasing the storage capacity of the Kondakerla Ava.	Over 5 lakhs—(1920).	1,600.
8	Do. ..	Formation of a reservoir on the Varaha at Indesamma vaka.	....	....
9	Godavari ..	Polavaram Island Project.	18.5 lakhs—(1922) ..	16,316.
10	Do. ..	Construction of a reservoir on the Yeleru near Elleswaram.	....	....
11	Salem ..	Badathalov Project ..	1.5 lakhs—(1910) ..	2,000.
12	North Arcot.	Improvements to Tirupattur large tank.	18,270—(1922) ..	Intended mainly to improve the supply to the tank and save annual remission on the ayacut commanded by it.

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Serial number.	Name of district.	Name of project.	Estimated cost (with year).	Area proposed to be irrigated.
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B.—Larger irrigation projects that cannot be properly worked out without an Irrigation Law.

1	Tanjore ..	Cauvery (Matur) Reservoir Project.	Rs. 562 lakhs—(1922) ..	Ac. 280,000.
2	Kistna and Guntur.	Kistna Reservoir ..	834 lakhs—(1912) ..	735,000 first crop and 167,000 second crop.
3	Ceded District and Nellore district.	Tungabhadra Reservoir.	13 crores—(1909) ..	961,800 of wet crop. Will also protect 1,000,000 acres of dry crop.

C.—Projects worked out on a productive basis which had to be held in abeyance on account of water-rates agreed to being higher than current ones. Without an Irrigation Law a binding agreement cannot be made with ryots.

1	Godavari ..	Polavaram Island Extension	18.55 lakhs—(1922).	16,316.
2	Do. ..	Coringa Island Extension.	4.69 lakhs—(1919)..	14,374.
3	Guntur ..	Pratur Pumping Extension.	17.57 lakhs—(1923)..	10,500 (single crop).
4	Kurnool ..	Velgode Reservoir and Kurnool-Cuddapah Canal Improvements.	102 lakhs—(1917) ..	46,100 of first crop and 15,000 of second crop.
5	Bellary ..	Benikal Tank Project.	1 lakh—(1915) ..	400.
6	Anantapur.	Upper Penner Project.	23.84 lakhs—(1917).	12,000.
7	Salem ..	Marandahalli Ancient Extension.	2.86 lakhs—(1917) ..	1,600 for first crop and 500 for second crop.
8	Malabar ..	Meengarai Reservoir ..	13 lakhs ..	24,000.
9	Do. ..	Malampuzha Reservoir.	23.6 lakhs ..	40,000.
10	Do. ..	Kilakanoheri Project ..	14.5 lakhs ..	5,000.
11	Nellore ..	Vengalapuram Project.	34 lakhs—(1916) ..	16,500.
12	Do. ..	Atleru Reservoir ..	7.56 lakhs—(1917) ..	3,000 (first crop) and 1,060 (second crop).
13	Do. ..	Gandipalem Reservoir.	16.40 lakhs—(1917).	13,543.
14	Do. ..	Rallapad Reservoir ..	30 lakhs ..	13,235.
15	Chingleput.	Uttiramerur Project ..	12.82 lakhs—(1917).	2,352.
16	Do. ..	Madurantakam Tank Improvements.	4.80 lakhs—(1906) ..	574 acres of first crop new irrigation. Will also protect existing irrigation of 13,283 acres and provide water for the cultivation of 600 acres (second crop).
17	Trichinopoly	Pimbalur Reservoir ..	1.48 lakhs—(1922) ..	500.
18	Do. ..	Araalur Project ..	56,000—(1922) ..	225.
19	Do. ..	Omandur Project ..	60,000—(1922) ..	300.
20	South Arcot.	Reclamation of the Kaliveli swamp.	14 lakhs (1922) ..	4,865.

General note.—The necessity for an Irrigation Law was pointed out by the Government of India on more occasions than one. In 1905 they expressed it as their decisive opinion that 'Legislation is necessary in Madras in order to secure to Government such power of control over the water stored for irrigation as will enable it to make the best possible distribution thereof and prevent embarrassing litigation' and that they would therefore be 'reluctant to authorize the commencement of construction of the Cauvery Reservoir project until the Irrigation Law has been placed in a satisfactory state'. This opinion was reiterated by them in 1906 in connexion with the Tungabhadra project. The opinion must, of course, be taken to be applicable to the Kistna Reservoir and other more important projects in the Presidency.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, 7th February 1924.

The House met at 11 o'clock, the hon. the President (Diwan Bahadur L. D. SWAMIKANNU PILLAI Avargal, C.I.E., I.S.O.) in the Chair.

The hon. the PRESIDENT :—" I wish to state for the information of the House that in view of the extraordinary number of questions which are being answered to-day I have had them arranged not only in the order of the main subjects dealt with but also in the order of the several Members of the Government who are answering them. Further, in order to enable each interpellator to concentrate attention on the questions in which he is specially interested, I have had a nominal index of interpellators distributed along with the answers. In future such an index will be regularly included in the Agenda paper whenever the question list is exceptionally heavy as it is to-day. I shall also ask the Secretary to make a sufficient pause after each question, as he is required to do by the President's order, to allow hon. Members a reasonable opportunity of rising in their places if they are desirous of asking supplementary questions."

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 and answers shall be arranged in order of subjects.

The Secretary shall call the name of each interpellator in the order in which the names are printed, 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.]

Administration Report.

Incorporation of chapter on Muhammadan employment in the Presidency Administration Report.

177 Q.—Mr. K. ABDUL HYE SAHIB: Will the hon. the Member for Finance and the hon. the Home Member be pleased to state whether the Government have decided on the omission of the chapter on Muhammadan employment incorporated in the Presidency Administration Report in spite of the fact that it was inserted under the express orders of the Government of India?

A.—The paragraph in question is being expanded into one dealing with the general question of representation of the main communities in Government service.

[7th February 1924]

Cabinet.*The issue of a Whip on the 'No-confidence' motion.*

178 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state—

(a) whether his attention has been drawn to a letter of Mr. S. Muttayya Mudaliyar, M.L.C., appearing in the 'Swarajya' of the 22nd December 1923 and referring to a Whip issued by the hon. the Raja of Panagal with regard to the 'No-confidence' motion;

(b) whether he knew of that Whip, dated the 21st November 1923, on the 27th November 1923, when he answered my Oral question in the Council; and

(c) whether the hon. the Raja of Panagal in issuing the said Whip had consulted any or all of his Colleagues in the Cabinet?

A.—(a) It has now been drawn to it.

(b) The answer is in the negative. I was asked to dispense with notice and reply immediately to a question relating to action taken in the Home Department. I took it that what the hon. Member had in view was a telegram issued by the Labour Commissioner at the instance of the Secretary to the Council to certain of the nominated members who represent the depressed classes, and having ascertained that that telegram could not possibly bear the complexion of a Government Whip, I gave the answer that I did.

(c) The Government consider that details of consultations between the Members that compose it should be treated as secret. They cannot therefore answer this question.

Discussions in the Cabinet.

179 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Finance be pleased—

(a) to lay on the table a statement showing the portfolios held and administered by the seven Members of the Cabinet; and to state—

(b) whether all subjects are discussed at full meetings of the Cabinet, and

(c) whether the Members of the Executive Council and the Ministers meet separately for the discussion and decision of questions relating to the Reserved and Transferred departments respectively?

A.—(a) The hon. Member is referred to the answer to question No. 61.

(b) & (c) The procedure in respect of the transaction of business in his Executive Council and with his Ministers is regulated by His Excellency the Governor. The Government do not think it desirable to disclose the details of the procedure followed or of the part taken by particular Members of the Government in the transaction of any particular business.

[7th February 1924]

Mr. C. RAMALINGA REDDI:—"With regard to (b) and (c) of the answer, I am sure the hon. the Leader of the House will agree with me when I say that more than once His Excellency as well as Members of his Government have officially referred to the fact that joint consultation was a feature of the Madras Government and even prided themselves that, so far as that feature went, Madras was an improvement over the other presidencies. Such declarations having been publicly made, what is the good of my hon. Friend, the Leader of the House, now trying to take refuge under this plea of confidential matter? So I would request him to give us a candid answer as to firstly whether at the beginning joint consultations had been the rule or not, secondly whether such consultations have not been held in the same manner and to the same extent and thirdly whether, if any change had been brought about, it has been brought about by the initiation of the Local Government or under stress from the Government of India or the Right hon. the Secretary of State."

The hon. Sir CHARLES TODHUNTER:—"I have nothing to add, Sir, to the answer on the paper."

Mr. C. RAMALINGA REDDI:—"Does the hon. the Leader of the House deny my statement that more than once in public the Head of the Administration as well as responsible Members of the Government had said that joint consultations were a special feature of the Government here and in so far as that feature went we were a great improvement over the other provinces?"

The hon. Sir CHARLES TODHUNTER:—"The answer, Sir, is in the negative."

Mr. C. RAMALINGA REDDI:—"Then, are we not entitled, since the veil had been lifted so far, for complete publicity of the whole matter? If the thing had not at all been referred to, it would have been a different thing. But the thing having been to some extent revealed, are we not entitled to a complete revelation?"

The hon. Sir CHARLES TODHUNTER:—"The answer, Sir, is in the negative."

The issue of a Whip in connexion with the "No-confidence" motion.

180 Q.—Mr. C. RAMALINGA REDDI: Will the hon. the Member for Finance be pleased to state—

(a) whether his attention has been drawn to the terms of the Whip issued by the hon. the Chief Minister and dated 21st November 1923 in connexion with the 'No-confidence' Address debated last November;

(b) whether he was aware of the existence of the Whip at the time he answered, on the 27th November, Mr. Satyamurti's question as to whether Government had issued any whip in the negative; and

(c) if he was not, whether he will be so good as to inform the House as to when the Chief Minister informed him of its existence?

A.—(a) My attention has been drawn to a letter published in the *Swarajya* by Mr. Muttayya Mudaliyar on the 22nd December 1923.

(b) I was unaware of the existence of the letter in question on the 27th November.

(c) The Government do not propose to make public private discussions between Members and Ministers.

[7th February 1924]

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(b) I was unaware of the existence of the letter in question on the 27th November.

(c) The Government do not propose to make public private discussions between Members and Ministers.

[7th February 1924]

Customs.*Land customs duty on certain articles.*

181 Q.—Mr. K. SITARAMA REDDI: Will the hon. the Member for Finance be pleased to state—

(a) whether any decision has since been arrived at regarding the proposal to cancel land customs duty on certain articles referred to in the answer to my question No. 610, dated 19th December 1922;

(b) if not, the reason for the delay;

(c) the total earnings of the department in the shape of land customs; and

(d) the total establishment charges of the Land Customs department?

A.—(a) The answer is in the negative.

(b) The whole question is under reference to the Government of India with whom the decision rests.

(c) Rs. 10,89,757.

(d) Rs. 94,523.

Depressed classes.*The Panchamas in public service.*

182 Q.—Mr. P. V. S. SUNDARAMURTI: Will the hon. the Member for Finance and the hon. the Home Member be pleased to state—

(a) whether any special concessions have been shown in the way of promotions to the Panchamas who are already in public service;

(b) if so, to how many;

(c) whether the Government have communicated their intention to the heads of various departments of giving preference to deserving men of the depressed classes in the matter of appointments and promotions; and

(d) if so, whether it is being given effect to?

A.—(a) & (b) The Government have no information.

(c) & (d) General instructions have been issued in G.O. No. 658, Public, dated 15th August 1922, in the matter of the representation of the various communities in the public service and the Government have no reason to doubt that they are being observed.

Appointment of depressed classes in Government Service in the Kistna district.

183 Q.—Mr. P. PEDDIRAJU: Will the hon. the Member for Finance and the hon. the Home Member be pleased to state the number and nature of appointments that were filled up by (1) Adi-Andhras and (2) members of the other depressed classes in the Kistna district on a salary of more than Rs. 30?

A.—The figures showing the statistics of appointments of members of the depressed classes will be published in due course in the form of return prescribed in G.O. No. 563, Public, dated 21st July 1923. Information relating to appointments held by the different classes included in the term 'depressed classes' is not available.

[7th February 1924]

Finance.*Non-gazetted public servants.*

184 Q.—Khan Bahadur HAJI ABD-UL-LAH HAJI QASIM SAHIB Bahadur: Will the hon. the Member for Finance be pleased to state—

(i) the number of houseless indigent non-gazetted public servants including local and municipal; and

(ii) if the Government have no information on the subject, whether the Government will be pleased to get the necessary statistics from all the districts?

A.—(i) The Government have no information as to the number of public servants who own no houses. They can only say that the rules provide for the grant of advances for building them and that the extent to which advantage is taken of these rules is small. Indigence is a matter of degree. If the hon. Member fixes the salary which he regards as connoting indigence, he will be able to prepare from the Civil Budget Estimate figures of the number of officers who derive incomes of less than the limit fixed from the Government.

(ii) The Government see no object in collecting statistics as to the extent to which public servants, who by the nature of their work cannot always live in their native districts, are in possession of houses either there or elsewhere.

Government Press.

185 Q.—Mr. M. RATNASWAMI: Will the hon. the Member for Finance be pleased to furnish information as to the kinds of high class printing work done at the Government Press which require the retention of a highly-paid European staff?

A.—The hon. Member appears to assume, first, that the rate of salary paid to the supervising officers in the Government Press is high, secondly, that it is high because the officers are Europeans, and thirdly, that European supervision is necessary only for high class printing work. None of these assumptions is correct. The rates paid are less than those paid in private firms. Europeans are employed because it has been found impossible after advertisement to secure men with the necessary training in India. The simplest as well as the most complex printing work can be high class or low class. In other words the simplest impression, if wrongly taken, may result in ruining the fount of type from which it is taken. The Government have reason to believe that the work of all classes done in the Government Press will be found to compare favourably in respect of its execution with work done elsewhere in India.

Mr. M. RATNASWAMI:—"May I ask the Government whether in private firms, like Messrs. Hoe & Co., and others the same kind of printing work as is done in the Government Press is not done and, if so, whether these private firms also require the European supervision that is required by the Government Press?"

The hon. Sir CHARLES TODHUNTER:—"I believe, Sir, that, generally speaking, that is the case. I cannot disclose any information I have about the concerns of any particular firm."

[7th February 1924]

Mr. M. RATNASWAMI :—“ May I say that that is hardly an answer to my supplementary question? I wanted to know in my supplementary question whether private firms do not undertake the same kind of printing as is undertaken by the Government Press and, if so, when private firms can do without European supervision what is the necessity for the European supervision in the Government Press? ”

The hon. Sir CHARLES TODHUNTER :—“ I am not aware of any private firm that can undertake all the classes of work undertaken by the Government Press that does not employ an European.”

Mr. M. RATNASWAMI :—“ May I ask, Sir, what special kind of work is done at the Government Press which is not undertaken by the private firm? ”

The hon. Sir CHARLES TODHUNTER :—“ I have a very fine sample of the work in my room at the present moment. If the hon. Member will give me the pleasure of his company there, I shall be very pleased to show it to him.”

Mr. C. RAMALINGA REDDI :—“ I must protest against this, Sir. We too are interested in the matter.”

The hon. Sir CHARLES TODHUNTER :—“ If hon. Members desire, I shall send for the book at once.”

Mr. M. RATNASWAMI :—“ May I ask, Sir, whether the same amount and the same kind of European supervision is found necessary in the other Government Presses in India? ”

The hon. Sir CHARLES TODHUNTER :—“ I have no exact information, but I believe some of the other Government Presses have considerably more European supervision than we have.”

Mr. M. RATNASWAMI :—“ May I know how many? ”
(No answer.)

Joint Financial Secretary.

186 Q.—Mr. YAHYA ALI SAHIB : Will the hon. the Member for Finance be pleased to state why, as provided in rule 36 (2) of the Devolution Rules framed under the Government of India Act, a Joint Financial Secretary has not been appointed for examining and dealing with financial questions arising in relation to transferred subjects?

A.—The question of the appointment of a Joint Secretary contemplated in Devolution Rule 36 (2) and (3) was considered, but since the necessity for the creation of the post has not yet arisen the appointment was not made.

Mr. YAHYA ALI SAHIB :—“ Is it because that there is no necessity or is it because that the hon. the Ministers do not desire such an appointment to be made? ”

The hon. the RAJA OF PANAGAL :—“ The answer already given is complete. As yet there has been no necessity for such an appointment. If such a necessity arises, the matter will be considered.”

Sriman SASIBHUSHANA RATH Mahasaya :—“ Does the hon. the Minister say that there is no necessity for such an appointment as that so far as the transferred departments are concerned? ”

(No answer.)

[7th February 1924]

Subscription to the “ Fort St. George Gazette ”.

187 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Finance be pleased to state the rates of subscription and the number of paying subscribers to the Fort St. George Gazette at the beginning and end of the calendar year 1922, respectively?

A.—(1) The rates of subscription exclusive of postage charges for the Fort St. George Gazette at the beginning and at the end of the calendar year 1922 are given below :—

Parts of the Gazette.	Rate at the beginning of 1922. Subscription per quarter.			Rate at the end of 1922. Subscription per quarter.		
	RS.	A.	P.	RS.	A.	P.
(1) Full gazette and all supplements ...	4	0	0	6	8	0
(2) Full gazette only ...	3	0	0	4	12	0
(3) Part I and its supplements ...	2	8	0	2	8	0
(4) Part I-A and its supplements ...	1	0	0	1	0	0
(5) Part I-B and its supplements ...	2	8	0	2	8	0
(6) Part II and its supplements ...	2	8	0	2	8	0
(7) Part III—Acts and Bills of the Government of India and its supplements ...	0	8	0	0	8	0
(8) Part IV—Acts and Bills of the Government of Madras and its supplements ...	0	12	0	1	0	0

(2) The number of paying subscribers to the gazette was as follows :—

	At the beginning of 1922 (January).	At the end of 1922 (December).
Full gazette ...	376	389
Part I-B and supplements ...	274	266
Other parts ...	50	49

Men trained in the use of the linotype machine.

188 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Finance be pleased to state the number of operators already trained and now under training in the use of the linotype machine by the European operator at the Government Press, Madras?

A.—Three men have already been trained and three men are now under training.

[7th February 1924]

Examiner of Local Fund Accounts.

11-15 a.m. 189 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Member for Finance be pleased to state—

(a) whether the present Examiner of Local Fund Accounts was appointed for any special term and on any special conditions and, if so, under what conditions and for what term;

(b) whether it is a fact that that officer has now been asked to revert to his original appointment and, if so, whether there were any special reasons for doing it; and

(c) if the answer to the above question (b) is in the affirmative, whether the Government will be pleased to state if they have appointed any one to succeed him and, if so, whether the officer so appointed has superseded some seniors and what his special qualifications for the post are, and whether the appointment was made on the advice of the Accountant-General?

A.—(a) The present Examiner of Local Fund Accounts was appointed under no special conditions, but for a special term of three years from the 1st of April 1921. His tenure of the post is therefore determined automatically on the 31st March 1924.

(b) The period of the officer's appointment having expired, he will, in the natural course of events, rejoin his own department.

(c) Government have selected a successor to the present Examiner, but the order of appointment has not yet been issued. The appointment involves the supersession of no one.

Mr. C. V. VENKATARAMANA AYYANGAR:—"I am sorry that the last portion of clause (c) has not been answered."

(No answer.)

Council Secretaries and Additional High Court Judges.

190 Q.—Mr. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state whether he has any intention of making provision in this year's budget for (a) Council Secretaries and (b) Additional High Court Judges?

A.—The hon. Member's attention is invited to rules 31, 32 and 37 of the Devolution Rules from which he will observe that the making of provision for particular expenditure in the budget does not depend upon the intentions of the Finance Member.

Mr. C. RAMALINGA REDDI:—"I would like to know, Sir, whether there are any proposals with respect to these appointments?"

The hon. Mr. U. P. RAMASWAMI AYYAR:—"As to the appointment of two more Judges, I have already answered that Government examined the proposal, but felt not being able to recommend for the creation of these two posts."

The hon. Sir CHARLES TODHUNTER:—"The other matter is under consideration."

7th February 1924]

Basis of fixing the salary of subordinate service.

191 Q.—Mr. L. C. GURUSWAMI: Will the hon. the Member for Finance be pleased—

(a) to call for and lay on the table all the supplemental instructions and circulars issued by the Government and the Accountant-General to the heads of departments regarding the interpretation of G.O. No. 711, Financial, dated 11th July 1921;

(b) to lay on the table the Fundamental Rules with the latest correction slips or orders issued by them;

(c) to explain in detail why the period of three months prior to 1st March 1921 was ordered to be taken into consideration in fixing the initial pay of subordinates; and

(d) to state whether it is the intention of the Government to fix the average initial salary of subordinates for a period of one year prior to 1st April 1921 as defined in rule 9 (2) of the Fundamental Rules and to cancel G.O. No. 711, Financial, dated 11th July 1921, with retrospective effect from 1921?

A.—(a) The Government in the Finance Department have not issued any supplemental instructions or circulars. They see no reason for laying on the table instructions issued by the Accountant-General to give effect to the orders of the Government.

(b) The hon. Member is referred to the *Fort St. George Gazette*, in which the rules in question have been published.

(c) The ordinary rule for bringing officers on fixed pay on to an incremental scale was contained in articles 157 and 158, Civil Service Regulations, to which the corresponding provision in the Fundamental Rules is to be found in rules 22 and 23. This involved bringing the officers on to the time-scale at a stage equal to or just above their substantive pay which would have meant a reduction of salary in a great majority of cases. The purpose of the revision was to merge the temporary allowances in pay and to convert the graded scales of pay into incremental scales, and the Government wished to do this with as little variation as possible of the rates of pay the officers were drawing at the time. They therefore decided that the fairest all-round course that could be adopted was to base their calculations upon the total of substantive pay, temporary allowance and acting allowance drawn in the three months before the order took effect.

(d) Rule 9 (2) of the Fundamental Rules defines 'average pay' for the purposes of calculating leave allowances. It has no connexion with the order in question. The Government have no intention of cancelling the order and embarking with retrospective effect upon another revision of salaries of several thousands of Government officers.

[7th February 1924]

Public Services.*Muhammadans in the Superior Service in the Transferred Departments.*

192 Q.—MR. K. ABDUL HYE SAHIB: Will the hon. the Member for Finance be pleased to state the number of Muhammadans appointed to posts on Rs. 250 to Rs. 500 and on Rs. 500 and above in the Transferred Departments since the introduction of the Reforms?

A.—The information asked for can be obtained from a scrutiny of the Civil Lists for the years in question.

Posts of Collector reserved for members of the Provincial Civil Service.

193 Q.—MR. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state—

(a) whether four posts of Collector and District Magistrate are reserved for the members of the Provincial Civil Service;

(b) whether only three such members of the Provincial Civil Service are now holding the posts of Collector and District Magistrate; and

(c) the reasons why a fourth member of the Provincial Civil Service has not been appointed?

A.—There is no provision in the Government of India Act under which posts can be reserved for the members of the Madras Provincial Service. Section 99 provides that the authorities in India by whom appointments are made to offices in the Indian Civil Service may appoint to any such office any person of proved merit and ability domiciled in British India and born of parents habitually resident in India subject to such rules as may be prescribed by the Governor-General in Council and sanctioned by the Secretary of State in Council. The rules governing the subject are under revision, and the notifications at present in force permit the appointment to posts of Collector of three persons who are not members of the Indian Civil Service. Three members of the Provincial Civil Service are now in charge of districts. Two other members of that service hold posts which are graded as Collectorsates.

Communal representation in higher services.

194 Q.—MR. M. RATNASWAMI: Will the hon. the Member for Finance be pleased to state the total number of Indian Christians, Brahmans and Muhammadans, respectively, employed in the public services drawing a salary of Rs. 500 and above a month?

A.—The hon. Member is referred to the Annual Civil List.

Re-employment of Government pensioners.

195 Q.—MR. SAMI VENKATACHALAM CHETTIYAR: Will the hon. the Member for Finance be pleased to state if any pensioners on Rs. 100 and above have been re-employed in Government service in the City; if so, what is the number of such pensioners and what are the departments and the capacities in which they are employed?

A.—The information is not available.

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The Lee Commission.

196 Q.—MR. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state—

(a) whether the Government of Madras was consulted with regard to the appointment of the Lee Commission;

(b) what the opinion of the Government of Madras on the matter was and whether it was unanimous;

(c) whether the Government of Madras selected the witnesses—associations as well as individuals—to give evidence before the Commission, or whether they were consulted in the matter;

(d) what are the names of the associations or individuals whom the Government selected or recommended to give evidence before the Lee Commission, and on what principle the selection or recommendation was made;

(e) whether the name of the Madras High Court Vakils' Association was suggested to the Commission by the Government; and

(f) whether the Government have placed any proposals before the Lee Commission, and, if so, what they are?

A.—(a) & (b) The answer is in the negative.

(c) & (d) The Government distributed copies of the questionnaires to a number of associations and individuals, of whom a list has already been published in the newspapers, and the Commission selected from among those who sent in written replies the witnesses from whom they wished to receive oral evidence.

(e) The answer is in the negative.

(f) The correspondence and discussions between the Government and the Commission were confidential.

Reforms.*Power of appointment and control by Ministers.*

197 Q.—RAO BAHADUR T. A. RAMALINGA CHETTIYAR: Will the hon. the Member for Finance be pleased to state—

(1) whether it is a fact that the power of control and appointment possessed by the Ministers before were curtailed within the last few months; if so, when were they so curtailed;

(2) whether the Ministers have agreed to the changes made in the rules, procedure followed or the curtailment of their powers; if so, when; and

(3) what are the powers of the Ministers with reference to appointment and control of officers in the Transferred departments; in what respects do they differ from those of Executive Councillors in the Reserved departments?

A.—(1) & (3) The general powers of Members of Council and Ministers in respect of subjects committed to their control are defined in sections 50 and 52 of the Act, respectively. Briefly speaking, in the case of Reserved subjects, when a difference of opinion arises, the opinion of the majority prevails unless the Governor sees reason to reject it on the ground that the safety, tranquillity or interests of the province would be essentially affected if it were put into operation. In the case of Transferred subjects, the Governor is guided by the advice of his Ministers unless he sees sufficient cause to dissent from their opinion.

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These general powers are limited by the Devolution Rules framed under section 45-A (2) (iv) of the Act, which provide (Schedule I, Part II, item 47) that the general control of service questions rests in the Governor in Council and (rule 10) that the personal concurrence of the Governor is necessary in respect of all orders to the prejudice of officers of All-India and Provincial services and of all postings of officers of All-India services.

They are further subject to the general body of rules and other provisions in operation at the time of the passing of the Government of India Act which are preserved by sections 96-B (4) and 133 of that Act. One of these provisions is embodied in despatches of the Court of Directors which lay down that it rests with the Governor to select and nominate the individuals whom he may consider to be best qualified and to have the best claims to supply vacancies in office and that the concurrence of the Members of Council to the nominations of the Governor ought not to be withheld unless specific objections to the persons selected are considered to be of material importance on the ground of unfitness for the particular office. There is also a large body of rules and orders governing qualifications for appointments, powers of heads of departments and other cognate matters.

They are further subject to the rules framed by the Secretary of State in Council under section 96-B (2) of the Act for regulating the classification of the Civil Services in India, the methods of their recruitment, their conditions of service, pay and allowances, and discipline and conduct; and in respect of the Indian Civil Service to the rules framed under section 97 of the Act. The principal rules so far framed under these sections are the Fundamental Rules and the rules dealing with the classification of the services and examinations for the Indian Civil Service.

Lastly they are subject to the provisions of clause VII (4) of the Instrument of Instructions which requires the Governor to safeguard all members of the services in the legitimate exercise of their functions and in the enjoyment of all recognized rights and privileges, and to see that all things are ordered justly and reasonably in their regard and that due obedience is paid to all just and reasonable orders and diligence shown in their execution.

It will be seen from the above that the bulk of the duties in relation to the public services are laid upon the Governor. He must take the initiative in appointments; he must personally concur in every order to the prejudice of an officer in an All-India or Provincial service, and in the case of All-India services, even in postings; and he is generally charged with the protection of the services against political influences.

So far as concerns the giving of advice to the Governor, the powers of Members of Council and Ministers are identical subject to the difference in the general powers prescribed by sections 50 and 52 of the Act. The further powers of the Governor in Council and the Governor acting with Ministers are derived from

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delegations made by the Secretary of State in Council. One such delegation is that contained in item 47 of Part II of Schedule I of the Devolution Rules which imposes upon the Governor in Council the control of the services subject to Devolution Rule 10, in other words, in the administration of the general body of rules preserved by section 96-B (4). Another delegation is contained in Rule 5 of the Fundamental Rules which confers equal powers in respect of the framing of Subsidiary Rules to those rules upon the Governor in Council and the Governor acting with Ministers, subject to the proviso that the rules must in both cases be identical as far as possible. No other specific delegations have so far been made by the Secretary of State.

No change has been made within the last few months in any of these powers.

- (2) The procedure in respect of the transaction of business in his Executive Council and with his Ministers is regulated by His Excellency the Governor. The Government do not think it desirable to disclose the details of the procedure followed or of the part taken by particular Members of the Government in the transaction of any particular business.

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" May I request, Sir, that these questions be held over till to-morrow in view of the very complicated nature of the answer that has been given and of the very grave constitutional issues that are involved in it."

The hon. the PRESIDENT :—" Has the hon. the Finance Member no objection to this procedure? "

The hon. Sir CHARLES TODHUNTER :—" If the answer given is of a very complicated nature, it is because the issues raised by the questions were complicated ones. I would suggest that, if the hon. Member wishes to have further information, he should put fresh question after giving sufficient notice."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" May I state, Sir, that the question that I gave notice of was not in the form in which it appears now. I gave a long question in which all the points that I wanted to ask were given, but the Council Office, it appears, has divided it and one question has been answered to-day and the other, it seems, will come to-morrow."

The RAJA OF RAMNAD :—" Sir, may I rise to a point of order? Under the rules framed by you, supplementary questions should be put immediately after the main questions are answered. Is it now open to defer the supplementary questions till to-morrow? "

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" My point is that the whole question has not been answered, but only a part of it has now been answered. What I request is that the whole question be allowed to come together in to-morrow's Agenda, and any Member be allowed to raise supplementary questions, if necessary."

The hon. the PRESIDENT :—" I do not recollect any occasion on which a question was allowed to stand over till the next day. But if the hon. Member,

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Mr. Ramalinga Chettiyar, will accept the suggestion of the hon. the Finance Member and will reduce to writing any questions he wishes to put by way of supplementary questions to the present question, or with reference to the question which he says has been omitted, I shall endeavour to get the answers in the usual manner, if necessary, by shortening the period of notice."

Mr. C. RAMALINGA REDDI:—"Sir, I wish to make an appeal, if I may. We came rather early to study this particular question. The answer to it is very long and complicated and it is one which raises the whole question of the position of Ministry under the Reforms Act. I want to ask a number of supplementary questions, not one or two but quite a number of questions, and I would like to have some time for going through this answer and preparing my supplementary questions. Therefore if the hon. the Leader of the House has no objection I would also join my colleague to have the whole question postponed till to-morrow and taken up as the first item, because it is a very important matter as it raises the whole question of the position and the powers of the Ministry under the Responsible Government. I think, Sir, you will kindly see your way to meet our wishes in the matter."

The hon. the PRESIDENT:—"For the purpose of asking supplementary questions, the Leader of the House and myself agree to allow the main questions to stand over till to-morrow: the supplementary questions should be put in writing to-day, and unless the Leader of the House says to the contrary, we shall endeavour to give them the answers, if possible, by to-morrow."

The hon. Sir CHARLES TODHUNTER:—"I shall certainly do my best to reply to any question that is put to me. In view, however, of the importance of the matter and of the complicated nature and of the large number of questions that the hon. Member proposes to ask, I cannot give any definite undertaking, but I shall try to reply to them to-morrow."

Mr. C. RAMALINGA REDDI:—"Is it understood that the supplementary questions may be put to-morrow?"

The hon. the PRESIDENT:—"I should prefer that the questions are handed over to the Secretary so that the hon. the Leader of the House may have some time to look into them. It would not be fair on my part to defer the questions till to-morrow if no time was allowed to the hon. the Finance Member to go through them. Hon. Members say that it will take a whole day to frame supplementary questions, and should not the hon. the Finance Member have at least half of that time for preparing his answer?"

Mr. C. RAMALINGA REDDI:—"I would like to get an answer on one point and that is, as to what exact meaning is attached to the wording 'that so far as the Transferred Subjects are concerned His Excellency shall act on the advice of the Ministers.' That is the wording of the Report of the Joint Committee."

The hon. the PRESIDENT:—"It would be fair, now that an arrangement has been arrived at that the whole question should be taken up to-morrow and that notices are given in writing by the hon. Member, Mr. C. R. Reddi, and any other Member who may wish to ask supplementary questions: all these questions should be handed over to the Secretary by 5 o'clock this afternoon, if possible earlier."

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Salt.*Salt swamp in Tiruturaipundi.*

198 Q.—Mr. C. MARUTHAVANAM PILLAI: Will the hon. the Member for Finance and the Member for Revenue be pleased to state—

(1) whether there is a large salt swamp in the southern half of Tiruturaipundi taluk, and, if so, whether the same or a portion thereof is used for manufacturing salt;

(2) whether the sea-water gets into the swamp during summer and whether the loose saline mud is drifted year after year into the cultivated areas of the surrounding villages; and

(3) whether any grievances about the same were at any time represented to the Revenue authorities, during jamabandi time, by the landholders of the affected areas; and if so, what action was taken thereon?

A.—(1) & (2) The following extract from the report of Dr. J. J. L. Ratton written in 1873 gives an account of the phenomenon to which the hon. Member apparently refers:—

"The Vedarniem salt pans are laid out on a large swamp, formed at the base or root of the promontory of Point Calimere, by the action of the Vishagum or storm wave which rises, every year, in May or June, about 2 or 3 feet above the level of ordinary tides and inundates the low ground at the junction of the promontory with the main land.

"This Vishagum wave appears to be a result of the change of wind and sea-current in Palk Strait, which accompanies the outburst of the south-west monsoon. It overruns the whole southern shore of Point Calimere, almost from the point to Adirampatam, a distance of full 40 miles, and settling in the hollow grounds forms a salt swamp of enormous extent. There does not, however, seem to be any sustained elevation of the sea-level along this shore during the monsoon, for at Vedarniem, this year, two or three days after the first appearance of the Vishagum, its waters were in full retreat, and in three weeks' time there was scarcely a vestige of it left.

"The sand and coarse materials carried along in suspension by the Vishagum are deposited first, the clay in fine division being taken to the furthest limit fringing the high ground."

(3) The Government have no information as to whether the ryots who have extended their cultivations within the range of the Vishagum wave have any grievance in connexion with it. In any case it does not appear that the grievance would be one which it lies within the power of Government to remedy.

The Stella Maris Brine Refining process.

199 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Finance be pleased to state whether the Stella Maris Brine Refining process has been tried anywhere in the Madras Presidency by themselves or by any private firm and if so, with what results?

A.—So far as the Government are aware the process has not been tried anywhere in this Presidency on a manufacturing scale.

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Mr. A. RANGANATHA MUDALIYAR :—"From the reply of the hon. the Finance Member, it appears that this process has been tried somewhere in the Presidency on less than a manufacturing scale. What has been the result there?"

The hon. Sir CHARLES TODHUNTER :—"Government are not in possession of any information regarding it, except what has appeared in a pamphlet which has received a wide circulation."

Diwan Bahadur P. KESAVA PILLAI :—"Is it a fact, as stated in the pamphlet that has been issued, that bullocks' blood and sheep's blood and glue are used in the refinement of salt in England?"

The hon. Sir CHARLES TODHUNTER :—"Sir, I am glad to have the opportunity of telling the House that that is one of the pieces of mischievous nonsense which this pamphlet contains. It purports to be a quotation from a book called 'Common Commodities and Industries—Salt' and the statement about bullocks' blood, sheep's blood and glue, which appears on page 16 of that book, is extracted from an account of the process employed in Saxony in the year of grace 1566, or three and a half centuries ago."

Mr. J. SALDANHA :—"Will the Government be pleased to make the experiment themselves?"

The hon. Sir CHARLES TODHUNTER :—"Government have made numerous experiments themselves and are confident of their ability to make salt as good as that described in the pamphlet and are ready to put it on sale as soon as anybody will buy it."

Telegraphs.

Telegraph stations at Rasipur and Atur.

200 Q.—Rao Sahib S. ELLAPPA CHETTIYAR : Will the hon. the Member for Finance be pleased to state—

(a) whether it is a fact that there has been prolonged agitation on the part of the Salem people for opening telegraph stations at Rasipur and Atur, two important taluk headquarters; and

(b) whether in view of the commercial importance attached to these stations and in view of the representations made in this Council from time to time Government would state how the matter stands at present?

A.—(a) The hon. Member has called attention to the matter by questions in Council on four occasions.

(b) The inhabitants of Atur were at first unwilling to find the necessary guarantee. The President of the Atur Taluk Voters' Association, however, on the 31st December 1923, advised the Government that they were sending a representation agreeing to the terms proposed. The representation in question has not yet reached the Government. In the case of Rasipur the Postmaster-General has not yet intimated the amount of the guarantee required. H. is being reminded.

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Agency.

Agency Fituri.

201 Q.—Mr. S. SATYAMURTI : Will the hon. the Home Member be pleased to state—

- (a) the proposals, if any, for putting down the Agency Fituri; and
- (b) the additional expenditure likely to be incurred on that account?

A.—(a) & (b) The Government have recently obtained the loan of the services of a detachment of the Assam Military Police for the purpose of reinforcing the local Police forces operating in the Agency. The cost of this extra force was estimated by the Assam Government at Rs. 21,000 per mensem excluding cost of transport. It would not be in the public interest to make at present any further disclosure of the Government's plans for dealing with the Fituri.

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I wish to know the number of troops that was employed."

The hon. Sir ARTHUR KNAPP :—"I do not think it will be in the public interest to publish the number of exact troops that are employed."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I wish to know the average cost."

The hon. Sir ARTHUR KNAPP :—"I am afraid I must have notice of that question."

Constitution of districts, divisions and taluks.

Redistribution of villages in the Divi taluk, Kistna district.

202 Q.—S. R. Y. ANKINEDU PRASAD Bahadur : Will the hon. the Home Member and the hon. the Member for Revenue be pleased to state—

(a) whether any fresh proposals for the redistribution of villages in the Divi taluk, Kistna district, suggesting the inclusion of some of them in the newly-proposed Pamarru taluk have reached the Government and if so, whether the hon. Member will see his way to have them published for the criticism of the public, before any final step is taken on the subject by Government;

(b) whether it is a fact that proposals have been made by the Revenue authorities in the Kistna district for the formation of a new division called the Nuzvid Revenue division with headquarters at Nuzvid for administering the Nuzvid Revenue division with headquarters at Nuzvid for administering the proposed Pamarru taluk and the existing Gannavaram taluk; if so, whether the proposed inclusion of villages situated at several miles' distance from the headquarters of the proposed division at Nuzvid will be convenient for the people concerned and whether their wishes have been ascertained with regard to the proposed change;

(c) whether it is a fact that the non-Government villages in the Divi taluk, Kistna district, were surveyed in 1890 and the mamul wet areas localized under block system of survey; and

(d) if so, what necessity has arisen to resurvey all the lands in the said wet villages controlled by the irrigation authorities and what would be the probable cost of resurvey?

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- A.—(a) In 1919 the Board of Revenue recommended that, with a view to give relief to the Tahsildar of Divi, 20 villages should be taken away from his jurisdiction and that 15 of them should be included in the proposed Pamarru taluk and 5 in the Bandar taluk. No further proposals for the redistribution of villages in the Divi taluk have been submitted to Government. The proposal referred to above was embodied in the Press Communiqué, dated 3rd March 1920, on which the criticism of the public was invited.
- (b) The proposal is that the taluks of Pamarru and Gannavaram and the independent Deputy Tahsildar's division of Nuzvid should be formed into a division with headquarters at Nuzvid. It has been included in the Press Communiqué, dated 6th October 1923, which was published for public criticism. Criticisms received will be considered by Government before orders are passed on the proposals for the bifurcation of the district.
- (c) Yes; about the year 1891.
- (d) The condition of the original survey was found to be very unsatisfactory; the cost of the present survey will be about Rs. 30,000 and will be fully borne by the Government.

Depressed classes.

Land assigned to the depressed classes in the Kistna district.

203 Q.—Mr. P. PEDDIRAJU: Will the hon. the Home Member be pleased to lay on the table—

- (1) a talukwar statement relating to the Kistna district showing the extent of land assigned for cultivation to the members of the Adi-Andhra community since 1st April 1922; and
- (2) a statement showing the extent of land thereof fit for wet cultivation?

A.—(1) & (2) The Government are not in possession of the information but have called for it.

Treatment of the depressed classes litigants in courts.

204 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member and the hon. the Law Member be pleased to state—

- (a) whether his attention has been drawn to the statements of Mr. R. Srinivasan, a Member of this Council, before the Lee Commission, viz., that depressed classes do not get a fair hearing in courts, except from European Judges, that litigants belonging to the depressed classes are not allowed to enter the courts and that they are examined while standing outside, that this practice prevails in most of the courts in the Presidency, and that only when Europeans preside over the courts they are admitted freely;
- (b) whether these statements are true; and
- (c) if so, of which courts and in what cases?

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A.—(a) Yes.

- (b) The Government are not aware of any such complaints. They are, however, making inquiries through the Labour Commissioner.
- (c) Does not arise.

Economic condition.

Agricultural conditions in certain taluks of Bellary.

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

- (1) the average rainfall of the thirty years ending 1919—month by month—from June to December, in each of the taluks of Hospet, Kudligi, Hadagalli, Harpanahalli and Rayadrug of the Bellary district;
- (2) the actual rainfall, month by month, from June to December, in the above said taluks in each of the years subsequent to 1919;
- (3) the average extent of cultivation for each of the above taluks in each of the last three decenniums;
- (4) the actual extent of cultivation in each of the years of the current decennium;
- (5) the average outturn for each of the above taluks in each of the last three decenniums as regards the staple food-grains selected for commutation purposes in the resettlement of the area; and
- (6) the actual outturn of each taluk in 1920, 1921, 1922 and 1923, if available?

- A.—(1) The attention of the hon. Member is invited to the statement printed on page 58 of scheme report for the resettlement of red-soil taluks of Bellary district which has been published in the *Bellary District Gazette Extraordinary* for November 1923.
- (2) The hon. Member is referred to the rainfall statements published in the *Fort St. George Gazette*.
- (3) The figures are not available for three decenniums but the average of five years, 1825 to 1829, is given on pages 52—55 of scheme report referred to in (1) above.
- (4), (5) & (6) The figures are not available.

Mr. A. RANGANATHA MUDALIYAR:—"May I know, Sir, if the items referred to in clauses 3, 4, 5 and 6 of my question were not taken into consideration in resettling the taluk or taluks?"

The hon. Sir ARTHUR KNAPP:—"I do not quite follow my hon. Friend."

Mr. A. RANGANATHA MUDALIYAR:—"I would like to know whether the information I have called for was not taken into account in resettling a district."

The hon. Sir ARTHUR KNAPP:—"A district or this district?"

Mr. A. RANGANATHA MUDALIYAR:—"In resettling the taluks of Hospet, Kudligi, Hadagalli, Harpanahalli and Rayadrug."

The hon. Sir ARTHUR KNAPP:—"I am afraid I cannot answer that question."

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Mr. A. RANGANATHA MUDALIYAR :—" May I know whether the records from which these data have been compiled have been destroyed ? "

The hon. Sir ARTHUR KNAPP :—" They have not been destroyed. "

Mr. A. RANGANATHA MUDALIYAR :—" As this information is very important in deciding the enhancement of assessment, will the Government be pleased to call for information, so that we may have a proper discussion of this question ? "

The hon. Sir ARTHUR KNAPP :—" I will consider the question and if I find that calling for such information would serve a useful purpose, I shall do so. "

Mr. A. RANGANATHA MUDALIYAR :—" I have given notice of a Resolution on this subject and therefore I have called for this information. "

The hon. the PRESIDENT :—" The hon. Member was not putting a supplementary question the last time he spoke. "

Forests.

Reserve forests in Anantapur district.

206 Q.—Mr. G. RAMESWARA RAO : Will the hon. the Home Member be pleased to state—

(a) the number of reserved forests in Anantapur district, giving the area of each, the annual income derived from each and the shortest distance of each from the nearest village limits ;

(b) the annual expenditure incurred on subordinate staff in each of the reserved forests, and the total annual expenditure on superior Forest Officers in the district, including the District Forest Officer ;

(c) what was the total amount of fines and compounding fees levied in the district on account of forest offences in each year during the last five years ;

(d) whether there is any superior growth in any forest and whether it is proposed to start any plantation in any of these and if so at what cost ;

(e) if the Government have received representations either for disafforestation or for releasing them ; and

(f) if so, what orders have been passed on such representations ?

A.—(a) A statement showing the number of reserved forests with their area is placed on the Council Table.* The Government have no information on the other points referred to.

(b) The Government have no information as regards the annual expenditure incurred on subordinate staff in each of the reserved forests. The total annual expenditure on Superior Forest Officers in the district including the District Forest Officer is Rs. 20,900.

* Printed as Appendix I on page 291 infra.

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(c) The amount of fines and forfeitures realized during the last five years is given below :—

Year.	Amount.
	Rs.
1918-19	8,242
1919-20	7,172
1920-21	8,276
1921-22	1,10,673
1922-23	12,707

These figures include also the following items :—

- (i) fines inflicted on contractors,
 - (ii) compensation awarded by Magistrates to the department in forest cases, and
 - (iii) fees for extension of time in connexion with contracts for felling coupes.
- (d) Some of the reserves contain fairly good growth. There is no proposal to start any plantation in any of the reserves.
- (e) Yes.
- (f) (i) With reference to a petition received from one Hanijee Naick of Kothakota, the Government have approved the proposal to disforest the whole of Chiralapalli reserve and portions of Yerlampalli, Kothakota and Vargalamma Cheruvu reserves.
- (ii) As a result of a petition from the ryots of the adjoining villages four blocks of the Tarimala reserve comprising an area of 2,089.60 acres have been disforested.
- (iii) A petition from the ryots of Gangavaram and other villages for the disforestation of the Golla reserve is under consideration.
- (iv) Petitions received from the ryots in certain villages for the disforestation of portions of Katrimala East and Nigidi East and West reserve on the ground of their proximity to villages are being inquired into by the Chief Conservator of Forests.

Mr. G. RAMESWARA RAO :—" I want to investigate the matter. Will the Government be pleased to call for information ? "

The hon. Sir ARTHUR KNAPP :—" May I suggest to the hon. Member that, if he wants information for one or two reserved forests in the district, it will be convenient if he will say so. We might then be able to collect the information for him without much labour. Until I know that such information would serve a useful purpose, I am afraid I cannot call for information for all the reserved forests in that district as desired by the hon. Member. "

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Grievances of ryots in the villages situated within a mile of forest reserves.

207 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Home Member be pleased to state—

(a) whether a committee has been appointed for the Nellore district to inquire into the grievances of the ryots in respect of reserves lying within a mile of the village-site or the cultivated area of a village, as recommended generally for all districts in the Resolution of the Legislative Council, dated 6th February 1923; and

(b) if not, why not?

A.—(a) No.

(b) The hon. Member is referred to G.O. No. 742, Development, dated 23rd May 1923, which has been placed on the Editors' Table.

Extensive thefts of valuable timber trees in the Attapadi and Silent valleys.

208 Q.—Mr. S. SATTAMURTI: Will the hon. the Home Member be pleased—

(i) to state—

(a) whether it is a fact that extensive thefts have taken place in respect of valuable timber trees in the reserve forests of the Attapadi and Silent valleys, Walluvanad taluk, Malabar district;

(b) whether it is a fact that the attention of the District Forest Officer, Palghat, was drawn to the aforesaid thefts;

(c) whether the Conservator of Forests, VI Circle, has taken any steps to prevent such thefts in the future and to bring to book the offenders;

(d) whether it is the duty of the Forest Department to investigate and prosecute the culprits;

(e) whether the rules published by the Government in the Forest Manual provide that such complicated and doubtful cases and cases which involve large sums of money should be prosecuted, and why these rules have not been followed in this case;

(f) whether the Forest Department is working at a loss to the Government; and

(ii) to place on the table all the papers connected with the above case?

A.—(i) (a) There have been illicit fellings in the reserved forests referred to.

(b) to (d) Yes.

(e) Yes: the evidence forthcoming in this case was not such as to justify a prosecution.

(f) No.

(ii) The papers cannot be placed on the table.

Mr. K. PRABHAKARAN TAMPAN:—"Will the Government be pleased to appoint a special Forest Officer or a C.I.D. Officer to collect evidence so that we may know the exact nature and extent of the thefts and conduct prosecutions?"

The hon. Sir ARTHUR KNAPP:—"No, Sir, I don't think any useful purpose will be served by reopening the matter. I have every confidence in the reports of Conservator of Forests and his department."

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Mr. K. PRABHAKARAN TAMPAN:—"May I also ask, Sir, whether the matter was brought to the notice of the Forest Committee and their advice taken?"

The hon. Sir ARTHUR KNAPP:—"Not so far as I am aware, Sir."

Grazing fees in the Anchetti and Denkanikottah ranges of the Salem district.

209 Q.—Rao Sahib S. ELLAPPA CHETTIYAR: Will the hon. the Home Member be pleased to state—

(1) whether the grazing fees for cows and buffaloes have recently been doubled in the Anchetti and Denkanikottah ranges of the Salem district;

(2) whether it is also a fact that in addition to this doubling of fees, the grazing is permitted only on certain restrictions and in only particular blocks from time to time;

(3) whether it is a fact that the block system of grazing is hard on the men and cattle in the locality;

(4) whether there is any block system now in force in the Bhavani and Kollegal taluks of Coimbatore district; and

(5) whether the Government have any intention of abolishing the block system as a special case in this district?

A.—(1) No.

(2) Grazing is allowed subject to certain restrictions. Certain blocks are closed for grazing.

(3) The Government have received no complaints to this effect.

(4) No.

(5) No such proposal is under consideration.

The 'Shrub and fuel forest'.

210 Q.—Mr. M. RATNASWAMI: Will the hon. the Home Member be pleased to state the total area of the class of forest land known as 'Shrub and fuel forest'?

A.—'Shrub and fuel forests' are not a recognized class of forests and it is not, therefore, possible to give the information asked for.

Jails.

The late Pandit Vaj Pai.

211 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Home Member be pleased to state—

(a) if the Government have received any report about the death of Pandit Vaj Pai;

(b) whether they got any report about the state of his health before his death and, if so, when was the first report received;

(c) whether the Government have any objection to place the whole correspondence on the table or, if that cannot be done, to issue a communiqué regarding his sentence, stay at the jail and death?

A.—(a) Yes.

(b) No.

(c) There has not been any correspondence on the subject. If the hon. Member specifies any point on which he desires information, it will be furnished if possible.

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Mr. C. V. VENKATARAMANA AYYANGAR :—" Will the Government be pleased to call for information regarding the state of his health just before his death ? "

The hon. Sir ARTHUR KNAPP :—" We have the information, Sir. But if the hon. Member's intention in clause (b) of his question is to ask exactly when Government received the first report about the state of his health, I shall look up the papers, Sir."

Mr. C. V. VENKATARAMANA AYYANGAR :—" It does not matter when the information was got and as to what period it had reference. We want all informations about his health to be published whether they were received before or after his death."

Mr. C. RAMALINGA REDDI :—" Sir, I suppose this is a case in which he was sent to jail under security proceedings. I should like to ask the hon. the Home Member whether he at any time received a report from the Superintendent of the Jail to the effect that his health was very serious and that it would be ridiculous to keep him in jail under security proceedings."

The hon. Sir ARTHUR KNAPP :—" As I have already explained, Sir, clause (b) is an inquiry whether at the time of the prisoner's death Government received any report from the jail as to his health. The answer is 'No'."

Mr. C. RAMALINGA REDDI :—" This is a very important matter, Sir. The prisoner died the day after he was sent out of jail. Surely the death would not have occurred so suddenly; for some time past he was mere skin and bones."

The hon. Sir ARTHUR KNAPP :—" This is not a supplementary question. This is a speech."

Mr. C. RAMALINGA REDDI :—" I should like to ask the hon. the Home Member whether it was not the duty of the Superintendent of the Prison to inform the Government as to the state of his health and leave to them the responsibility of keeping him there or letting him go."

The hon. Sir ARTHUR KNAPP :—" I may refer the hon. Member to the Jail Manual wherein the duties of a Superintendent are laid down. He does not report to the Government unless there is an urgent necessity to release the prisoner and if he thinks that he is not likely to recover if he is released."

Diwan Bahadur P. KESAVA PILLAI :—" Is there no provision in the Jail Code that if there is no hope of recovery for a prisoner he should be released ? "

The hon. Sir ARTHUR KNAPP :—" Speaking within my recollection, Sir, the Superintendent reports to Government about the ill-health of a prisoner only when his recovery is likely if he is released."

Mr. C. RAMALINGA REDDI :—" If I am wrong, my hon. Friend will correct me. I was under the impression that in the case of a man who had been confined in prison under security proceedings, it was the duty of the Superintendent to inform the Government that his health was bad, that he was not capable of any more mischief and that he might be released."

The hon. Sir ARTHUR KNAPP :—" I am aware of no such thing, Sir. In any case he could have obtained the release by giving the security."

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Mr. C. RAMALINGA REDDI :—" So far as my information goes, he refused to do so acting under a principle, with which we may not agree. But it is obvious from our own Jail Code that some amount of humanity is expected to be shown ? "

The hon. Sir ARTHUR KNAPP :—" A great deal of humanity is exercised in these cases."

Mr. C. RAMALINGA REDDI :—" If there is no such provision, will the Home Member kindly consider the advisability of the adoption of such a provision, especially when it is most absurd to keep a man in such a condition there ? "

The hon. Sir ARTHUR KNAPP :—" On a point of order, Sir, I may say that the hon. Member may bring in a resolution to alter the Jail Manual to that effect."

Sriman SASIBHUSHANA RATH Mahasaya :—" Was not Vaj Pai in a special division of the jail ? "

Mr. C. RAMALINGA REDDI :—" I shall add only one question, Sir, so that my hon. Friend may answer both. In view of the very painful impression produced by this case, will my hon. Friend be pleased to examine the case in the light of the discussion now proceeding, so that in future at any rate no such thing will occur ? "

The hon. Sir ARTHUR KNAPP :—" I am quite prepared to accept the suggestion in the first few words. I am prepared to examine the matter."

Political prisoners in the Presidency.

212 Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Home Member and the hon. the Law Member be pleased —

(i) to give a list of the political prisoners in this Presidency with the nature of their offences and sentences; and

(ii) (a) to state whether the Government have issued any orders for treating the political prisoners differently from others and, if so, whether the Government have any objection to publish the papers connected with those orders;

(b) if no such orders have already been passed, whether the Government have any objection to form a Committee to frame some rules on the subject?

A.—(i) There is no separate classification of convicts under the heading 'Political Prisoners'. The number of persons in jails on 26th December 1923 undergoing imprisonment for offences committed against the State was 14.

(ii) (a) No. But in G.O. No. 1401, Judicial, dated 12th December 1922 (which has been placed on Editors' Table), the Government called the attention of all magistrates and criminal courts to the powers they possess of nominating certain prisoners for imprisonment in a special division.

(b) The Government are not prepared to form such a Committee.

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Mr. C. V. VENKATARAMANA AYYANGAR :—"As regards subdivision (ii) have the Government any objection to issue an order that political prisoners should be placed in a separate division. It should not be left to the discretion of the magistrates?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"There is no separate classification as 'Political Prisoners'. The Government, however, have called the attention of all magistrates and criminal courts to the powers they possess of placing certain prisoners for imprisonment in a special division. I am sure they would exercise their powers adequately."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I want the Government to consider the advisability of placing political prisoners including those imprisoned under security chapters in the special division instead of leaving them to the discretion of the magistrates."

The hon. the PRESIDENT :—"Since this is a suggestion for action, the hon. the Law Member need not answer unless he chooses to answer."

Mr. C. V. VENKATARAMANA AYYANGAR :—"He is not bound to answer; but if the hon. the Law Member cares, he may do so."

Mr. C. RAMALINGA REDDI :—"Sir, may I also ask the hon. the Law Member to consider the possibility of creating a special division for the political prisoners? They are there not for any violence to person or property but because of opinions held."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"We will consider that, Sir."

Imprisonment of certain Congress volunteers.

213 Q.—Mr. T. ADINABAYANA CHETTIYAR : Will the hon. the Home Member and the hon. the Law Member be pleased to state—

(a) how many of the Congress volunteers are still detained in prison under the Security Section of the Criminal Procedure Code for having taken part in an anti-drink campaign in Madura district;

(b) whether a large number of these were arrested merely because they had declared themselves as Congress volunteers without their having ever done any overt act of even peaceful picketing; and

(c) whether the Government are aware that the Provincial as well as the District Congress authorities openly and publicly stopped the picketing campaign many months ago and have not re-started it?

A.—(a) At the end of December, the number of persons in jail as a result of offences committed during the Madura picketing campaign was 92. The Government do not know how many of these were Congress volunteers.

(b) No.

(c) Yes.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"In view of the answer given that the campaign had been stopped and that there is no prospect of re-starting it, will the Government consider the desirability of taking steps to release those in jail?"

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The hon. Mr. C. P. RAMASWAMI AYYAR :—"I may state that the persons who are now in jail are those against whom there was sufficient evidence of acts of violence such as tripping up people and trying to brand them. It is that class of people that is in prison. I have made it also perfectly clear that if they apologized for their acts of violence, Government will consider their cases. They have not done so."

Mr. C. RAMALINGA REDDI :—"Has the attention of the hon. the Law Member been drawn to a letter issued by Mr. C. Rajagopala Chari of Salem saying that a number of these people have not been guilty of any act of violence? They were arrested simply because they declared their intention to become volunteers. Since the statement comes from such a quarter it deserves some credit, and some consideration."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Having arrived at that conclusion, investigation was set on foot. I am sorry to say that the statement from Mr. C. Rajagopala Chariar could not be taken to be accurate."

Mr. ABBAS ALI KHAN :—"How many of these Madura volunteers were guilty of branding and tripping up people? I suppose none."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"That is our information."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"May I know, Sir, why these people are sent to jail under security section, if these people are guilty of actual violence?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"That is within the discretion of the Magistrate, Sir."

Mr. ABBAS ALI KHAN :—"One of them is a relation of Mr. Sadasiva Ayyar, Sir. How many of these were guilty of actual violence?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I am afraid I cannot answer this question. These men, I may say, would not have been where they are if they had not committed deeds of violence."

Mr. ABBAS ALI KHAN :—"Sir, has the attention of the hon. the Law Member been drawn to the words of the convicting Magistrate that these men were not actually guilty of violence?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I am not responsible for the sentence in the Magistrate's judgment."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, the hon. the Law Member has said that he is not responsible for the judgment of the Magistrate. I suppose the Government here is saying that these volunteers have done acts of violence when their own Magistrate says they have not."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I hold that Government is not bound by any sentence in the Magistrate's judgment. It is an obiter dictum. The judgment of any learned judge binds no one. It does not bind the Government, nor does it bind himself."

Mr. ABBAS ALI KHAN :—"Has the Government read the judgment?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Government have read the judgment."

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Law and Order in Malabar.*Number of Mappillas convicted of various offences.*

214 Q.—Mr. T. M. MOIDU SAHIB: Will the hon. the Home Member be pleased to state how many Mappillas have been convicted—

- (a) for murder (i) actual, and (ii) constructive, respectively
- (b) for waging war,
- (c) for dacoity and theft,
- (d) for mischief, and
- (e) for other offences?

- A.—(a) One hundred and twenty-seven Mappillas have been convicted of murder.
- (b) Four hundred and eighty-four Mappillas have been convicted of waging war. Those convicted of murder and waging war number 496.
- (c) to (e) The Government have no information but have called for it.

Number of Mappillas sentenced to various kinds of punishment.

215 Q.—Mr. T. M. MOIDU SAHIB: Will the hon. the Home Member be pleased to state the number of Mappillas sentenced (1) to be shot dead, (2) to be hanged, (3) to transportation for life, (4) to transportation for seven years and upwards except for life, (5) to imprisonment for ten years and upwards, (6) to imprisonment over seven years up to ten years, (7) to imprisonment for periods above two years and below seven years, and (8) to imprisonment for two years and less?

- A.—(1) Thirty-eight.
- (2) Three hundred and eight.
- (3) Seven hundred and sixty-one.
- (4) to (8) The Government have no information but have called for it.

Loans issued to the sufferers of the Mappilla rebellion in Malabar.

11-45 a.m. 216 Q.—Mr. K. UPPI SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

(a) what amount has been advanced by the Government under the Agricultural Loans Act to (i) Mappillas, (ii) Hindus and (iii) Europeans respectively, in the rebellion area in Malabar;

(b) (i) how many Mappillas, (ii) how many Hindus and (iii) how many Europeans have received such loans;

(c) what is the highest amount and what the lowest amount of such loans given to any single individual or firm among (i) Mappillas, (ii) Hindus and (iii) Europeans respectively; and

(d) whether it is a fact that the authorities at any time issued instructions to the officers concerned not to give such loans to Mappillas?

- A.—(a) & (b) The attention of the hon. Member is invited to the District Magistrate's report on the grant of loans published in G.O. No. 176, Public, dated 6th March 1923. The Government have no further information.

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(c) The Government are not in possession of the figures asked for.

(d) No. The attention of the hon. Member is invited to the last sub-paragraph of paragraph 2 (ii) of the Note by the Special Commissioner for Malabar Affairs recorded in G.O. No. 363, Public, dated 26th April 1922, which has been placed on Editors' Table.

Mr. ABBAS ALI KHAN:—"Will the hon. the Home Member be pleased to call for the information required in clauses (a), (b) and (c)?"

The hon. Sir ARTHUR KNAPP:—"Particulars for clause (a) are to be found in the District Magistrate's report referred to in the answer."

Mr. ABBAS ALI KHAN:—"All the information required is not to be found among the papers laid on the Editors' Table."

The hon. Sir ARTHUR KNAPP:—"I take it that the hon. Member refers to the District Magistrate's report. I am prepared to see that the hon. Member receives a copy of it."

The Malabar Mappilla rebellion.

217 Q.—Mr. K. UPPI SAHIB Bahadur: Will the hon. the Home Member be pleased to state—

(a) how many Mappillas have suffered (i) death, (ii) personal injury and (iii) loss of property at the hands of the Mappilla rebels;

(b) how many petitions of complaint against the conduct of the Police and the Adhikaries in connexion with the Malabar rebellion have been received by the authorities;

(c) how many of them have been enquired into and disposed of and with what result; and

(d) how many of them are still pending inquiry?

A.—(a) The attention of the hon. Member is drawn to the answer to question No. 466 given in 1922.

(b), (c) & (d) The Government have no information, but will make enquiries as to the number and the results of enquiries made.

Special Police Force in Malabar.

218 Q.—Diwan Bahadur M. KRISHNAN NAYAR: Will the hon. the Home Member be pleased to state whether there is a proposal before the Government to reduce the strength of the special Police Force stationed in Ernad and Walluvanad in the district of Malabar, and, if so, to what extent?

A.—No.

Strength of the Police Force in Malabar.

219 Q.—Diwan Bahadur M. KRISHNAN NAYAR: Will the hon. the Home Member and the hon. the Law Member be pleased to state—

(a) whether there is a proposal before Government to reduce—

(i) the strength of the ordinary Police Force in Malabar, and, if so, to what extent;

(ii) the number of Police circles in Malabar, and, if so, by how many; and

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(iii) the number of police outposts in Malabar, and, if so, by how many; and

(b) whether it is a fact that there are complaints that even the number of police stations and outposts that exist in the district at present is inadequate?

A.—(a) There are no such proposals with special reference to Malabar. The Government have, however, on the suggestion of the Police Committee, directed an examination of the possibility of reducing the number of stations and outposts throughout the Presidency as a whole.

(b) The Government have received no such complaints.

Hindus forcibly converted during the Mappilla rebellion.

220 Q.—MR. K. PRABHAKARAN TAMPAN: Will the hon. the Home Member be pleased to state—

(a) the estimated number of (1) Hindus who were forcibly converted by the Mappillas during the rebellion and (2) those that were reconverted to their old faith after peace was restored;

(b) knowing that the reconverted Hindus are generally treated with special vengeance by the fanatic Mappillas, whether Government have taken any precautionary steps to create a feeling of safety among the former class of people; if so, what; and

(c) whether it is a fact that a Maulana representing some Moslem organization at Poona forcibly converted a Tiyya woman of Nilambur and her five children after bringing them over to Calicut; if so, whether the Government have taken any steps to punish him?

A.—(a) The Government have already stated in this Council that they have no accurate information and for obvious reasons have purposely refrained from collecting it.

(b) The Government are fully alive to the facts of the situation and have taken and will continue to take what action they find necessary and possible in individual cases. It would be impossible in a reply to a question of this kind to set forth their whole policy in the matter.

(c) If the hon. Member is referring to an incident which was reported in the newspapers in July 1922, the Government's information was that it was not a case of forcible conversion.

Abolition of certain Military Police stations in Malabar.

221 Q.—MR. K. PRABHAKARAN TAMPAN: Will the hon. the Home Member be pleased to state—

(a) whether he has proposed to abolish some of the Military Police stations in Malabar; if so, which;

(b) whether in consequence of this the strength of military policemen employed at present will be reduced; if so, by how much; and

(c) whether the district authorities have been consulted in the matter and whether they have agreed to the proposal?

A.—(a) There is no proposal at present to abolish any of the Military Police stations in Malabar.

(b) & (c) The questions do not arise.

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Report of the Mappilla rebellion.

222 Q.—MR. K. PRABHAKARAN TAMPAN: Will the hon. the Home Member be pleased to state—

(a) whether the history of the recent Mappilla rebellion in Malabar for writing which Mr. Hitchcock, Superintendent of Police, was placed on special duty has been published;

(b) when the book will be available for the public; and

(c) how many copies were printed and how much it has cost, including the author's salary for the period he was employed on special duty?

A.—(a) No.

(b) & (c) Mr. Hitchcock's book is intended only for official use. The Government are, however, contemplating the publication of an abridged edition for sale to the public and until this point has been decided they cannot state what the total cost of the publication will amount to.

MR. K. PRABHAKARAN TAMPAN:—"May I know if the Officer on special duty has submitted his report to the Government?"

THE HON. SIR ARTHUR KNAPP:—"The Government have received the manuscript from the Special Officer, and it is in the press."

MR. ABBAS ALI KHAN:—"May I know what the price of a copy of the report will come to?"

THE HON. SIR ARTHUR KNAPP:—"I do not think the price has been fixed."

MR. ABBAS ALI KHAN:—"Will the hon. Member be pleased to give a copy to the Legislative Council library?"

(No answer.)

Military.

The Indian Territorial Force.

223 Q.—MR. M. RATNASWAMI: Will the hon. the Home Member be pleased to state—

(1) in what manner and to what extent the Madras Government have so far encouraged the formation of Indian Territorial Force units in the Presidency;

(2) the present strength of the Indian Territorial Force in the Presidency; and

(3) the parts of the Madras Presidency where these units have been formed?

A.—(1) The Government have provided an Indian Territorial Force Advisory Committee as required by the Act. The Government, in addition to requiring Collectors to lend all possible assistance to the Military officers charged with the raising of the territorial units, have placed facilities in the way of Government servants joining the Force, subject to the requirements of the service and the responsibilities which service entails, and have agreed to pay those who join the difference between their military and civil pay during training when the latter is higher than the former.

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(2) The sanctioned strength of each unit is 740. The Government have recently received a report from the Military authorities that the units were nearly up to strength.

(3) The four Indian Territorial Force units in the district are as follows:—

- 11/3rd Battalion, Madras Regiment (Trichinopoly).
- 12/3rd Battalion, Madras Regiment (Malabar), (Cannanore).
- 13/3rd Battalion, Madras Regiment (Malabar), (Cannanore).
- 14/3rd Battalion, Madras Regiment (Coorg), (Mercara).

Sanction for the formation of three extra companies of the University Training Corps has also been obtained and this Corps has been designated No. 5 (Madras) Battalion, University Training Corps.

Mr. M. RATNASWAMI:—"Will the hon. Member in charge be pleased to state whether any, and, if so, what action has been taken to form a Territorial Force in the Central and the Northern districts?"

The hon. Sir ARTHUR KNAPP:—"I think the answer to this question is contained in the printed answer to clause (1)."

Mr. M. RATNASWAMI:—"My question is whether the special circumstances which exist in the Southern districts, especially in Malabar which has two Territorial units, do not exist in the Central and Northern districts to make it necessary to have a Territorial unit there?"

The hon. Sir ARTHUR KNAPP:—"My answer to that will be that the decision where it is best to raise a unit rests with the Military authorities who act in consultation with the Government. I am not prepared to say off-hand whether the Military authorities would be able to raise a unit in the Central and Northern districts or not. If the Military authorities think it possible to raise a unit in these districts, the Government will be prepared to support them."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"In the districts of Godavari and Kistna there are a number of men prepared to undergo training in the University Training Corps."

The hon. Sir ARTHUR KNAPP:—"I am quite aware of it. But whether there is a sufficient number forthcoming or not, I do not know. I have no doubt that if my hon. Friend would get into touch with the officer most concerned in raising the battalions and give him all this information, he would be very thankful to him."

Mr. M. RATNASWAMI:—"Will the Government and the hon. Member in charge be pleased to help the formation of Territorial units in the Central and Northern districts?"

The hon. Sir ARTHUR KNAPP:—"I shall be delighted to do so."

Mr. C. RAMALINGA REDDI:—"Once upon a time there was a great deal of agitation for the formation of an Andhra regiment. Therefore, the hon. Member will be well advised to do something in regard to that."

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Police.

Representation of the depressed classes in the constabulary.

224 Q.—Mr. L. C. GURUSWAMI: Will the hon. the Home Member and the hon. the Law Member be pleased—

(a) to call for and lay on the table a statement showing the number of constables and head constables in the various districts of this Presidency; and

(b) to state how many of them are members of the depressed classes

A.—(a) The hon. Member is referred to statement D appended to the Police Administration Report.

(b) The hon. Member is referred to G.Os. Nos. 658, Public, dated 15th August 1922 and 563, Public, dated 21st July 1923, both of which have been placed on the Editors' Table. The returns called for in this latter Government Order will be published in due course and will give the information required.

Railways.

Railway line between Salem junction and Atur.

225 Q.—Mr. S. SATYAMURTI: Will the hon. the Home Member be pleased to state—

(a) whether a scheme for a railway line between Salem junction and Atur was sanctioned long ago and partly constructed;

(b) whether the railway cess was being collected on the understanding that the line would be extended to Atur; and

(c) the reasons why the scheme has been given up?

A.—(a) Yes.

(b) Not so far as Government are aware.

(c) The project has not been given up but is merely held up. The reasons for this are explained in the answer to question No. 226.

Mr. T. ADINARAYANA CHETTIYAR:—"Will the hon. Member be pleased to expedite construction of the line?"

The hon. Sir ARTHUR KNAPP:—"May I refer my hon. Friend to the answer to clause (c) of the following question 226 where it is stated that the construction of the line will depend on the settlement of the gauge question and the district board's capacity to finance or guarantee the line."

The Salem district board railway scheme.

226 Q.—Mr. V. C. VELLINGIRI GOUNDER: Will the hon. the Home Member be pleased to state regarding the Salem District Board Railway scheme—

(a) whether any reply has been received from the Railway Board about the decision of the gauge of the proposed Panruti-Trichinopoly line;

(b) why the Salem-Atur Railway scheme has been delayed, although all the preliminary works were completed long ago;

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(c) whether this is not the proper time to sanction the scheme and put it to execution so as to make it serve the object of affording relief to people during these famine days;

(d) whether it is a fact that the Salem District Board has recently submitted a new proposal to sanction the Salem-Rasipuram Railway scheme on account of the Salem-Atur Railway scheme having been under consideration for a long time with the Railway Board; and

(e) if so, how far the above proposal of the District Board has been considered by the Government?

A.—(a) Yes. The Railway Board have decided that the Villupuram-Trichinopoly Railway should be constructed on the metre gauge.

(b) As the Salem-Atur line was a feeder to the Villupuram-Trichinopoly line, the former project was held over till the gauge of the latter line had been decided. The gauge of the main line has now been decided but the question whether the Salem-Atur Railway should be built on the same gauge as the main line or on a different gauge is still under the consideration of the Railway Board.

(c) The construction of the line will depend on the settlement of the gauge question and the district board's capacity to finance or guarantee the line.

(d) Yes.

(e) The President, District Board, Salem, was asked to submit a sound scheme for financing the project and his reply is awaited.

Mr. V. C. VELLINGIRI GOUNDER :—"As regards (b), Sir, I want to know what the nature of the further consideration is. The only consideration that delayed the construction of the Salem-Atur line was the decision as regards the size of the gauge. Since that has been decided upon, what is the further consideration that delays the decision of the Railway Board in regard to that?"

The hon. Sir ARTHUR KNAPP :—"I understand my hon. Friend to be asking me to explain the process that is going on in the Railway Board which has resulted in the delay of their final decision."

Mr. V. C. VELLINGIRI GOUNDER :—"My question was this: The only consideration that delayed the construction of the Salem-Atur line was the decision as to the size of the gauge. Since that question has been decided, what is meant by saying 'it is still under the further consideration of the Railway Board'?"

The hon. Sir ARTHUR KNAPP :—"I am afraid I can only refer my hon. Friend to my answer already given. It is quite out of my power to say why the Railway Board is delaying its decision."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Will the Government be pleased to ask the district board to defer any action which they may take in respect of their other lines, in order to give their full consideration to the decision of the Railway Board in regard to this line?"

The hon. Sir ARTHUR KNAPP :—"I did not quite follow the hon. Member."

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Mr. V. C. VELLINGIRI GOUNDER :—"With regard to the Salem-Rasipur line the president of the district board has been asked to submit a sound scheme for financing the project. What I submit is, till the final decision as to the size of the gauge in regard to the Salem-Atur line is reached, the Salem-Rasipur line should not be taken into consideration. Will the Government be pleased to postpone it until that question is decided?"

The hon. Sir ARTHUR KNAPP :—"I understand my hon. Friend to suggest that the District Board, Salem, should be asked not to consider further the Salem-Rasipur line until the question of Salem-Atur scheme is settled. My answer is that this is a question which should be raised in the district board. This is not a matter in which the Government can in any way dictate to the district board."

Mr. V. C. VELLINGIRI GOUNDER :—"Since all the preliminary works have been finished with regard to the Salem-Atur line and it has got the approval of the Railway Board, why not the Salem-Rasipuram scheme which has been suggested at a later stage be held over till the question of the Salem-Atur line is decided?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Will the Government be pleased to expedite the final consideration of the Salem-Atur line so that it may be taken up before the other question is taken up?"

The hon. Sir ARTHUR KNAPP :—"I am afraid the Government have no hand in it."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"They can send a reminder to the Railway Board to expedite the matter."

Mr. T. ADINARAYANA CHETTIYAR :—"The Railway Board may be asked to expedite their decision with regard to the line from Salem to Atur for which the survey has been completed and the tract has been decided; and the only thing that remains is the acquisition of the land. Long long ago, the then Governor of Madras, Sir Arthur Lawley, when he visited Salem in reply to an address said that the line from Salem-Atur should be made a broad gauge line and the line from Salem Junction to Salem Town was made a broad gauge line for that reason. Under these circumstances will the hon. the Home Member be kind enough to request the Railway Board to expedite their decision as regards the gauge of the Salem-Atur line?"

The hon. Sir ARTHUR KNAPP :—"I am afraid we are again degenerating into a debate. My reply is that the Government is anxious to see every possible railway line built in this presidency. The matter is a complicated one. There is much difficulty in getting the district board to finance the scheme which is the root of the matter. Until the district board gives us an assurance that they can finance the line, we cannot go on."

Railway line from Virudunagar to Tenkasi.

227 Q.—Mr. P. K. S. A. ARUMUGA NADAR: Will the hon. the Home Member be pleased to state—

(a) whether the Government have recommended to the Railway Board the construction of the new railway line to run from Virudunagar to Tenkasi (via Sivakasi); and

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(b) if the answer be in the affirmative, whether it is proposed to be constructed jointly by the District Boards of Ramnad and Tinnevely or by a private body?

A.—(a) Yes.

(b) The matter is in the hands of the Railway Board. The District Boards of Tinnevely and Ramnad have declared their inability to construct the line.

Mr. P. K. S. A. ARUMUGA NADAR :—“With regard to (a), may I know at what stage the matter stands?”

The hon. Sir ARTHUR KNAPP :—“It stands exactly as stated in the answer. The Government have recommended it to the Railway Board.”

Third-class passengers' shed in the Nandyal railway station.

228 Q.—Mr. K. SARABHA REDDI : Will the hon. the Home Member be pleased to state—

(a) whether the Government are aware that the third-class passengers' shed in the Nandyal railway station is far away from the booking office; and

(b) if so, whether the Government will consider the desirability of providing for one close to the booking office?

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

(b) The matter is not one which is under the control of the Local Government.

Railway freight on grains.

229 Q.—Mr. MUHAMMAD MUSA SAIT : Will the hon. the Home Member be pleased to state—

(a) whether the Madras and Southern Mahratta Railway and South Indian Railway (the feeding Railway of Madras) have increased their freight rates on grains;

(b) if so, on what ground;

(c) the percentage of increase as compared with the years of 1911 and 1912?

A.—The Government have no information.

Khan Bahadur KHALIF-UL-LAH SAHIB :—“Will the Government be pleased to call for the information?”

The hon. Sir ARTHUR KNAPP :—“I am afraid I cannot undertake to do that. It has been pointed out on more than one occasion that the local Government have no control over the Railways. The Railways are under the Government of India and any question connected with the management of railways ought to be addressed to the Government of India in the Legislative Assembly or the other House.”

Transport of grain.

230 Q.—Mr. MUHAMMAD MUSA SAIT : Will the hon. the Home Member be pleased to state the volume of traffic in grain carried to and from Madras,

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Rayapuram, Salt Cottars and Beach railway stations both by the Madras and Southern Mahratta Railway and South Indian Railway during the years 1922-23 and 1911-12 and also their earnings?

A.—The Government have no information.

Survey and Settlement.

Settlement operations in the Trichinopoly district.

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

(a) whether the Government have received the preliminary scheme report of settlement operations for the Trichinopoly district; and

(b) if the answer is in the negative, when it is due?

A.—(a) & (b) The scheme report has been received and was published on the 13th January 1924

Collection of survey charges in Wynad.

232 Q.—Diwan Bahadur M. KRISHNAN NAYAR : Will the hon. the Home Member be pleased to state—

(a) whether the Government have received a memorial from the landowners of Wynad regarding the collection of survey charges;

(b) whether the Collector of Malabar has expressed any, and, if so, what opinion on that memorial;

(c) whether, since the last settlement in Wynad, agricultural lands have been relinquished or sold for arrears of revenue, and, if so, what is the extent of the lands thus sold or relinquished;

(d) what was the area of the agricultural land under occupation at the time of the last settlement in Wynad and what is the extent now;

(e) whether there has been any and, if so, what fall in the amount of the annual land revenue in Wynad since the last settlement; and

(f) what is the amount of survey charges proposed to be collected from the landowners of Wynad now and what is the amount of annual land revenue at present?

A.—(a) The Secretary, Wynad Janmi Mahajana Sangham, has submitted direct to Government a copy of the memorial prepared by the sangham.

(b) The Collector's remarks have not yet been received.

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

Diwan Bahadur M. KRISHNAN NAYAR :—“Will the hon. the Home Member be pleased to call for the information required under clauses (c), (d), (e), and (f)?”

The hon. Sir ARTHUR KNAPP :—“I think it would be wise to wait and see the remarks of the Collector on the memorial in question. The Government may then call for the information.”

Diwan Bahadur M. KRISHNAN NAYAR :—“Will the hon. Member be pleased to ask the Collector to send up his report urgently?”

The hon. Sir ARTHUR KNAPP :—“Does the hon. Member suggest that this is a matter of very great urgency?”

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Diwan Bahadur M. KRISHNAN NAYAR :—" Yes, because I understand the survey authorities are about to collect the charges. That is my information. If the Collector's views are available to the memorialists, it will be of considerable assistance to them."

The hon. Sir ARTHUR KNAPP :—" Yes, I am prepared to tell the Collector to authorize the suspension of the collection of this survey charge."

Diwan Bahadur M. KRISHNAN NAYAR :—" Will the hon. Member be pleased to publish the report of the Collector so that the people may know what the Collector's views are ? "

The hon. Sir ARTHUR KNAPP :—" Yes, I am prepared to do that."

Resettlement proposals in the Bellary district.

233 Q.—Mr. S. SATYAMURTI : Will the hon. the Home Member be pleased to state whether the Government have accepted, or propose to accept, the resolution of the Legislative Council regarding the postponement of the resettlement proposals in the Bellary district ?

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

Mr. P. SIVA RAO :—" Have the Government issued any orders for the non-collection of the increased rates pending the revised rules of the Government in the matter ? "

The hon. Sir ARTHUR KNAPP :—" Sir, to the best of my information, the increase is not being collected."

Mr. P. SIVA RAO :—" Is there any proposal not to levy the increased rates during the current fasli in view of the distress prevailing in that district ? "

The hon. Sir ARTHUR KNAPP :—" Such a proposal has been made."

Mr. P. SIVA RAO :—" Has any decision been arrived at on that proposal ? "

The hon. Sir ARTHUR KNAPP :—" No."

Mr. P. SIVA RAO :—" May I know when the decision of the Government is likely to be announced regarding that proposal ? "

The hon. Sir ARTHUR KNAPP :—" I am unable to answer that question at present."

Civil Justice.

Rates to be levied from creditors for sending debtors to civil jails.

234 Q.—Mr. P. PEDDIRAJU : Will the hon. the Law Member be pleased

(i) to state—

(a) whether the Government have moved the High Court to frame rules raising the rates levied from the creditors of debtors in civil jails ;

(b) if so, whether the High Court has sent any reply ; and

(ii) if the answer to (b) is in the affirmative, to place the papers on the table ?

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A.—The attention of the hon. Member is invited to the amendments to sub-rules (4) and (5) of rule 39 of Order No. XXI of the First Schedule of the Code of Civil Procedure, 1908, issued by the High Court with the previous sanction of the Governor in Council and notified on page 1766 of Part II of the *Fort St. George Gazette*, dated the 25th September 1923.

Additional District Court, East Tanjore.

235 Q.—Mr. C. MARUTHAVANAM PILLAI : Will the hon. the Law Member be pleased to state—

(a) what is the exact amount of annual charges incurred by the Government in connexion with the maintenance of an additional District Court for East Tanjore at Negapatam ;

(b) whether the pressure of litigation in Tanjore district necessitates the existence of this court ; and

(c) whether the Government mean to give effect to the recommendation of the Retrenchment Committee with regard to the immediate abolition of the said court ?

A.—(a) The Government are not in possession of the exact amount of annual charges. The expenditure based on the average cost is Rs. 48,568 per year.

(b) Yes ; the court has been sanctioned for a year from 1st January 1924.

(c) No.

Appointment of Nadars in the Judicial service.

236 Q.—Mr. P. K. S. A. ARUMUGA NADAR : Will the hon. the Law Member be pleased to state whether Nadars have been appointed as District Munsifs, Sub-Judges and District Judges ?

A.—There are no Nadar Sub-Judges or District Munsifs at present. Information as to whether there were any Nadar Sub-Judges or Munsifs in the past is not readily available.

Mr. A. CHIDAMBARA NADAR :—" May I ask, Sir, whether the Government will consider the question of appointing one Nadar at least in the Judicial service ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, I should rejoice to see if a Nadar could be appointed in the Judicial service, but District Munsifs are recruited by the High Court. If there is any Nadar gentleman qualified for the post of either a Sub-Judge or a District Judge, I shall only be too glad to recommend to His Excellency for the necessary appointment."

Mr. A. CHIDAMBARA NADAR :—" Has there been any petition with regard to any District Judge's post ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I think on an average the Government have received five petitions from various communities that District Judges may be appointed from each particular community."

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The hon. the PRESIDENT:—"Honourable Members are aware that it is now 12 o'clock, and out of the 66 pages of questions and answers, we have reached only the 20th page. Standing Order No. 8 is to the effect that the first hour of every sitting shall be available for the asking and answering of questions. I take it to mean, unless the hon. the Law Member or anybody else is of the contrary opinion, that more time may be made available, and I propose to go on with questions and answers."

Execution of decrees time-barred on account of the Mappilla rebellion.

237 Q.—Mr. V. MADHAVA RAJA: Will the hon. the Law Member be pleased to state the action taken by the Government to redress the loss caused to parties in the affected area in Malabar in cases where the execution of civil decrees became time-barred during the late rebellion?

A.—No such case has been brought to the notice of the Government.

Companies.

Joint Stock Companies.

238 Q.—Mr. SAMI VENKATACHALAM CHETTIYAR: Will the hon. the Law Member be pleased to state the number of Joint Stock Companies which came into existence in the Presidency during the last five years and how many of these and the old ones were wound up during the said period?

A.—The hon. Member is referred to the annual administration reports on the working of the Indian Companies Act, 1913, placed on the Editors' Table.

Criminal Justice.

The Imperial Bank fraud case.

239 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased—

(a) to place all the papers connected with the appointment by the Government of the Advocate-General and of Mr. Nugent Grant to conduct the Imperial Bank fraud case, on the table; or

(b) to state all the facts connected therewith?

239-A Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether the Crown Prosecutor was asked in the usual course to conduct the Imperial Bank fraud case and he declined, and, if so, for what reasons; and

(b) whether those reasons were considered satisfactory by the Government?

239-B Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether it is not true that Mr. Nugent Grant saw him in connexion with the Imperial Bank fraud case before the papers had come up to him officially, and he promised to appoint him as Special Public Prosecutor;

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(b) whether a Government Order was issued declining to appoint Mr. Nugent Grant as Special Public Prosecutor; and

(c) whether he will place the said Government Order on the table of this House?

239-C Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether his attention has been drawn to the report in the newspapers of the first hearing of the Imperial Bank fraud case before the Chief Presidency Magistrate; and

(b) whether the statements then made by Mr. Nugent Grant and the Commissioner of Police that Mr. Grant would be appointed as Special Public Prosecutor are correct?

239-D Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether a new Government Order has been issued appointing the Advocate-General and Mr. Nugent Grant as Public Prosecutors to conduct the Imperial Bank fraud case;

(b) the reasons for these appointments; and

(c) whether he will place a copy of the Government Order on the table?

239-E Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether in issuing the Government Order referred to in Question No. 196, his attention has been drawn to—

(a) the provisions of sections 492 and 493 of the Criminal Procedure Code;

(b) the fact that Mr. Nugent Grant had been paid and was to be paid a heavy fee by the real complainant in the case, viz., the Imperial Bank;

(c) the judgment of Coutts-Trotter, J., in O.S. No. 527 of 1919, delivered on 15th March 1921 and His Lordship's remarks therein strongly condemning the practice now authorized by the said Government Order of engaging a person paid by a private party as a Public Prosecutor; and

(d) a Government Order, dated the 31st July 1916, directing that such persons should not be engaged as Public Prosecutors?

239-F Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the fees to be paid to the Advocate-General by the Government for the conduct of the Imperial Bank fraud case;

(b) the probable amount which will have to be spent on that account;

(c) whether Mr. Nugent Grant is to be paid any fees by the Government;

(d) whether he has been paid any fees by the Imperial Bank; and

(e) what are the fees he is to be paid for conducting this case?

239-G Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether he, at one time, i.e., before the Crown Prosecutor declined to conduct the Imperial Bank fraud case, considered him fit to conduct this case; and

(b) the reasons why he now thinks the services of the Advocate-General and of Mr. Nugent Grant are necessary to conduct this case?

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239-H Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state whether—

(a) he has any intention of asking Mr. Nugent Grant to return to the Imperial Bank the fees he has taken from them and to take no more fees from them; or

(b) in the event of his refusal, he has any intention of cancelling his appointment as Special Public Prosecutor in the Imperial Bank fraud case?

239-I Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether a Government Order has been issued in modification of an earlier Government Order directing that the Advocate-General need not conduct the prosecution in the Imperial Bank fraud case and entrusting the sole conduct of the case to Mr. Nugent Grant;

(b) the reasons for the issue of this new Government Order; and

(c) the grounds on which this Government Order entrusting the conduct of a State prosecution to a counsel paid by a private party is sought to be reconciled with

(i) the well-known practice in all civilized countries of entrusting the conduct of such cases only to public prosecutors retained and paid by the Government,

(ii) the previous Government Orders of the Government of Madras, directing that public prosecutors should receive no payment from private parties, and

(iii) the judgment of Mr. Justice Coutts-Trotter in C.S. No. 527 of 1919 on the file of the Madras High Court?

239-J Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether the Police or the Imperial Bank or both approached him at any time with a request to appoint Mr. Nugent Grant as Special Public Prosecutor to conduct the Imperial Bank fraud case;

(b) whether it is true that Mr. Nugent Grant was paid a fee, examined the books of the Bank and advised a prosecution before the complaint was filed and the amount of that fee;

(c) what are the fees which Mr. Nugent Grant has so far received or will receive from the Bank for the conduct of this case;

(d) whether the Government are paying him any fees;

(e) whether Mr. Nugent Grant was approached by the Government to pay back the fees he has taken from the Bank and he declined;

(f) whether it is true that, throughout, the attempt of the Police and the Bank has been to see that no Indian shall conduct the prosecution in this case;

(g) whether the Police declined to instruct the Advocate-General in this case;

(h) whether the Police, at any time, did instruct the Advocate-General; and

(i) whether the Advocate-General was a consenting party to his being sent out of the case?

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239-K Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) whether his attention has been drawn to a resolution of the Madras High Court Vakils' Association, expressing its disapproval of the action of the Madras Government in having entrusted the conduct of the prosecution in the Imperial Bank fraud case to Mr. Nugent Grant, Counsel, originally retained by the Bank;

(b) whether the Government have paid, or are going to pay, any fee to Mr. Nugent Grant for conducting their case, and, if so, what sum or at what rate; and

(c) whether Mr. Nugent Grant has been paid, or is going to be paid, by the Bank, and, if so, what sum or at what rate?

A.—The Government must decline to answer these questions until after the termination of the proceedings in the Presidency Magistrate's Court, but the Government propose to issue a communiqué setting out all the circumstances in which an exceptional course was pursued in this case necessitating the engagement of Counsel other than one of the Law Officers of the Crown.

Dr. P. Varadarajulu Nayudu.

240 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the source of information on which he based his answer to Mr. T. Adinarayana Chettiyar's question in the Council held on 12th December 1923 that Dr. P. Varadarajulu Nayudu had invited the Japanese to invade India; and

(b) whether his attention has been drawn to the public denial of this statement by Mrs. Varadarajulu Nayudu?

A.—(a) The information on which the answer was based was the shorthand report of a speech delivered by Varadarajulu Nayudu at Kallidaikurichi in the Tinnevely district on 22nd March 1923, in which the following passage occurs:—

“Some think that we must call Japan to our aid and crush this people (the British). Japan is our elder brother. If Japan is respected more, then Japan will try to claim India for themselves. Then many of us will proceed with Purnakumbhams (welcome demonstrations) and will say wholeheartedly what Japan is doing is quite right.”

The Government were strengthened in their construction of this speech by another made by him on the 24th March 1923 at Tuticorin in which amongst others this passage occurs:—

“Europeans come to India in the winter season... Then we must create some riots and some of us should go to jail.”

(b) The Government have seen no public denial of this statement by Varadarajulu Nayudu himself, but have seen a letter from Mrs. Varadarajulu Nayudu published in some newspapers.

Mr. C. RAMALINGA REDDI:—“May I put a supplementary question to the hon. the Law Member? I am sure he is as anxious as any of us not to give away the character of any one who is as qualified as he himself. It

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appears to me from what is placed before us in the answer here, that the original statement is rather too strong. I want to know in view of the information placed before us and the letter of Mrs. Varadarajulu Nayudu, a highly respected lady, which saw the light of day subsequent to the original answer of the Government (answer given on the 12th December 1923), whether the hon. the Law Member will kindly consider and see his way to modify the original statement with respect to Dr. Varadarajulu Nayudu?"

Mr. T. ADINARAYANA CHETTIYAR :—"Does the hon. the Law Member think, from the extract given here, that Dr. Varadarajulu Nayudu invited Japan to invade India? Does the hon. the Law Member think that that is the proper inference to be drawn from what is quoted here?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I do not want to draw any inferences myself. All that I can say is that all of us have read the passage which is to the following effect:

'Then many of us will proceed with Purnakumbhams (welcome demonstrations) and will say wholeheartedly what Japan is doing is quite right'.

and another passage which runs—

'Some think that we must call Japan to our aid and crush these people (the British)'.

In reply to the question which emanated from my hon. Friend from Chittoor, I may say that I am afraid that in response to what Mrs. Varadarajulu Nayudu says the Government can take no action, but if Mr. Varadarajulu Nayudu will say openly that he did not intend to do it, the Government will only be too glad to accept his statement."

Mr. C. RAMALINGA REDDI :—"In this extract it is stated that 'some think that we must call Japan to our aid and crush this people (the British). . . etc.' This is only the ex parte statement of the shorthand writer, and we do not know anything of his qualifications. But from the passage quoted here, it does not look like a very coherent statement. That itself makes me feel that Dr. Varadarajulu Nayudu himself might not have been the person to make such a statement. Here it is said 'Japan is our elder brother'. There is nothing wrong in that. Many a Member has said. . ."

The hon. the PRESIDENT :—"I am sure hon. Members would like to put supplementary questions. But seeing that we have already trespassed on the second hour of this sitting, I should like any question to be put at once."

Mr. C. RAMALINGA REDDI :—"Well, Sir, I will put my question. In view of the language of the extract given here, it does not seem to read like a coherent or reasonable statement. It is said: 'If Japan is respected more, then Japan will try to claim India for themselves'. In view of the fact that this is one of the most mystifying statements, will the hon. the Law Member be pleased to say that the definite charge categorically made that Dr. Varadarajulu Nayudu invited Japan to come to India is not proved?"

Mr. C. V. VENKATARAMANA AYYANGAR :—"May I ask whether the hon. the Law Member will be pleased to say whether the whole speech contains only this reference to Japan or whether there are any other references to Japan?"

Mr. T. ADINARAYANA CHETTIYAR :—"Will the hon. the Law Member be pleased to lay on the table the full speeches, so that any misconstruction may be avoided."

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The hon. Mr. C. P. RAMASWAMI AYYAR :—"I repeat, Sir, again what I said before that if Dr. Varadarajulu Nayudu says that he did not intend anything like that, the Government will only be too anxious and willing in his own interest to accept his statement. We do not propose to lay the whole speech on the table because if the fact is challenged, further action may be necessary."

Mr. C. V. VENKATARAMANA AYYANGAR :—"My question is not answered, and that is, whether this is the only reference to Japan in the whole speech or whether there are other references to it. We are not at all concerned with what Dr. Varadarajulu may or may not do."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I can speak only from memory. I think there is another reference in this speech; but there are other references to Japan in other speeches."

Mr. C. RAMALINGA REDDI :—"In view of the fact that the Government themselves not being satisfied with the passage in which Japan occurs would not bear the peculiar construction put upon it, the Government say that they were strengthened in their construction of his speech by another speech in which the following passage is said to occur:—'Europeans come to India in the winter season. . . then we must create some riots, etc. . .'. This does not seem necessarily to bear the interpretation that those riots should have any connexion with the Japanese invasion. Some other passages also are given. Would it not mean making a statement and then expecting him to disclaim it? Will the hon. the Law Member be pleased to say that on the evidence available, such an inference as was drawn was possible but that it is not irresistible?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I am afraid I cannot disown what I said in view of this definite statement, namely, 'Some think that we must call Japan to our aid', that word 'us' includes himself. It is said 'then many of us will proceed with Purnakumbhams'. Purnakumbham is of religious significance and indicates a welcome. The passage also says 'What Japan is doing is right', that is crushing the British people."

Mr. C. RAMALINGA REDDI :—"In view of the fact that Dr. Varadarajulu Nayudu is an educated man who knows grammar he would not have said many of the words in the passages quoted."

The hon. the PRESIDENT :—"I am afraid the hon. Member is passing beyond the limits of a supplementary question."

Treatment of a certain member of the depressed classes.

241 Q.—Mr. R. VEERIAN: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that a member of the depressed class was confined to the stocks in an obscure taluk of Trichinopoly from 10 to 2 o'clock by the village magistrate between the middle of October and the first week of November 1923;

(b) whether it is a fact that a petition was submitted to the Government by the President of the Depressed Classes Society, Trichinopoly, praying for an early removal of the objectionable form of punishment;

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(c) whether it is a fact that the Government have already announced their intention to remove the above practice of village magistrates confining human beings in stocks; and

(d) if so, whether the Government will be pleased to furnish a copy of the Government Order?

A.—In November 1923, the Government received a representation from the President of the South Indian Depressed Classes Society in which it was alleged that one Mr. Seerangan had been confined in the stocks in a village called Bommanapadi in the Perambalur taluk of Trichinopoly district, some time in May last. This is presumably the case referred to, but if so the hon. Member appears to be wrong as to his dates. The Government were unable to discover the truth of the matter after such a long interval of time and informed the President of the Society accordingly. They have also informed the President that the punishment of confinement in the stocks was abolished by the Village Courts (Amendment) Act, 1919, and they have issued instructions more than once in the past to prevent the infliction of this form of punishment by those who are apparently not aware of the change in the law.

Condition of the beggars in Madras.

242 Q.—Mr. L. C. GURUSWAMI: Will the hon. the Law Member be pleased to state—

(a) the number of beggars put up by the Madras Police before the Presidency Magistrates during the current year, and how many of them have been (i) fined, (ii) sent to jail and (iii) acquitted;

(b) what action the Government have taken to prohibit those beggars who have been discharged from further begging; and

(c) if they propose to start a work-house or a poor-house to put an end to the beggar nuisance in the City of Madras?

A.—(a) The number of beggars put up before the Presidency Magistrates during the year was 189
 (i) The number of them fined was 88
 (ii) „ sent to jail was 39
 (iii) „ acquitted was 12

(b) & (c) No effective action can be taken in the absence of a beggars' home or poor-house, for which sufficient funds are not at present available.

Mr. SAMI VENKATACHALAM CHETTIYAR:—“May I ask whether the Government propose to make any provision at least in the next Budget for either starting a work-house themselves or amply subventing the Corporation of Madras if one is started by that body?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“If the Corporation embarks on that philanthropic enterprise, I am sure that the purse-strings of my hon. Colleague will be loosened.”

Mr. SAMI VENKATACHALAM CHETTIYAR:—“Pending that, may I ask whether the Government will suspend the prosecution of these beggars?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“It was in response to a number of appeals published in the newspapers that this was a tremendous nuisance that the system of prosecutions was inaugurated.”

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Mr. M. RATNASWAMI:—“Am I to understand that the answer to the supplementary question is to the effect that if the Corporation put forward proposals, the Government would be pleased to render some aid? I want the hon. the Finance Member to reply to my question, Sir.”

The hon. Sir CHARLES TODHUNTER:—“I would refer the hon. Gentleman to Devolution Rule No. 31.”

Mr. M. RATNASWAMI:—“Will the hon. Member kindly quote it?”

Mr. SAMI VENKATACHALAM CHETTIYAR:—“Will the hon. the Minister for Local Self-Government request the hon. the Finance Member for such a grant to the Corporation?”

The hon. the RAJA OF PANAGAL:—“The question will be considered, Sir.”

Arrest of a French subject.

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

(1) the circumstances that led to the arrest in December last at the Villupuram Railway station of one Nagaratnam, a French subject, residing in Pondicherry, en route to Madras and the grounds on which his remand was applied for and granted;

(2) the duration of his remand and the accusation, if any, made against him;

(3) the result of investigation, if any, made since his remand;

(4) the reasons for dropping the proceedings against him and releasing him; and to lay on the table the papers touching him;

(5) whether it is a fact that the said Nagaratnam requested the magistrate to send him back to Pondicherry under escort and the magistrate declined to accede to the said request; and

(6) whether any attempt was made to ascertain from the French authorities his antecedents and character?

A.—(1) The individual was behaving in a suspicious manner and attempting to conceal himself when the police arrested him. Papers found on him showed that he was an associate of dangerous revolutionaries; when questioned by the police, he failed to give a satisfactory account of himself. He was therefore arrested under section 55, Criminal Procedure Code.

(2) He was in remand from 30th November 1923 to 13th December 1923. The accusation made against him is mentioned in clause (1) above.

(3) The Government have no information.

(4) He was released because the police could not submit the final report by the 13th December 1923. The papers cannot be placed on the table.

(5) The Government have no information.

(6) No.

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Dr. P. Varadarajulu Nayudu's speech.

244 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state (giving dates) when Mr. P. Varadarajulu Nayudu delivered speeches inviting Japan to invade India and also desiring riots to take place in the cold weather (vide the hon. the Law Member's answer to my interpellation No. 28-A, dated 12th December 1923, printed in the Council Proceedings of that date) ?

A.—The hon. Member is referred to the answer to clause (a) of question No. 240.

Bomb cases in certain taluks of the Kurnool district.

245 Q.—Rao Bahadur C. VENKATARANGA REDDI: Will the hon. the Law Member be pleased to state—

(a) the number of bomb cases in the Sirvel and Koilkuntla taluks of the Kurnool district during the years 1922 and 1923 respectively;

(b) the number of murders by the use of bombs during the same years in the same taluks;

(c) the number of offences by the use of firearms during the same years in the same taluks;

(d) the number of bomb cases in Proddatur, Jammalamadugu and Pulivendla taluks of the Cuddapah district during the years 1922 and 1923 respectively; and

(e) whether any officer or officers have been appointed on special duty in connexion with bomb cases in the Kurnool and Cuddapah districts ?

A.—The information is given below :—

(a) (b) & (c)—

Kurnool district.—

	Number of bomb cases.		Number of murders by use of bombs.		Number of offences by use of firearms.	
	1922.	1923.	1922.	1923.	1922.	1923.
Sirvel taluk ...	1	5	...	1	...	...
Koilkuntla taluk. ...	...	2	...	1	...	1

(d) 1922—Proddatur 3, Jammalamadugu 2, Pulivendla 3.
1923—Proddatur 2, Jammalamadugu 3, Pulivendla nil.

(e) The hon. Member is referred to the answer to question No. 529.

Rao Bahadur C. VENKATARANGA REDDI:—“Sir, in view of the fact that there was only one case regarding the use of fire arms, will the hon. the Home Member be pleased to ask the District Magistrate to withdraw the order refusing wholesale the issue of licences for firearms in these two taluks ?”

The hon. Sir ARTHUR KNAPP:—“I would ask my hon. Friend to specify the particular order of the District Magistrate which he wants us to cancel. I am not aware that the District Magistrate issued any general order which is subject to our cancellation.”

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Rao Bahadur C. VENKATARANGA REDDI:—“The order was issued and two papers were sent out, one to the village magistrate and the other to the licence-holders, and I want to know whether there was any Government Order under which such an order was issued ?”

The hon. Sir ARTHUR KNAPP:—“If the question is whether we should overrule the District Magistrate's discretion by a General Order, I am afraid the answer is ‘No.’”

Diwan Bahadur P. KESAVA PILLAI:—“May I know is this investigation to be confined to Cuddapah and Kurnool only but not to Anantapur ?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Those particular men have been detailed for duty in the said districts of Cuddapah and Kurnool.”

Diwan Bahadur P. KESAVA PILLAI:—“Is not the Government aware that bombs have been used in Anantapur also ?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“When the mischief gets as grave as it is in Kurnool and Cuddapah, Government will take the necessary steps.”

Diwan Bahadur P. KESAVA PILLAI:—“Only after murders are committed ?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“No. If the traffic in bombs which is chronic feature of Cuddapah and Kurnool extends to Anantapur, then that is an important ground for action, apart from the action taken by the ordinary Police.”

Diwan Bahadur P. KESAVA PILLAI:—“Is not the Government aware, Sir, that there have been such cases, and there has been traffic in bombs ?”

Mr. A. RANGANATHA MUDALIYAR:—“The hon. the Home Member said that the Government would not by an official order interfere with the discretion of the District Magistrate. Will the hon. Member do so demi-officially, Sir ?”

Diwan Bahadur P. KESAVA PILLAI:—“There is no answer to my question, Sir ?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“In deference to what has fallen from my hon. Friend, I shall ask the District Magistrate.”

Posting of cases by the Divisional Officer of Bandar.

12-15 p.m. 246 Q.—The RAJA OF KURUPAM: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that orders have been passed asking the Revenue Divisional Officers to try cases at the headquarters generally for the convenience of parties;

(b) if so, whether it is true that some Revenue Divisional Officers, such as Khan Bahadur Habibulla Khan Sahib Bahadur, Divisional Officer of Bandar, Kistna district, have made it a point generally to post cases for trial to far-off places thereby causing a good deal of worry, unnecessary expenditure and inconvenience to parties;

(c) whether he will be pleased to make an inquiry and to call for a statement as to the number of cases posted in places other than at headquarters, since that Officer assumed charge of the division;

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(d) whether it is a fact that the said Divisional Officer sometimes posts cases to places from which he would be absent without giving notice to parties, thereby causing unnecessary expenditure and inconvenience to parties who have to go all the way, and that he did so recently at Nidumole, Vadlamannadu, Nanginapudi and other places in his division; and

(e) whether he will be pleased to ascertain whether the said Divisional Officer makes petitioners and vakils unnecessarily stay at his office without receiving petitions or hearing cases till very late in the evening?

A.—(a) Yes, if the hon. Member refers to cases under the Madras Estates Land Act, 1908.

(b) The Government have no information.

(c), (d) & (e) The Government do not propose to call for a report as it is open to the aggrieved parties to make representations to the District Collector and the Board of Revenue.

The panchayat courts in the Presidency.

247 Q.—MR. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Law Member be pleased to state—

(a) how many panchayat courts have been established in the Presidency and how many of them have been given power to try criminal cases;

(b) whether it is a fact that many of these panchayat courts have been recently deprived of the power to try criminal cases and, if so, how many and for what reasons;

(c) whether any special officer has been asked to report on the working of these panchayat courts and, if so, whether the Government have any objection to place the report on the Table of the Council; and

(d) whether it is a fact that several complaints have been received from panchayat courts that the work has suffered considerably for want of clerks and whether the Government have any intention of revising the rules about the appointing of clerks in these courts?

A.—(a) Two thousand one hundred and eighty-two panchayat courts were established in the Presidency by the end of the year 1922. Under G.O. No. 1441, Law (General), dated the 8th June 1922, which has been placed on the Editors' Table, all these panchayat courts were empowered at the outset to try criminal offences.

(b) Yes. So far, the criminal powers of 256 panchayat courts have been withdrawn. The Government on inquiry decided that in localities in which courts of Benches of Magistrates under the Code of Criminal Procedure existed panchayat courts need not exercise criminal jurisdiction concurrently with the former and therefore withdrew the criminal powers of panchayat courts in such cases.

(c) No special officer has been appointed.

(d) Some complaints have been received. The Government have very recently considered the question and have not thought fit to alter at present existing orders.

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Removal of the black flags by the Police during His Excellency the Viceroy's visit.

248 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state the section of law or other authority under which Madras City Policemen trespassed into Mr. M. Singaravelu Chettiyar's house and removed the black flags he had hung up there during His Excellency the Viceroy's visit?

A.—The hon. Member is referred to the answer to question No. 63.

Prosecution against Mr. C. S. Sitarama Ayyar of Conjeeveram.

249 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the reasons why the District Magistrate of Chingleput initiated proceedings against one C. S. Sitarama Ayyar of Conjeeveram in January 1923, and why the prosecution was dropped subsequently;

(b) whether the District Magistrate of Chingleput forced the said Sitarama Ayyar, under threat of criminal prosecution, to withdraw his claim for damages against the Swiss Government or Consul; and

(c) whether all foreign letters addressed to the said Sitarama Ayyar are being censored by the Local Government since March 1923 and, if so, the reasons for this course?

A.—(a) No proceedings were initiated against C. S. Sitarama Ayyar in January 1923. A notice was served on C. S. Sitarama Ayyar to show cause why he should not be prosecuted for certain offences, but no formal complaint having been preferred and the Government being of the opinion that C. S. Sitarama Ayyar was not quite sane, no further steps were taken.

(b) No.

(c) No.

Elections.

Election to the Local Boards and Legislative Assemblies.

250 Q.—MR. G. RAMESWARA RAO: Will the hon. the Law Member and the hon. the Minister for Local Self-Government be pleased to state if the Government are aware of the difference existing between the right of a karnam and that of a village headman to compete for election to local boards and the Legislative Assemblies?

A.—There is no difference in the case of elections to the Legislative Assemblies. In the case of local boards, the hon. Member's attention is drawn to section 54 of the Madras Local Boards Act, 1920.

Electricity.

Development of Hydro-Electric Power.

251 Q.—RAO BAHADUR C. NATESA MUDALIYAR: Will the hon. the Law Member be pleased to state whether the Government have framed or are framing any policy with the object of developing hydro-electric power in the Presidency?

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A.—Government are anxious to develop the hydro-electric resources of the Presidency, and are taking action to that end. They also propose to utilize the services of an expert to advise them as to the lines of progress.

Irrigation.

Drains in the Gōdāvari Western and Kistna Eastern deltas.

252 Q.—Mr. P. PEDDIRAJU: Will the hon. the Law Member be pleased to state—

(a) whether any estimates are ready for the improvement of drains in the Gōdāvari Western and Kistna Eastern deltas;

(b) if so, whether a list of them will be placed on the table; and

(c) whether the Government are going to undertake any of these works in the coming year 1924–25?

A.—(a), (b) & (c) One work “Excavating subsidiary drains to the Motar left side drain” in the Kistna Eastern delta, has been sanctioned and is proposed to be taken up for execution during 1924–25. There are several other works which have been either completed or in progress or under consideration.

Mr. P. PEDDIRAJU:—“May I ask the hon. the Law Member to place a list of all the works referred to in my question No. 252 (b) on the Table? The hon. Member said in reply that there are several other works which have been completed.”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I shall compile a list of the works which have been completed or are in progress.”

Irrigation channels in the Gōdāvari Western delta.

253 Q.—Mr. P. PEDDIRAJU: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the irrigation channels in the Gōdāvari Western delta are not being repaired as usual;

(b) whether in consequence of the same the lands at the tail end of the channels are suffering from inadequate supply of water; and

(c) whether the Government are going to take any action with respect to the same?

A.—(a) The answer is in the negative.

(b) & (c) The attention of the Member of the Legislative Council is drawn to the answer to Legislative Question No. 43 (49), December 1923.

Mr. P. PEDDIRAJU:—“May I inform the hon. the Law Member that my experience is quite different from the answer given to question No. 253 (a) P?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I realize that” (laughter).

Breaches made by the river Vettar.

254 Q.—Mr. O. MAHUTHAVANAM PILLAI: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the river Vettar breaches almost every year in the limits of Manjadi to the north of Kivalore, thereby damaging the crops

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of several villages lower down on the right bank of the river for the last thirty years and more; and whether complaints have been made by the ryots year after year, but to no purpose;

(b) whether it is a fact that the Department of Public Works even prepared an estimate for closing the breaches and for the construction of a drainage sluice two years back on a complaint made by Rao Bahadur K. S. Venkatarama Ayyar and others; and whether the estimate has been sanctioned; if so, will the same be worked out at least in the current year;

(c) whether the ryots have given any suit notice to Government regarding the above breaches;

(d) whether the Department of Public Works constructed a temporary wooden sluice and closed the breach partially with the result that the whole is now washed away;

(e) whether a big island has been formed in the middle of the river to the west of Nagore where the river discharges into the sea; and whether the same obstructs the free flow of the river during floods and causes the water to back up, thus submerging the lands in December and damaging the standing crops; and

(f) whether an estimate is being prepared for turning the river and at what stage it is now?

A.—(a) No; there was a gap for a very long time in the right bank of the Vettar in the Manjadi limits through which the fields to the right of the Vettar drained into the river. This gap was permitted on the understanding that the interested ryots would close it when floods came down the river. As this was neglected by the ryots, the gap widened during the floods of 1919. The breach was closed, leaving only a small gap for the field drainage to enter the Vettar as before.

Complaints have been made by M.R.Ry. Rao Bahadur K. S. Venkatarama Ayyar Avargal. No other complaints have been received.

(b) Government are not aware whether any estimate was prepared by the local officers; but the Executive Engineer has reported that he has instructed the Subdivisional Officer to construct a box sluice at the site of the gap and to reform the bank.

(c) The Government have no information except a statement in a petition received from M.R.Ry. Rao Bahadur K. S. Venkatarama Ayyar Avargal, in December last, that he has given a notice to the Collector.

(d) The temporary wooden sluice referred to is apparently the box sluice referred to in clause (b) above. No information has been received, but a report has already been called for.

(e) & (f) The Government have no information.

Traffic on the anicut across the Pennar at Nellore.

255 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that traffic is much inconvenienced during the greater part of the year, on the anicut across the river Pennar at Nellore;

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(b) whether it is a fact that the Government have formulated a scheme to improve its condition and when; and

(c) if the answer is in the affirmative, why that scheme has not yet been put into execution?

A.—The Government have no information.

MR. MUHAMMAD YAHYA ALI SAHIB :—“ Will the Government be pleased to furnish an answer to clauses (b) and (c) of question No. 255 ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ The answer given ought to have been to question No. 255 (b); and it has been taken for granted that the Government have not been made aware of any such inconvenience that it might be remedied.”

The Patha-Cuddapah tank.

256 Q.—MR. K. ABDUL HYE SAHIB : Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the Patha-Cuddapah tank, one of the biggest irrigation tanks in the district of Cuddapah fed by the Kurnool-Cuddapah canal, is so badly silted up that its storage capacity has been reduced by more than half;

(b) whether the Government have received any memorial on the subject; and

(c) if so, what action the Government propose to take thereon?

A.—(a) & (b) The answer is in the negative.

(c) The attention of the hon. Member is in this connexion drawn to the answer to question No. 131.

Irrigation projects.

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

(1) the names of irrigation projects which have been under consideration during the last 25 years;

(2) how many of them were carried out and the cost of each; and

(3) how many were given up and for what reasons?

A.—The hon. Member's attention is invited to the Report on Irrigation Projects by Mr. F. E. Morgan, Executive Engineer, Projects division, which was placed on the Council Table. If details are required on any specific project, they will be furnished.

The bigger channels in the Trichinopoly district.

258 Q.—MR. M. R. SETURATNAM AYYAR : Will the hon. the Law Member be pleased to state the amount of expenditure incurred in regard to the bigger channels in the Trichinopoly district for the last five years under the following heads :—

(a) names of the channels,

(b) repair charges for korambu,

(c) silt clearance, and

(d) masonry and other works along the courses of the channels?

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A.—The Government have no information but will call for it, if names of the channels for which information is required be specified.

The Ponneri channel.

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

(a) the present stage in the powers of shifting of the head of the Ponneri channel three miles up the Coleroon river;

(b) the cost of the latest revised estimate;

(c) the amount expended up to date;

(d) the probable extent of additional lands that would be brought under cultivation by this work; and

(e) the estimated additional revenue therefrom?

A.—(a), (b) & (c) The latest revised estimate sanctioned for improvements to the Ponneri channel amounts to Rs. 2,22,000 and fair progress has been made on the work. Information regarding actual expenditure incurred on the work up to date is not available but the expenditure to end of November 1923 amounts to Rs. 1,63,772.

(d) & (e) The work is intended chiefly to ensure a proper supply for the channel all the year round, and no large extension of cultivation has been contemplated.

MR. M. R. SETURATNAM AYYAR :—“ With regard to the answer to question No. 259 (a) and (b), are we to understand, Sir, that the work thus far has been a failure ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Hardly.”

The Kannambadi Arbitration affair.

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

(a) how the present position of the Kannambadi Arbitration affair stands;

(b) who were the officers deputed to consider the question of compromise of the dispute between the Madras and the Mysore Governments regarding the Dam;

(c) at what places they met;

(d) what were the decisions arrived at or the proposals advanced by them at each place of meetings;

(e) whether the Government have considered the necessity of obtaining the opinion of the leading ryots of the districts affected by the construction of the above Dam before any compromise is arrived at;

(f) if the answer to clause (e) is in the affirmative, whether the Government will be pleased to call for a conference of the leading ryots of the districts concerned to consider the question of compromise and also to give publicity to the terms of compromise in all the leading newspapers of Madras and the districts concerned;

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(g) whether the attention of the Government has been drawn to the series of articles about the Dam, which appeared in the issues of the now defunct "Desabaktan", Madras, dated 29th and 30th October 1919, and 1st, 5th and 10th November 1919, and also the issues of the "Panchayat," a monthly published at Trichinopoly, in its Vol. 1, Nos. 11 and 12, and Vol. 2, Nos. 4 and 5; and

(h) whether the Government have taken into consideration the objections raised in those articles?

A.—(a) In pursuance of the suggestion made by the Secretary of State, negotiations were started in April 1920 and have been proceeding and in the later stages the Consulting Engineer of the Government of India has been helping the Government of Madras and the Mysore Darbar. They have not yet been finally concluded.

(b), (c) & (d) As the negotiations have been proceeding on the basis that they should be treated as confidential and the proceedings should not prejudice either party if the matter is ultimately taken to arbitration, the Government consider that it would be detrimental to public interests to answer these questions.

(e) & (f) Leading ryots were consulted in August 1922 and will again be consulted if and when necessary.

(g) & (h) The attention of the Government has now been drawn to the articles referred to.

Report of the "Cauvery Delta Improving Committee."

261 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Law Member be pleased to publish the report drawn by the "Cauvery Delta Improving Committee"?

A.—Further minutes expected by the President of the Committee from some of the members are still awaited and the question of publishing the report will be considered when they are received and the report is examined.

Embankments on certain rivers in South Kanara.

262 Q.—Mr. J. A. SALDANHA: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that recently there were erected on the Gurpur and Mulki rivers in South Kanara bunds or embankments for facilitating irrigation of hundreds of acres of fields by villagers with their own labour and at their own cost;

(b) whether these works were ordered to be destroyed on the ground that they obstructed navigation and offended against section 431 of the Indian Penal Code;

(c) whether it is a fact that the rivers in question were at the time of the erection of the bunds navigable for laden boats only at high tides; and

(d) whether it is a fact that in the case of the bund erected without the Collector's permission on the Mulki river by the villagers of Palimar, rice crops of over 500 acres were saved from being destroyed by drought on account of that bund, while only a few boats were prevented from carrying their goods which could be easily transhipped over the bund?

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

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Mr. J. A. SALDANHA:—"Will the hon. the Law Member be pleased to call for information on this point?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"To which point?"

Mr. J. A. SALDANHA:—"To all the points. The information is required in connexion with the points that I am going to raise on the Irrigation Bill."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Clause (d) is somewhat consequential on the rest. But I shall have no objection to call for information regarding (a), (b) and (c)."

Minor irrigation works in certain districts.

263 Q.—Mr. M. RATNASWAMI: Will the hon. the Law Member be pleased to state—

(a) the number of minor irrigation works reported upon and ready for construction if funds were available in each of the districts of South Arcot, Chingleput, North Arcot, Cuddapah, Kurnool, Bellary and Anantapur; and

(b) whether Government intend building any of these works in the year 1924-25?

A.—Apparently the hon. Member refers to the construction of new irrigation works as distinguished from improvements to existing irrigation works. There are no such works reported on and ready for construction, if funds were available, in the districts mentioned.

Mr. M. RATNASWAMI:—"Are we to understand, Sir, that these districts are so fortunate that they do not require any manner of irrigation works?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The hon. Member will notice that the answer refers to 'new irrigation works as distinguished from improvements to existing irrigation works'. It is not a fact that they are so fortunate as not to need any irrigation work, but no such schemes have been put forward, partly on account of financial reasons."

Mr. M. RATNASWAMI:—"May I know, Sir, whether those districts do not require at all any new minor irrigation works?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I think it is necessary to explain that it is major irrigation works that are really involved in the new construction. The function of the minor Irrigation Department is to maintain existing schemes."

Mr. A. RANGANATHA MUDALIYAR:—"And not to embark on works which are technically minor irrigation works?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do not say that."

Mr. M. RATNASWAMI:—"Does the hon. the Law Member's answer include all kinds of minor irrigation works, viz., those that are necessary to supplement major irrigation works and those which are independent of major irrigation works?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"As I have already said, there are no such works reported on and ready for construction."

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The Periyar scheme.

264 Q.—Mr. M. RATNASWAMI: Will the hon. the Law Member be pleased to state what stage the Periyar scheme for generating power has reached and what the claims are of the Irrigation Department which the promoters of the scheme have found unacceptable?

A.—The concession which was granted to Mr. A. H. Garrett, Retired Chief Engineer, in November 1919, and subsequently taken over by a Syndicate composed of Messrs. Alfred Dickinson & Co., Limited, and others, has just been determined as the concessionaires have failed to promote a company with the requisite capital. Government are not aware of any claims of the Irrigation Department which the promoters found unacceptable.

Mr. M. RATNASWAMI:—“May I ask the hon. the Law Member whether he has dealt with Mr. Cotton's industrial report attached to the last administration report where a view is expressed that on account of the difficulties expressed by the Irrigation Department, the Periyar irrigation works could not be dealt with?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I have got Mr. Cotton's opinion, but, so far as anything depends upon the Member in charge of electric power, all that I can say is that no one is more anxious than myself to develop electricity in the South of India and that every facility will be given to *bona fide* attempts in that direction.”

The modified Tungabhadra project.

265 Q.—Rao Bahadur C. VENKATARAMA REDDI: Will the hon. the Law Member be pleased to state—

- (a) whether there is under the consideration of the Government any project known as the modified Tungabhadra project;
- (b) whether it has been investigated or is still under investigation;
- (c) if it is under investigation, the time when it will be completed;
- (d) the districts which will be benefited by that project; and
- (e) the probable extent of land in each district that will be served by that project?

A.—In connexion with the scheme for a reservoir on the Kistna at Sangameswaram proposed by the late Chief Engineer on Special Duty (Mr. A. V. Ramalinga Ayyar) a proposal has been made to utilize the Tungabhadra waters for the irrigation of 200,000 acres of land in the Bellary district. The latter scheme can be taken up for consideration only after the results of the preliminary investigation now in progress in connexion with the former are known.

Mr. K. KOTI REDDI:—“May I enquire, Sir, whether the modified Tungabhadra project is successful?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“It depends upon the balance of convenience and the balance of advantages. The Sangameswaram project which has now been reported upon, and whose success depends upon the concurrence of His Exalted Highness the Nizam of Hyderabad, will give more lasting benefits.”

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Mr. P. SIVA RAO:—“May I enquire, Sir, whether the original Tungabhadra project, which was estimated to cost about 13 crores and which was deferred with reference to some other schemes, has been completely given up?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“If this Sangameswaram project is abandoned, that will hold the field.”

Rao Bahadur C. V. S. NARASIMHA RAJU:—“May I enquire, Sir, whether the Tungabhadra project was shelved by Mr. Morgan?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Mr. Morgan gave a fairly definite answer after his investigations went up to a certain stage. It was because of his advice that the Government have now taken a different view of its possibilities and are exploring it, and we have invoked the Consulting Engineer to the Government of India to strengthen us in the matter of expert opinion.”

Mr. K. KOTI REDDI:—“Am I to take it, Sir, that the Sangameswaram project means the definite abandonment of the modified Tungabhadra project?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“It will include the old portions of the Tungabhadra project.”

Diwan Bahadur P. KESAVA PILLAI:—“Will it benefit the Bellary district, Sir?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Yes.”

The Nagavali project.

266 Q.—The RAJA OF KURUPAM: Will the hon. the Law Member be pleased to state whether it is under the consideration of the Government to extend the Nagavali project—

- (a) by opening a head sluice in the right bank of the river opposite the one in existence in the left bank and by digging fresh channels so as also to irrigate the lands of the villages situated to the south of the river as far as the Suvarnamukhi generally known as Seethanagram river; and
- (b) by constructing a reservoir across the Janjhavati at a place higher up Gumpa where this river joins with the Nagavali and below Narayana-patnam or another between Chollapadam and Rayaghada?

A.—(a) The answer is in the negative.

(b) The hon. Member's attention is invited to the report on the project on page 9 of Mr. Morgan's Report on Irrigation Projects already placed on the Table.

The masonry dam at Agalangan.

267 Q.—Mr. C. MARUTHAVANAM PILLAI: Will the hon. the Law Member be pleased to state—

- (1) whether the Government are aware of the fact that the masonry dam built by the French at Agalangan across the Arasalar has seriously impaired the capacity of the river as a source of irrigation and drainage owing to the absence of screw shutters and sand-scouring vents for the said dam; and

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(2) whether it is a fact that owing to the discontinuance or neglect of *nanal* planting, the carrying capacity of the rivers in the Cauvery delta has seriously diminished?

A.—(1) The Government are aware of the existence of the dam referred to, and the difficulties arising therefrom. The French Government have proposed to improve the dam by converting it into a regulator but there is no guarantee as to when it will be done. The Collector has however been directed to safeguard the interests of the British ryots adequately by regulating the Kavadi channel head sluices as occasion arises.

(2) As much funds as can be spared under present conditions are being allotted for conservancy operations. The Government have no reason to believe that the alleged discontinuance or neglect of conservancy operations has reduced the carrying capacity of the delta rivers.

Surplus water overflowing the Pennar Anicut.

268 Q.—MR. K. SITARAMA REDDIYAR: Will the hon. the Law Member be pleased to lay on the table a statement showing the amount of surplus water overflowing the Pennar anicut near Tirukkoyilur unutilized for irrigation purposes for the last twenty years?

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

MR. K. SITARAMA REDDIYAR:—"Will the Government be pleased to call for the information?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"In deference to the wish of my hon. Friend, I have asked our Chief Engineer and he says that gaugings have not been kept, but the information will be collected."

Law Officers.

Age of Government pleaders and public prosecutors.

269 Q.—THE RAJA OF RAMNAD: Will the hon. the Law Member be pleased to furnish the age of the various Government pleaders and public prosecutors employed in all the districts on 1st January 1924?

A.—The Government have no information.

THE RAJA OF RAMNAD:—"May I request the hon. the Law Member to kindly furnish the information in view of the number of Resolutions that have been tabled?"

THE hon. Mr. C. P. RAMASWAMI AYYAR:—"An inquiry regarding the ages of the various Government pleaders and public prosecutors in all the districts may not be of great assistance, but if, in regard to any particular district where there is any trouble, this age question is raised, I have no objection to call for information."

Magistracy.

Special Magistrates in the Madura and Tanjore districts.

270 Q.—MR. A. V. BHANUJI RAO: Will the hon. the Law Member be pleased to state whether the experiment of appointing Special Magistrates in

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the Madura and Tanjore districts has been tried as stated by his predecessor in office in the discussion on the separation of Executive and Judicial functions in the Council on the 14th September 1922; and, if so, with what results?

A.—No. The experiment has been postponed pending consideration of the proposals of the Committee on the separation of functions.

Police.

Police stations and Police force in municipal and non-municipal areas.

271 Q.—MR. M. RATNASWAMI: Will the hon. the Law Member be pleased to state—

(1) the number of members of the Police force in municipal and in non-municipal areas respectively;

(2) the number of police stations in municipal and in non-municipal areas respectively; and

(3) the average distance between police stations in non-municipal areas?

A.—A statement is attached:—

	In municipal areas.	In non-municipal areas.
(1) Strength of the Station staff, i.e., sub-inspectors, sergeants, head constables and constables	6,656	17,529
(2) Number of police stations ...	132	884
(3) The average distance between police stations in non-municipal areas is 14 miles.		

Recruitment of sub-inspectors of police.

272 Q.—THE RAJA OF RAMNAD: Will the hon. the Law Member be pleased to state why in the recent recruitment of sub-inspectors of police the usual district committees composed of officials and non-officials were not set up?

A.—The recruitment of sub-inspectors was postponed for some time pending a consideration of the report of the Police Committee. When it was found that the recruitment of a limited number was unavoidable it would have been too late to go through the ordinary procedure of constituting selection committees in each district, and a departure from the rule was permitted, as a special case, in order to save delay. All the candidates were however inspected and classified by Deputy Inspectors-General in order to secure uniformity of standard.

Expenditure for the Secret Service Fund in 1923.

273 Q.—MR. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

(a) the amount of money spent on account of the Secret Service Fund in 1923;

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- (b) the objects for which the money was spent;
 (c) whether any vouchers are ever obtained for expenditure under this head; and
 (d) whether any responsible officer supervises or checks the expenditure under this head?

A.—There is no Secret Service Fund in this Presidency. For police expenditure the details of which are required to be kept secret an allotment is made in the budget under 'Special rewards'. Suitable arrangements are made for the audit and control of expenditure from this allotment, but the Government are naturally not prepared to disclose the objects for which it is used.

Special Inspector of Police on Khilafat duty.

274 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

- (a) whether there is a special Inspector of Police posted on Khilafat duty;
 (b) the duties of that office; and
 (c) the reasons for the existence of this special office?

A.—(a) No.
 (b) & (c) The points do not arise.

Police arrangements for the Cocanada Congress.

275 Q.—Mr. S. SATYAMURTI: Will the hon. the Law Member be pleased to state—

- (a) the amount of money spent on police arrangements, including the Criminal Intelligence Department, for the Cocanada Congress; and
 (b) the duties discharged by the various police officers deputed to do duty there?

A.—(a) An amount of Rs. 6,000 was sanctioned by Government for Police work in connexion with the Indian National Congress, the Khilafat and other conferences held at Cocanada. They have no information how much of this was actually spent.
 (b) The Government have no information as to the duties performed by each Police officer.

Selection of Muhammadan candidates for the post of Sub-Inspectors of Police.

276 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to state whether it is a fact that all the six Muhammadan candidates who appeared from the Anantapur district for the selection of sub-inspectors of Police were rejected and if so, the reasons for this rejection?

A.—The Government have no information.

Mr. ABBAS ALI KHAN:—"Will the Government be pleased to call for information, Sir?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Yes, but I must say this. I do not undertake, while calling for the information, to publish the results of any researches that might be necessary."

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Recruitment to higher offices in the Police Department.

277 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to state whether it is a fact that the Government intend to recruit direct a number of Deputy Superintendents of Police and Circle Inspectors?

A.—There is no proposal to alter the existing methods of recruitment.

Punitive Police, Koilkuntla and Siruvel.

278 Q.—Rao Bahadur C. VENKATARAMA REDDI: Will the hon. the Law Member be pleased to state—

- (a) whether any orders have been passed on the proposals submitted to Government for the imposition of punitive police in the Koilkuntla and Siruvel taluks of the Kurnool district; and
 (b) if so, what orders have been issued?

A.—(a) Yes.

- (b) The Government have sanctioned the appointment of an Inspector and two Sub-Inspectors of Police to investigate the traffic in bombs which is a disquieting feature of the districts of Kurnool and Cuddapah. They have also instructed the District Magistrates to warn the inhabitants of the districts of their responsibilities in the way of co-operating with the Government in putting down such crime and to make it clear to them that the alternative may have to be the imposition of punitive police.

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know, Sir, that in any orders that may be issued, the police officers also will be asked to be more careful hereafter and to see that offences are carefully detected?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is part of their statutory and normal duties."

Police sub-inspectorate.

279 Q.—Mr. K. SARABHA REDDI: Will the hon. the Law Member be pleased to state—

- (a) how many candidates from the Kurnool district applied for selection last time for Police Sub-Inspector's training;
 (b) whether timely intimation was given to candidates to appear before the board of selection; and
 (c) if so, how many were selected?

A.—The Government have no information.

Public Works.

Retirement of certain Assistant Engineers.

280 Q.—Mr. R. SRINIVASA AYYANGAR: Will the hon. the Law Member and the hon. the Minister for Education be pleased

(i) to state—

- (a) whether it is a fact that about a dozen Assistant Engineers (Provincial grade) have been ordered to take leave and to retire though they have neither attained fifty-five years of age nor completed thirty years of service;

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- (b) the actual number of Assistant Engineers so dealt with and their names ;
 (c) whether their places have been filled up or abolished ;
 (d) if those places have not been abolished, to state the reasons for the step taken ; and
 (ii) to lay on the table the papers relating to their compulsory retirement ?

A.—(i) (a) It is not a fact that Assistant Engineers were ordered to take leave and to retire. As a measure of retrenchment the cadre of the Madras Engineering Service was reduced from 106 to 75. Notice of discharge was given to officers who completed the qualifying service to be retired on compensation pension to the extent there was excess in the service.

(b) List is appended.*

(c) & (d) The appointments were abolished.

(ii) The matter is pending with the Government of India.

Discharge of permanent Lower Subordinates in the Public Works Department.

281 Q.—Mr. P. PEDDIRAJU : Will the hon. the Law Member and the hon. the Minister for Education and Public Works be pleased to state—

(a) whether the attention of the Government has been drawn to the method of discharging permanent Lower Subordinates in the late 2nd circle ; and

(b) whether the attention of the Government has been drawn to the Chief Engineer's Memorandum No. 6568-C, dated 18th September 1923 ?

A.—(a) & (b) The answer to (a) and (b) is in the affirmative.

Compulsory retirement of certain members in the Provincial Engineering Service.

282 Q.—Mr. ABBAS ALI KHAN : Will the hon. the Law Member and the hon. the Minister for Education and Public Works be pleased to state—

(1) whether a Government Order was passed last year providing for the compulsory retirement of members of the Provincial Engineering Service who had put in 25 years' service ;

(2) whether any exceptions were made to this rule ;

(3) if so, how many Brahmans and how many non-Brahmans were so excepted ; and

(4) whether it is a fact that the only Indian Christian who came under these rules was compulsorily retired ?

A.—(1) A Government Order was passed reducing the cadre of the Madras Engineering Service from 106 to 75 and in order to bring down the then existing strength of 95 to the sanctioned number the surplus officers were selected for discharge on pension under article 426, Civil Service Regulations, from among those who had completed twenty-five years' service for pension.

* Printed as Appendix II on page 292 infra.

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(2) & (3) Surplus officers were retired to the extent necessary, and there still remained nine officers who had completed twenty-five years' qualifying service whom it was not found necessary to discharge immediately. Of these, two were Europeans, four Brahmans and three non-Brahmans. Of the first and last class, one in each has since retired.

(4) Yes.

Mr. ABBAS ALI KHAN :—" May I enquire, Sir, whether the Indian Christians are classified as members of the non-Brahman party ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" The hon. Member must know that for himself. He is an Advocate of experience."

Mr. ABBAS ALI KHAN :—" I have no doubt about it, Sir, but I find that whereas the only Indian Christian in the service was compulsorily retired, the three non-Brahmans were retained ? "

The hon. Rao Bahadur Sir A. P. PATRO :—" The information with regard to that particular officer will not be to his credit, nor to his advantage in the matter of pension, if the full information is disclosed."

Mr. A. RANGANATHA MULALIYAR :—" The hon. the Minister said that if certain information is to be disclosed, it would not be to the advantage of the individual officer concerned. Is it communal factor, or personal, Sir ? "

(No answer.)

Reforms (Council Secretaries).

Council Secretaries.

283 Q.—Mr. SAMI VENKATACHALAM CHETTIYAR : Will the hon. the Law Member be pleased to state—

(a) whether the Council Secretaries appointed during the first Legislative Council under section 52 (4) of the Government of India Act still continue as Council Secretaries having regard to the provision of sub-section (4) of that section ;

(b) whether any of the Council Secretaries have submitted their resignation ; and whether the resignations have been accepted ;

(c) whether any of them still continue to draw pay ;

(d) whether it is a fact that one of them, though not re-elected to the Council, has drawn pay ; and, if so, until what date ;

(e) what is the amount of salary that has been drawn by each of the Council Secretaries between 1st April to August 1923 and after the dissolution of the Council in September 1923 ; and

(f) whether the appointment of the Council Secretaries made by His Excellency the Governor under section 52 of the Act was intended to continue beyond the period of the last Council ?

A.—(a) to (d) The three Council Secretaries continued in office till the 1st December 1923, on which date they resigned and their resignations were accepted. No appointments have been made after 1st December 1923, and so no one has drawn pay from that date.

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(e) The three Council Secretaries drew pay till 1st December 1923 at the rate of Rs. 500 per mensem each.

(f) Yes.

Religious disputes.

Committee to settle certain differences between Hindus and Mussalmans.

284 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Law Member be pleased to state—

(a) whether the Committee appointed for settlement of disputes between Hindus and Muhammadans under G.O. No. 887, Home (Judicial), dated 80th March 1920, has submitted any report;

(b) the number of meetings held by the Committee and the total amount spent by the Government for the said Committee;

(c) whether it is a fact that owing to the pre-occupations of the President, Sir P. S. Sivaswami Ayyar, further meetings of the Committee could not be convened and hence their labours could not be completed; and

(d) if so, whether the Government will be pleased to appoint a fresh Committee to complete the work started by the aforesaid Committee?

A.—(a) No.

(b) So far as the Government are aware, the Committee held two meetings in 1920 and one in January 1921 under the presidency of Sir P. S. Sivaswami Ayyar. The Government are not aware of the exact expenditure incurred on this account, but as the Committee do not appear to have toured and only to have held three meetings, it must have been inconsiderable.

(c) Sir P. S. Sivaswami Ayyar resigned his position as President of the Committee in May 1921 owing to his frequent and prolonged absence from Madras in connexion with the sessions of the Legislative Assembly. Sir Ahmad Tambi Marakkayar was appointed to succeed him at the end of 1921, but as no meetings were held after his appointment, the Government suggested and Sir Ahmad Tambi agreed in July 1923 that the matter might be allowed to drop.

(d) In view of the history of the last Committee, which was entirely composed of non-officials, the Government do not think that any useful purpose would be served by appointing a second one.

Mr. YAHYA ALI SAHIB:—“May I know if the order of appointment of Sir Ahmad Tambi Marakkayar was placed on the Editors' table or communicated to the members of the Committee?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“I really cannot say just now. But I will find out.”

Mr. YAHYA ALI SAHIB:—“Were the members of the Committee consulted before the matter was allowed to drop?”

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The hon. Mr. C. P. RAMASWAMI AYYAR:—“All I can say is that Sir Ahmad Tambi was the only person who addressed the Government. Sir Ahmad Tambi stated that certain records which were absolutely essential for him to embark on his inquiry were not available and I think there was some kind of search for the records which went on for some time. Sir Ahmad Tambi said that the occasion had gone by for any such inquiry just now and that he allowed it to drop. We thought that he consulted his colleagues.”

Mr. YAHYA ALI SAHIB:—“I must ask, if the answer to clause (d) is based only upon the report of Sir Ahmad Tambi, whether that is also the opinion of the other members of the Committee.”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“If the hon. Member desires further information, I will investigate into the matter and publish the circumstances under which the inquiry was dropped.”

Committee to inquire into the Hindu-Muslim disputes.

285 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Law Member be pleased to state whether a Committee was formed to inquire into the Hindu-Muslim disputes regarding the playing of music in front of mosques on the motion of Sir Ahmad Tambi Marakkayar; and whether the Government will lay on the table the deliberations of the said Committee?

A.—The hon. Member is referred to the answer to question No. 284.

Constitution of districts, divisions and taluks.

Re-grouping of village officers.

286 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(a) whether it is a fact that the re-grouping of village officers recently effected in the district of North Arcot has not only caused much hardship and dissatisfaction to the large body of village officers but detriment to their work inasmuch as the areas assigned to many of the village officers under re-grouping, sometimes including villages six to seven miles apart, have been arbitrarily fixed without regard to securing efficiency;

(b) whether it is a fact that in the course of re-grouping the claims of experienced karnams were, in many cases, overlooked and new men appointed without regard to service or efficiency;

(c) whether it is a fact that the recent reduction in the number of village menials has left a large number of villages without a village munsif, or a karnam, or a talaiyari or even a vettiyan with the result that none is available in those villages for safeguarding even Government property; and

(d) whether it is a fact that the reduction in the number of village menials has made it difficult for the village officers to attend to collection work satisfactorily?

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APPENDIX

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APPENDIX I.

[Vide answer to question No. 206 asked by Mr. G. Rameswara Rao at the meeting of the Legislative Council held on the 7th February 1924, page 242 supra]

List of reserves in the Anantapur district.

<i>Gooty range.</i>	<i>Area.</i>	<i>Kalyandrug range--cont.</i>	<i>Area.</i>
1. Peddoddi with Additions ..	2,533-68	3. Kalyandrug, South	996-00
2. Bhadrampalli	4,225-60	4. Do. North	475-00
3. Teremala	11,574-16	5. Koderu and Extensions ..	11,808-80
4. Katrimala, West	7,536-00	6. Shiripi	822-00
5. Do. East, with Additions ..	4,775-08	7. Golla	6,780-80
6. Nagasamudram, North ..	7,643-05	8. Iyyampalli	1,343-89
7. Do. South	4,087-50	9. Narasampalli	1,799-00
8. Yediki and Extensions ..	9,923-96	10. Yemmihatti	4,600-00
9. Jakkalacheruvu	2,468-40	11. Knondapalli	1,865-00
10. Krishnipadu	869-19	12. Pillapalli	4,379-91
11. Illuru and Extension ..	2,159-85	13. Settur	5,424-10
12. Taliki	891-18	14. Khyrevu	3,775-20
13. Marutla	12,047-44	15. Idukalu	4,950-00
14. Koppalakonda	737-72	16. Jambugumpala	2,935-00
15. Bavuludiki and Additions ..	2,027-08	17. Balaguppa	
16. Molakatala and Additions ..	3,866-33		
17. Kanampalli	2,216-05		

<i>Madakaira range.</i>	
1. Kannedaru	512-00

Tadpatri range.

1. Durgam and Extension	4,568 00
2. Kanikuntla	1,610 00
3. Chillaavaripalle	4,980 00
4. Dadithota and Addition	3,541 52
5. Virjampalli	2,388 00
6. Yallutla and Addition	9,183 61
7. Yallanur	474 00
8. Mochukota and Extension	21,817 39

Bukkopatnam rangt.

1. Bommarajumalai	2,115-00
2. Narasampalli	2,210-00
3. Kothakota	11,016-00
4. Neradikonda with Additions ..	2,224-23
5. Agraharam with Additions ..	2,184-55
6. Vengulamma charuva with Additions ..	2,430-25
7. Nallappa Konda	4,870-28
8. Malakanamakonda	2,284-52
9. Kalagera	4,100-75
10. Nyalakota with Extension ..	12,885-00
11. Gopidevarapalli	1,883-50
12. Dokkalakonda and Addition ..	7,428-61
13. Amagondapalayam	15,373-18
14. Yerrampalli and Addition ..	2,135-00
15. Guntur, East and West, and Additions ..	7,791-61
16. Ramagiri, East and West ..	4,122-18
17. Jannavulapalli and Additions ..	6,108-21
18. Mayakhonda and Addition ..	1,836-94
19. Ghorupalli and Addition ..	1,889-24

The hon. the PRESIDENT :—" Yes."

Kalyandrug range.

1. Badikonda A and B	1.275-00
2. Bhadrapuram and Extension ..	3,707-00

1. Kenneduru	518 00
2. Somandapalli	9,781-63
3. Yerrakonda	7,729-85
4. Madakasira, South	802-60
5. Penukonda	4,641-74
6. Kelmoti	2,470-25
7. Gundumala	8,244-00
8. Madakasira, North	3,472-75
9. Tankara Kallu, South	1,008-00
10. Yerracherla	1,242-60
11. Hottabetta, North, and Additions.	7,847-27
12. Ratnagiri	1,127-00
13. Ravudi	358 02
14. Keki	450-00
15. Kodihalli, Blocks 1 to 3	1,209-00
16. Yerrakonda, Extension I	3,890-00
17. Do. II	4,966-76

Kadirî range.

1.	Vallichalamala	3,600-00
2.	Medupalajuvvi	1,366-00
3.	Kokkaraju Konda	3,720-00
4.	Tummala	24,042-00
5.	Nigidi and Extensions	29,968-00
6.	Deorigalla	12,374-77
7.	Gorivikanama	13,972-84
8.	Somaraju Malai, East	910-00
9.	Temmalamala	8,210-00
10.	Kondakomera	4,113-00
11.	Malakavemala	2,760-00
12.	Goddavalagala	2,448-00
13.	Kadiri	5,420-00
14.	Iswaramalai	15,640-00
15.	Kutagulla	718-00
16.	Kokkanti	8,768-00
17.	Vuravoi	2,267-00
18.	Yerreppekonda	3,088-00
19.	Dhanayantheruvu	8-00

APPENDIX II.

[7th February 1924]

[Vide answer to question No. 280 asked by Mr. R. Srinivasa Ayyangar at the meeting of the Legislative Council held on the 7th February 1924, page 286 supra.]

List of Assistant Engineers discharged on compensation pension.

M.R.Ry. A. R. Subrahmanya Ayyar.	M.R.Ry. K. Srinivasa Ayyar.
" K. Narayana Hebbar.	" R. Panchapakesa Ayyar.
" S. Natesa Ayyar.	" M. N. Ramakrishna Ayyar.
" V. S. Srinivasa Ayyangar.	" T. Venkatarama Ayyar.
" Rao Sahib C. L. Venkata-	" L. D. Ramachandra Ayyar.
narasayya.	" S. Dakshinamurti Sastri.
" M. S. Venkatarama	" T. V. Saptharishi Sastri.
Ayyar.*	" V. K. Kuppuswami Ayyar.
Mr. J. S. Mullen.	" Sankara Subrahmanya
M.R.Ry. J. S. Muthayya.	Ayyar.

* Since retired on a *retiring* pension as he completed 30 years' service.

II

ELECTION OF MEMBERS TO THE ADVISORY COMMITTEE OF THE
MADRAS AND SOUTHERN MAHRATTA RAILWAY.

The hon. the PRESIDENT:—"I have to inform the House that at the election held last evening the following Members have been declared elected to be the Council's nominees to the Advisory Committee of the Madras and Southern Mahratta Railway:—

Mr. W. Vijayaraghava Mudaliyar.
Mr. P. Siva Rao.

III

COMMUNICATIONS TO THE COUNCIL.

(1)

The SECRETARY then laid on the table proceedings of the * twelfth, thirteenth and fourteenth meetings of the Finance Committee for 1923-24, dated 24th, 25th and 28th January 1924, respectively.

(2)

The SECRETARY also laid on the table a list of appointments on Rs. 500 and above created between 1st March and 30th November 1923, with reference to the Legislative Council Resolution No. 168 passed at its meeting of 18th December 1921.†

IV

DEMAND FOR SUPPLEMENTARY GRANT FOR 1923-24.

Grant XII.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr President, Sir, I beg to move—

That the Government be granted an additional sum of Rs. 12,220 under Criminal Justice for expenditure on the special courts constituted for the trial of offences which arose out of the Mappilla Rebellion.

* Printed as Appendix III on pages 330-342 infra.
† Printed as Appendix IV on pages 342-344 infra.

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"It is necessary to give to the House the details as to what exactly this refers to. This is practically the tail end of the events that led to the rebellion and to the establishment of the courts which had to deal with the matter arising out of the rebellion. An expenditure of about Rs. 12,220 was incurred during the current year on the special courts for the trial of offences which arose out of the Mappilla Rebellion. The Magistrates who sat in these courts were First-class Magistrates of the Deputy Collectors' cadre. No provision was made for this item in the budget as there was no information at that time as to whether the courts would function during the year and if so, for what period. The amount spent on the pay of the Magistrates included a special pay of Rs. 100 for each amounting to Rs. 10,000, and the amount for the establishment came to another Rs. 10,000. A statement of details of this expenditure will be placed on the table. This is the end of that category of expenditure, and I move that this supplementary grant be given."

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

V

AMENDMENTS TO STANDING ORDERS.

Rai Bahadur T. M. NARASIMHACHARLU:—"I beg to move that the report of the Select Committee appointed to consider the amendments to Standing Order 44 (1) (i), which is placed on the table * of this House, may be taken into consideration."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I second the motion."

The motion was put and carried.

Rai Bahadur T. M. NARASIMHACHARLU:—"I move that the two amendments that have been proposed consequential on the amendments to Standing Orders 46 and 49 may be passed at once."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I second it."

The motion was put and carried, and the amendments were passed.

VI

THE TUTICORIN PORT TRUST BILL.

The hon. the PRESIDENT:—"The Council will now resume consideration of the Tuticorin Port Bill. We have to deal with clause 8."

Mr. P. Peddiraju, who had given notice of the following amendment to sub-clause (1) of clause 8, did not move it:—

Amendment to sub-clause (1), clause 8.

"Add the following as item (f):—

'(f) or is domiciled in any part of the British Empire or in any British possession in which discrimination is made by statute or by any rule having the force of law against resident Indians as such.'

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, in the place of the amendment which was not moved, I beg leave to move the following as sub-clause (f) of clause 8:—

'or (f) not being an Indian by birth is domiciled in any British possession or Colony as defined in the Interpretation Act of 1889 the laws

* Printed as Appendix V on pages 344-345 infra.

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of which do not confer or recognize rights and privileges in respect of resident Indians which are equal to those conferred or recognized in respect of other residents.

Provided that the decision of the Local Government shall be final as to whether the conditions of the clause are fulfilled."

The hon. the PRESIDENT:—"I understand that this is an amendment of which no notice has been given. It is left to the House in the first place to say whether they would like to discuss the amendment, and then it is for me to accept the amendment, dispensing with the notice."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"May I say a word of explanation? Yesterday we postponed further discussion of the Bill on the understanding that with reference to this matter we would try to come to some sort of settlement with regard to the wording of this amendment. It is in pursuance of that that I have drafted this amendment for which I now beg the leave of the House as well as your leave."

The hon. the PRESIDENT:—"Do I understand that the House has no objection? (After a pause) In that case, I will allow the amendment to go forward."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I formally move my amendment. It only reproduces what has been said yesterday. As I said it aims only at those Colonies which do not give equal citizenship rights to Indians resident there and does not aim at Europeans as Europeans or as Colonials generally. So, it is a question of retaliation. This is all that is possible for us to do in the limited circumstances in which we are placed today. It is also a matter of self-respect. For these reasons, we should put in a thing like this, so that the Colonials also shall know our feeling."

"With these few words, I beg to move the amendment."

Mr. C. RAMALINGA REDDI:—"I have much pleasure in seconding this."

The hon. Sir CHARLES TODHUNTER:—"Mr. President, before this amendment is put to the vote I should like to state briefly the attitude of the Government with regard to it. And in doing so I would in the first place express my sense of gratitude to the hon. Member who gave notice of the first amendment and to the hon. Member Mr. T. A. Ramalinga Chettiyar for the spirit of compromise that they have shown in this matter and for their endeavour to meet the Government in any way that was compatible with their primary desire, which, I take it, is to put their sentiments on record. And if I could accept any amendment to the Bill on the subject in question, I should be only too glad to accept that which is now put forward. My real difficulty in so doing lies, not in the sentiment to which the amendment now gives expression, to which I am sure nobody here will have any objection, but in a fact which lies deeper, namely, that Statutes are not the place to put sentiments on record. It has been suggested that under similar circumstances a British Prime Minister would express his cordial agreement and sympathy with the sentiment to which expression had been given and would accept the placing of an expression of it on record in the Statutes. Well, Sir, I would ask, if that is the case, where are the expressions of those sentiments in the Statutes of the day? We have in England agitations enough and to spare, but personally I cannot recollect any instance wherein a strong feeling of sentiment has been embodied in a Statute. There are no doubt many gentlemen

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agitated at present about the attitude of France in the negotiations concerning the reparations. But would they move, or would Mr. Ramsay Macdonald accept, an amendment to a statute, let us say, one dealing with the tariff, to the effect that the mixture of coffee and chicory which is sold as French coffee, should no longer be given the name of 'French' or sold under a red white and blue label?"

Mr. C. RAMALINGA REDDI:—"Sir, I like to know whether there are any such differences between the citizens of French extraction and English who might become naturalised in parts of England or France?"

The hon. Sir CHARLES TODHUNTER:—"I venture to think, Sir, that the point raised is hardly relevant to that which I am making. Again, Sir, it is only a year or two ago since we had a vigorous agitation on the subject of the importation of fabric gloves which, if I understand the matter aright, threatened a large industry in England, but do we find the Statutes of the day containing provisions that, for instance, the Board of Guardians at Clerkenwell must, if they wear gloves at all, conduct their business in kid gloves?"

"I venture to think, Sir, that in circumstances similar to those in which I have been placed, an English Prime Minister would adopt the attitude which I have attempted, how feebly I am only too fully conscious, to adopt here, namely, to accept the sentiments, but to ask with all good humour that the Council do not jog the elbow of those in charge of delicate negotiations or place on record an agitation which we all hope will soon be satisfactorily settled."

"My knowledge of Parliamentary proceedings is not sufficiently accurate to enable me quote right off to the House any incident which is directly analogous to that which we are now considering, but I think there is one example from America which will be in the minds of all of us. Did not President Taft in somewhat similar circumstances meet the situation with a sentence of four words, namely, 'Don't rock the boat'? Of course, Sir, I understand that it is useless to make an appeal of that kind to a gentleman—I am sorry he is not present this morning—who describes himself as an agitator, who is, in other words, a professional rocker of the Government boat. And I am sure we all recognize the conscientious vigour with which, in pursuance of his self-imposed task, he tears a passion to tatters upon any and every pretext. But, of course, he does not expect us to take him seriously and, I am sure, we shall not do so. And, I therefore hope that the House, having given vigorous expression to its sentiment, and having received the assurance that the sentiment in question is one to which the Government are in no way opposed, will rest satisfied with that and will leave the delicate negotiations which are in progress in the competent hands to which they have been entrusted, and will not insist on placing on record for future generations to wonder at an expression of sentiment regarding a controversy which, I hope, will be ended long before this generation comes to an end."

"I regret, Sir, that for these reasons I must oppose the motion not because I am in any way at issue with the hon. the Mover as to the question, but because, as I said, statutes are not the place in which sentiments should be recorded."

Diwan Bahadur P. KESAVA PILLAI:—"May I say a word in reply to the manner in which the hon. the Leader of the House has stated the reasons

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of the Government in not accepting the amendment of the hon. Mr. Ramalinga Chettiyar? We all live for sentiment and die for sentiment and I am afraid it is sentiment that is swaying so many people in so many Colonies in making enactments and passing Acts of segregation. I do not know how many"

The hon. Sir CHARLES TODHUNTER :—" May I ask my hon. Friend if there is nothing else in those enactments except the question of sentiment?"

Mr. C. RAMALINGA REDDI :—" May I know if there is any country where there is any such distinction made in the Anglo-Saxon race?"

Diwan Bahadur P. KESAVA PILLAI :—" As a matter of fact, Sir, there is no denying the fact that in the Colonies and in the Dominions there has been a discrimination against colour: is it not a question of sentiment there? There you find it in black and white in enactments and sometimes in the judgments of Supreme Courts of Judicature"

The hon. Sir CHARLES TODHUNTER :—" May I ask by way of testing my hon. Friend's statement whether it is not the fact that, according to the latest American law, a restriction is imposed limiting the number of immigrants of any particular race to a percentage of the number of persons of that race already in the United States without any regard to colour?"

Diwan Bahadur P. KESAVA PILLAI :—" I am quite aware of it, Sir, but may I remind my hon. Friend, the Leader of the House, that it was only recently that the American Supreme Court of Judicature said that the people of India could not have free citizenship in America, because they were not free in their own country. What will you call it? Would you call that a sentiment or not? I wonder how the most enlightened people of the modern world would justify it except on the ground of sentiment against coloured peoples. I therefore think that the Leader of the House would do well not to object to the inclusion of this sentiment in the enactment and accept it with grace and pass it."

The hon. Sir CHARLES TODHUNTER :—" May I say that I wish, for the sake of the Indians, that the particular enactment in question did no more than express a sentiment? But I am afraid it goes very much further than that."

Diwan Bahadur P. KESAVA PILLAI :—" That is exactly so, and that is why it creates so much trouble and annoyance and loss to the Indians. I do not think that the English Dominion of Canada has been an exception. We have heard of so much about the doings of the white colonists of British Columbia towards their fellow subjects in India, and I do not think my hon. Friend is reasonable in expecting us to accept his explanation that it is only a sentiment and should not be put in the enactments. Let us have a small satisfaction at least of having put our views. It is left to the Government to administer it and they may not put it into force as vigorously as we wish them to put. I appeal to my Friend Mr. Davies to accept the amendment. If the Government will not accept it, I hope all the Members of this House including hon. Members of the European race who have identified themselves with us for so long a time will leave the hon. the Leader of the House alone in the lurch and vote for the amendment (laughter)."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Mr. President, the only point that was raised and is likely to appeal to the House is with regard to

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The amendment was then put to the House and carried.

Clause 8 as amended was put and carried and added
1 p.m. to the Bill.

The Preamble was put and carried and added to the Bill.

The hon. Sir CHARLES TODHUNTER :—" Sir, I now beg to move that the Bill, as amended, be passed into law."

Diwan Bahadur P. KESAVA PILLAI :—" I second it."

The motion was put and carried and the Bill was passed into law.

VII

THE MADRAS IRRIGATION BILL.

Mr. G. F. PADDISON :—" Sir, may I say a few words on this Bill? My chair here is half out and half in, and I am now speaking with permission in my individual capacity and not as a nominated Member of the Government. I beg to say a few words purely and simply as a representative of the depressed classes. The depressed classes may be divided into four kinds. The first is the hill tribes. I do not think even the eloquence of the hon. the Law Member could induce irrigation to run up-hill (laughter). I therefore exclude them. The second is the criminal tribes. My chief business is to deal with the criminal tribes. On this matter I have to point out that the uplift of the criminal tribes depends very largely on the development of irrigation facilities. There has been a strong memorandum in regard to this Bill on behalf of the Kallar community. You will find that the Kallars are divided into two classes: Keelnad Kallars and Melnad Kallars. The Keelnad Kallars have sworn that they will not go back to thieving again and have agreed to lead a peaceful life. We are striving hard by various means for their economic uplift and it is in the interests of the State that it should be done. A great difficulty is felt in this matter. If through this Bill, and it largely depends upon this Bill, we can get the extra water of Periyar river, then and not till then shall we be able to solve the Kallar problem. The Kallar representative will agree with me—I am sorry he is not here—that if we can irrigate the arid tract then immediately we can solve the Kallar problem. Then, again, there are the depressed classes called the untouchables. As you know, the Government have paid special attention to try and uplift them so that they can take

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their legitimate place in the social order and so that they can no longer stand as a block in the progress of the Presidency (hear, hear). Now, one of the chief ways in which we try to help these untouchables is to give them land. The difficulty is that nearly every acre of fertile land has already been taken up. There are several millions of these people and the extent of land that is available is very small. The extent of land available is also very poor in fertility. If we can get this Irrigation Bill through, I do not say as it stands, but as an Irrigation Act, then and not till then shall we be able to lift these people.

"The fourth class I wish to speak of and whom I represent to some extent is the ex-service men. I am sure the Member representing that community will agree with me that very great difficulty is felt in finding fertile lands for men who have returned from field service. You will say why should they be depressed classes? A large proportion of them find a place in His Majesty's army in Madras and they belong to the depressed classes. Until we get land and water for them we are in a very precarious condition. We can get a few arid lands in Anantapur or in Cuddapah or at the tail-end of the delta where they get water very late for no useful purpose. If those barren lands could be improved we should be able to colonise them with depressed classes of all kinds. Until we can get this Bill passed into law and get the Government of India to allot money for this purpose, it is absolutely impossible to give the lead for these classes in the Presidency. I know there is opposition. I know there was opposition, shall I say to the introduction of the first Irrigation Bill. It came very largely from zamindars. Now I want to say this, or rather I want to plead on behalf of the poor tenants throughout the Presidency, whether they belong actually to the depressed classes or not. I know the zamindars as a class will oppose this measure. I have been on intimate terms with a large number of them. Like all aristocracies they are very sensitive. They are very tenacious of their rights. They are very anxious that they should not be bullied. They resent it. I am quite certain that if we can convince these zamindars and make them see, as I have been doing during my service, that an Act of this sort is necessary so as to get money from the Government of India to go on with the different schemes, then the zamindars will realize, as most of them do realize, that a contented tenantry is the greatest asset to a zamindar. If by a new project you can get extra money, your position will be very much better than ever before. One other point has been raised, and that is, why not do this by negotiation? I noticed that several persons had it in their minds, or at the back of their minds as they will say, why not do the same with the zamindars. The answer to that seems to be that when you can get a large profit, a really large profit such as in the Kistna-Tungabhadra project, one big zamindar can hold up the whole project and spoil the thing for all time to come. So it is necessary that Government—I do not speak on behalf of Government, but I speak on my own behalf—should take these powers, get the money from the Government of India and go on with the schemes. I am sure that the finances of the Government of India are not unlimited. The persons that apply first will get the first turn. Supposing we as a House should reject this Bill, which I hope we shall not do, then all the other Provinces, Bengal, the Punjab and others, will have the preference and we may very well find the Government of India saying that we have lost many chances already. I beg you on behalf of the depressed classes and insist

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that you should first and foremost when you go back to your constituency try and persuade every one, whether they are zamindars or ryots, that it is essential, absolutely essential, that this Bill should go in the form of an Act at once, so that we can get the necessary money from the Government of India. Then there is another objection, viz., that of an irrigation officer. My answer to that is this. My own feeling of an irrigation officer is that it is a good thing. My personal feeling is that the irrigation officer ought to have great powers and we want a large staff of highly-paid officers. If we get money, we can do it. In Guntur there was an irrigation officer twenty years ago. It was an Irrigation Officer called Mr. Pompey. He had a hot-tempered air generally. When he left, I used to say he was a terrible person. Mr. Pompey was full of power and energy. He used to ride two horses at one time. He drove one and led the other. Wherever I went, I heard 'పంపేయ వచ్చి ఉండినాడు' in the villages.

"Then comes the question of Kudimaramat. Here again objection is made that whenever an urgent work is to be done all persons, and not only the labouring classes, are made to work. I do not know whether some gentlemen here who live in towns know what it means when an irrigation work is going on. When an irrigation work is going on, it is really a triumph to the villagers in general. Suppose my burning eloquence sets fire to these benches, do you think that it will not be the duty of everyone here to come to the rescue? We don't depend only on labouring classes, and so it is when an irrigation work is going on. Suppose a tank in an estate is burst; the first man who will go to the spot will be the Raja himself, and so it should be with us all whether we belong to the legal profession or to the medical profession or to any other profession. In any crisis, everyone as long as he is able-bodied should rush to the spot to do whatever he can.

"Lastly, I would just say one word to the Swarajists and those who specialize on the question of granting self-government to India immediately. I think that in this House we all agree that self-government should come in, either at once or hereafter. It is only a question of time. We all look to the time when India will have its own Dominion status (hear, hear).

"The other day one gentleman was saying—I do not wish to mention his name—that India ought to get her place among the nations of the world because she was sending her raw products to the British Empire Exhibition and not using them for manufacture at home. When I was in England I used to see the offices of the Canadian High Commissioner and the Australian High Commissioner and see their windows cramped with purely agricultural products and with purely raw material—Australian wheat and Australian wool. Does anybody mean to say that nations cannot be free by depending mainly upon agriculture? Not a bit. This is an agricultural country. Every one in this House wants to build up the nation as the practical term is and by all means we can do so."

Mr. C. RAMALINGA REDDI:—"May I ask, Sir, whether or not the Exhibition is intended partly to attract Australian and other Colonies?"

Mr. G. F. PADDISON:—"I then come to the question of emigration, about which we talked this morning. If we can get water, then the question of emigration will very largely solve itself; because the people whom I

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represent form about 80 per cent of emigrants from this country. People will not want to go out if they can remain in this country and cultivate the lands in Bellary, Anantapur, Cuddapah, Kistna, Ganjam and other districts. All these lands can be brought under cultivation in about 20 years if an irrigation law is placed on the Statute Book. So, let us all have this Bill. But the first advice I want to give is this. Let us insist upon every point in the Bill that is necessary and let us pass this Bill so as to enable us to draw this necessary money from the Government of India. If we do that, I am sure we will give a tremendous benefit to the Presidency."

Diwan Bahadur M. KRISHNAN NAYAR :—"I have very great pleasure in supporting the principle of this Bill. The hon. Mr. Ramaswami Ayyar yesterday gave cogent reasons why this measure should be passed. Speaking particularly with reference to Malabar, I should say that it is highly necessary that this Bill should be passed into law. The Government, so far as I am aware, and I believe I am right, have not hitherto constructed any irrigation work in the district of Malabar. There is an idea abroad—I am afraid that that idea is entertained by the Government as well—that Malabar is a land flowing with milk and honey and that no irrigation works are necessary there. No doubt, in respect of the rains of the south-west monsoon we are more or less happy, though sometimes we have untimely rains and consequently we are not able to gather even our first crops. So far as the second crops are concerned, they often suffer for want of irrigation works. For instance, even this year, as my hon. Friend the Revenue Member has admitted in one of the answers given this morning, the second crops have failed for want of rains. If a portion of the large quantity of rain that falls in the district during the south-west monsoon could be imprisoned and collected by irrigation works and reservoirs, this calamity could be avoided. I am very glad that this Bill has been introduced and that it will be possible hereafter, if they have the will, for the Government to construct irrigation works in the district. The Bill contains many excellent provisions and it is not necessary to refer to them now. I shall only refer now to some of the salient features in the Bill which, in my opinion, should be changed in order that the Bill may become a beneficial one and if I refer to these defects in the Bill, I do so merely for the purpose of drawing the attention of my Friend, the hon. the Law Member to them and not for condemning the Bill as a whole. Section 6 declares the right of the Government to regulate the supply of water

'of any river, natural stream or natural drainage or natural drainage channel, lake or other natural collection of water, such river, stream, drainage channel, lake or other natural collection of water not being wholly situated in an estate or estates'.

"This is a very good provision. But I submit, Sir, that the same reason which has led to the exclusion of the natural collection of water wholly situated in an estate or estates should also have led the hon. Member to exclude natural collection of waters which are situated wholly in Government or patta lands. This particular objection and several other objections that I wish presently to refer to were considered by the Committee that sat over the provisions of the last draft and many suggestions were made at that time. Some of the suggestions were unanimously accepted by the Committee, some others were accepted by the majority of the members of the Committee and some others were thrown out. But to my mind, not only those that

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were unanimously accepted by the Committee but many other suggestions also ought to be embodied in this Bill. So that my present contention is that those reasons which led my hon. Friend, the Law Member, to exclude the collection of waters situated wholly in an estate or estates should have induced him to exclude natural or artificial collection of waters which are situated wholly in private lands or Government lands. That I submit, is my first suggestion.

"Turning for a moment to another clause in the Bill, clause 17, it is that the Local Government have the power

'to remove or close any irrigation or drainage work, channel, or other work from which water is supplied and take any other measures they may consider necessary in order to control the distribution'

and so on. No doubt I grant that it is necessary for the Government to be armed with such powers; but care should be taken when the Government exercises this power persons who have already been using water for their works should not be made to suffer. For instance, in changing a particular source it may happen that the particular land which has been getting a certain quantity of water hitherto may not be able to get the same quantity of water hereafter. The result will be that the owner of that particular field will be put to a great hardship. No doubt my Friend, the hon. Mr. Ramaswami Ayyar, may say that there is a provision in the Bill, namely clause 64, which says that in such cases as far as possible compensation in water itself will be allowed to the particular person who suffers. But I submit that by introducing such restrictions as 'as far as possible' and so on we shall not take away the hardship of the particular person concerned. It may be that after the removal or the change of the sources, he may not be able to get the same quantity of water which he was getting before. The result will be that he will have to suffer. So that, provision must be made for enabling the particular person concerned to get the same quantity of water as he was getting hitherto. Then again, it is stated in that very same clause, clause 17, that the Local Government may

'take any other measures they may consider necessary in order to control the distribution and to regulate the flow of water'

and so on. This large residual power given to the Government is extremely dangerous. Ultimately who will be the person that will have to exercise this large power? It will be not the highly paid irrigation officer but it will be the subordinate officers, the persons who get only a small amount of pay, and we can more or less imagine what the consequence will be when these large powers are left in their hands. I may submit that this was also one of those provisions to which the Members of the Committee objected and I think it was unanimously objected to by the Committee.

"I come now to clause 23. It seems to me that the provision contained in this clause is a very unreasonable one. If any damage is caused to an irrigation work, if that damage benefits some particular individuals and if the authorities are not able to find out the culprit who caused such damage, then all the persons who are benefited by this damage will be punished according to this clause. That seems to me to be an extraordinary and dangerous provision. It seems to be something like this: supposing a rich man dies leaving a large extent of property and a number of relatives are benefited by the death and supposing that one of the

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relatives murdered that rich man and the culprit is not found out, is it fair to hang all the relatives who profit by his death because you have not been able to detect the one among them who committed the crime? It is something like the recommendation that was made by some persons with reference to the University Examination where, because one of the boys who stole the question paper was not found out, all the students who appeared for the examination were punished. I therefore say that this provision is extremely objectionable and should be deleted from the Bill.

"There is another chapter dealing with water-courses. In that chapter it is stated that owners of lands can apply to the Irrigation Officer to construct at their own expense any water-course which they desire, and the Collector will render any help that is necessary in acquiring lands for the purpose of constructing such water-courses."

The hon. the PRESIDENT:—"If the hon. Member is going to finish in a minute or two, we shall gladly hear him."

Diwan Bahadur M. KRISHNAN NAYAR:—"I shall continue after lunch."

The House adjourned for lunch at 1-34 p.m.

After lunch, 2-30 p.m.

VIII

ALLOTMENT OF DAYS FOR NON-OFFICIAL BUSINESS.

The hon. the PRESIDENT:—"I have to inform the House that in addition to the six days already allotted for the transaction of non-official business, His Excellency the Governor has been pleased to allot one more day for non-official business and that naturally will be to-morrow, Friday, provided that by then the Government business has come to an end. The first 15 Resolutions which have obtained priority by ballot and of which hon. Members have received notice, will accordingly be placed on the agenda paper for to-morrow in addition to questions and answers. I may remind hon. Members that the result of the ballot held on 18th January 1924 holds good only for 30 days and that for any meeting after 18th February 1924, at which non-official business is permitted, fresh notice will have to be given in respect of motions on matters of general public interest even though they were included in the last ballot.

"Hon. Members who have evinced considerable anxiety to devote at least one day to non-official business at the present meeting will, I hope, naturally desire to co-operate with the hon. the Law Member in charge of the Irrigation Bill and bring the discussion on it to a close, as far as possible, to-day, so that we may have some time for resuming the discussion of the motion which stands in the name of the hon. Member, Mr. Peddiraju. In order to arrive at this result and at the same time to enable a large number of hon. Members to participate in the discussion before it is brought to a close, I propose to enforce the time limit which will be 10 minutes for each speech."

VII.—THE MADRAS IRRIGATION BILL—cont.

Diwan Bahadur M. KRISHNAN NAYAR:—"When we rose for lunch I was dealing with the provisions of chapter IV. I think that some portions of this chapter contain provisions which are very hard. In this connexion, I may say that I should be very sorry if I were understood to take objection against the general principles of the Bill.

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"Chapter IV which contains provisions enabling private owners of lands to construct water-courses at their own expense is very good. But it contains a provision, i.e., clause 35, which to my mind ought not to be there. It says:

'Any irrigation officer empowered in this . . . may himself construct such water-courses.'

"This provision, I submit, should be deleted from the Bill. The object of the Government should be to collect water-cess from the persons concerned only after taking water to their fields. It is only then that the Government are entitled to collect water-cess. If Government construct a water-course of their own accord for taking water to lands, and recover the cost from the owners of such lands, I think it is quite unfair.

"Another thing, and a very important thing, is the provision contained in chapter V, relating to water-cess. Without going into the details of the chapter, I may say that if a field is irrigated by percolation, leakage, or drainage from an irrigation channel, a water-cess can be levied from the owner of such field. That I think is a very hard provision indeed. One of my friends who is also a Member of this Council told us in the Committee that his coconut garden was damaged instead of being benefited by percolation and that the Government are therefore liable to pay him damages. This provision I think ought to be removed from the Bill.

"Then again for levying water-cess, I submit that this has to be done only after obtaining the sanction of the Legislative Council.

"It has been said on other occasions in this Council that before any resettlement is made and assessment enhanced, Government must obtain the positive sanction of the Legislative Council. I think that the levy of water-cess at a particular rate must also be made only with the positive sanction of the Legislative Council. No doubt there is provision in the Bill to the effect that rules for levying water-cess will be made and that such rules will be laid on the table of this House for a period of three months. That is an indirect provision, and I do not think it is quite sufficient. I think the provision must be made positive.

"Then again, coming to another chapter, we find that with the special consent of the owners of fields certain terms can be arranged between the Government and the ryots by which certain rates of water-cess can be fixed for the mutual benefit of both. Provisions contained in this chapter are very nice. If the Government find that in undertaking a particular scheme of irrigation it will not be remunerative, then there are provisions enabling Government with the consent of the people concerned to fix the water-cess at a particular rate. Provisions such as these are very good. But I think that schemes costing a lakh of rupees or 1½ lakhs should be undertaken only with the sanction of this Council, and that such a provision should be embodied in the Bill itself."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do not quite catch the hon. Member."

Diwan Bahadur M. KRISHNAN NAYAR:—"In chapter 6, section 50, dealing with the construction of new works we see that they should be approved by the Local Government, should be published in the official gazette of the district concerned, etc.; I think that it is advisable that the consent of this Council is got before proceeding with

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the work. I believe this suggestion also was accepted by the committee that sat over the Bill. Schemes costing more than a lakh or so should be intimated to the Council and their sanction obtained."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Will my hon. Friend permit interruption? Chapter VI relates to works where the people's consent has been obtained for them. Assuming that the people actively consent is there still the hon. House to consider it? Is it not a case of constructive consent?"

Diwan Bahadur M. KRISHNAN NAYAR:—"There is no difference between constructive consent and express consent in the provisions of the chapter."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The hon. Member knows what I mean by constructive consent."

Diwan Bahadur M. KRISHNAN NAYAR:—"For works undertaken under that chapter there is only one kind of consent. Even then the consent of the Council is necessary for such costly works."

"Again chapter VIII dealing with the award of compensation has got some objectionable portions. It is to be enacted that no compensation shall be awarded for any loss or damage sustained in consequence of the stoppage of a supply of water from an irrigation work when such supply has been received or derived for the first time after the passing of this Act. I submit, Sir, it is very hard."

"Suppose, Sir, after the Act comes into operation a particular field receives water from an irrigation source, say for five or ten years regularly and the owner hopes to receive it regularly for ever. With this hope he converts the dry lands into wet lands by investing a large sum of money. Suppose he has been getting gain from this for some time. Then if the supply is stopped he loses his money. To say that because he got the water for the first time only after the Act came into force, therefore he is not entitled to compensation is very hard. I don't want to go into the details."

The hon. the PRESIDENT:—"The general principles of the Bill alone should now be discussed."

Diwan Bahadur M. KRISHNAN NAYAR:—"My hon. Friend, Mr. Paddison, remarked that there was an excellent provision in the Bill regarding the emergency supply of labour. Suppose a breach takes place to an irrigation work. There is a provision in the Bill to the effect that the village headman of the locality is authorized to compel all able-bodied men to work for the repair of that irrigation work. Of course there is a further provision to the effect that they will be paid their wages. Mr. Paddison said that it is a very desirable provision. I fully agree with him in thinking that it is the duty of all of us to help in such emergent circumstances. Suppose a house is on fire, then we will all go and put it out. But there is a great difference between going voluntarily and being compelled to go, even with the hope of being paid four annas when the market rate is two annas. In Travancore, for instance, there is a huge irrigation work costing about a crore of rupees. Very often breaches occur, and the cultivators and the field owners repair these breaches at once without being compelled by anybody. Of course you have to pay the coolies on such occasions more than ordinary wages. Take again the case of the railway where breaches occur. They have also to be repaired at once. The urgency

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is equally great. I do not think, I speak subject to correction, that there is any provision by which the Railway authorities could compel able-bodied men to work there. Compelling people will certainly not do. There must be willing work."

"Finally, Sir, I would rather wish that this Bill, with all its blemishes some of which I have pointed out—there are many more—be passed into law than be rejected."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, while I congratulate the hon. the Law Member on the splendid, sweet and persuasive speech with which he introduced this Bill I fear I cannot congratulate him and the Government of which he is the spokesman on the Bill which has been introduced. For the last ten years several infructuous attempts have been made to introduce an Irrigation law in this country. In 1914 a Bill was attempted to be introduced, but as a result of a motion made that it was of a controversial nature it was put off till after the war. Last year again, the Bill which was brought forward was rejected. We have now to consider this Bill, the third of its kind. It is a matter for consideration whether this Bill is an improvement upon its predecessors of 1914 and 1922 and whether we are justified in giving our assent to the various provisions incorporated in it."

"As this is the time for discussing the important provisions of the Bill, I should in the first place suggest that the general declaration in clause 6 of the Bill is of a doubtful character. In the Statement of Objects and Reasons in introducing the Bill we are told that important provisions have been taken from the Bombay and Burma Acts. Whereas in those Acts we find provisions corresponding to clause 7, we don't find a general declaration corresponding to clause 6. Why go so far as Bombay or Burma? Let us consider the history of this Bill from its earliest stages. In 1908 when the Bill was originally introduced we found provision made for a general declaration like the one suggested. When the Bill was circulated to the Collectors, the Board of Revenue and various representative associations and individuals it received so much opposition from various quarters with the result that the question of a general declaration was omitted when it was re-drafted in 1909. I will just read one portion of the Government Order dealing with it (G.O. No. 3172 of 19th November 1909):

"The revised Bill does not attempt as did the earlier draft to lay down a general law of water-right for all classes of landholders. It proceeds rather on the principle, which is already familiar throughout the operation of the Land Acquisition Acts, of enabling the Government, when public interests necessitate such a step, to take control over any source or work of irrigation, paying compensation in full subject to certain definite restrictions for any material damage which may thereby result to actual, but not to prospective irrigation."

"Consistently with the principle of the Government Order we do not find the general declaration like clause 6 in the Bill of 1909. Even in the Bill of 1914, in the pre-reform days, we do not find any general declaration of this kind though we find a declaration like clause 7. I want to say that when once we adopt an Irrigation Bill suited to the condition of this province there may be no necessity for a general declaration like the one in clause 6. I may also point out that the late Diwan Bahadur P. Rajaratna Mudaliyar, who was associated with the Irrigation Commission, as the result of whose labours the Irrigation Bill of 1914 was drafted, expressly stated that we should not in this matter take the example of the case of any other province, but should have a law which is suited to the conditions of our province. This is what he says:

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should be altered into 'maintenance of any dam, weir, embankment, sluice, channel or any construction without extension,' has not been accepted by the Government. I would submit that when once you state that

'immediately after the issue of a notification no person shall commence, restore or remove or alter, etc.'

you must at least give the person concerned an opportunity to maintain his works. The insertion of this provision affects all those who have any vested interest in land. This is another grave defect which has to be removed from this Bill, if it is to be acceptable to the people.

"Again, Sir, let me draw the attention of the House to clause 10. It says:

'After the date aforesaid the Local Government may exercise in respect of the water or work referred to in section 7 all or any of the powers conferred by this Act and the liability of the landholder or owner or other person in respect of the maintenance of such water or work shall cease except as provided in section 24 and devolve on the Local Government.'

Where will the ryots stand? They cannot enforce their rights on the landholder. They cannot enforce their rights on the Government. What will be their fate? In the Committee a very reasonable amendment was moved and accepted. It was in these words:

'that the Government shall bear the liability in respect of the maintenance of such water or work and the liability of the landholder or owner or other person shall cease except as provided in section 24.'

If the Government would at least say that they will bear the liability in lieu of the landholder that will be a reasonable position. That has not been done.

"There is yet another important point. We find in clause 56 dealing with compensation, that provision is made in clause (b) for paying no compensation for

'the stoppage or diminution of a supply of water for irrigation to any Government land registered as wet in public accounts when such land has not been irrigated at any time within five years immediately preceding such stoppage or diminution.'

Even in respect of this provision, I would point out that this limitation of five years is unnecessary. So far as wet land is concerned, they are lands registered as wet. This limitation is not to be found in the earlier Bills. There was a restriction in the Bill of 1908. Since it was found to be hard on the ryots, it was removed altogether from the Bill of 1909. In the Bill of 1914 you would find provision for payment of compensation for wet lands irrigated within five years. It is only when you come to last year's Bill, you find this limitation as regards wet lands. I submit that there is no justification for this provision at all. In the case of dry lands there is no compensation provided at all. Our friends who worked in the Committee were good enough to raise this point saying that subject to the limitation of ten years there ought to be compensation provided for. Notwithstanding their efforts you find that that also has not been accepted by the Government. In the Bill of 1909, provision was made for compensation for dry lands cultivated during the years, subject to certain limitations. I would submit that some of these main points which I have urged are enough to show that this Bill is defective in various particulars. For want of time I cannot point out the other defects in the Bill. For instance there is much to be said against the powers conferred on the irrigation officers.

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"It will be found that the provision regarding the water-cess is objectionable and it cannot be accepted as it is. It is likely to cause irritation in the country. The words 'leakage, and percolation' are bound to cause irritation. A proposal was made in the Committee that rules made for the water-cess should be approved by the Legislative Council. In place of that, we have a statement here that it should be placed before the Legislative Council while in session. It does not mean that the rules will not come into force until they are approved by the Council. What satisfaction is it to us if we are simply to be informed of those rules if we are not to be given an opportunity to accept them? What the Committee insisted upon was that these rules should have the sanction of the Legislative Council and the Committee recommended it. But the Government did not accept it. Therefore, I must say that the present Bill contains all the objectionable features of the old Bill. Therefore, it is not without some feeling of reluctance that I have made up my mind to support the First Reading of this Bill. Though the reasons I have given are such as might induce some persons to reject the motion, I have deliberately come to the conclusion that I must support the motion. My hon. Friend the Law Member in presenting this Bill told us clearly that he is not wedded to any of the provisions in the Bill. He told us frankly and clearly that it may be treated as a picture which has to be improved upon. With that assurance from him I hope that this Bill can be improved upon. On the other hand if he was dogmatic in the beginning saying 'these and these are the principles from which the Government cannot depart' I would have been one of those who would reject the Bill. When the person responsible for the Bill says that it could be freely improved upon, I do not think we are justified in voting for its rejection.

"Again, let me remind the House that our chief complaint has been that the Government have been neglecting works of irrigation. We have been, in season and out of season saying that the Government are not giving sufficient facilities for irrigation; and their reply now has been that they have not been successful in passing a law which enables the construction of new irrigation projects. Shall we give them that chance or not, is the plain question before us now. If we really agree that the country would prosper by the development of irrigation, if we really think that there is something to be said in favour of the difficulties pointed out by the Government that the Government of India would not give them any pecuniary help unless the Irrigation law is pushed through, we ought to agree to the passing of this measure. We should facilitate the Government going forward with their irrigation schemes. I do not say so simply because the hon. the Law Member has suggested that the Bill might be improved upon by the House

"I do not want the House to do anything on his mere assurance, because so often it happens that we have to take care that we rely only upon improving the provisions of the Bill itself. If our attempts in the Select Committee and in the Council to have the Bill modified in the form acceptable to us fail, the remedy is in our own hands; because even after further discussion during the Second Reading it is open to the Council to reject the whole Bill, even though it may be allowed to pass the First Reading and even after the Bill is threshed out in the Select Committee. If even after all these processes we still feel that this Bill is of no use whatever and that it would curtail the privileges of all persons

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concerned, we will really be within our rights to reject the Bill when it comes to the stage of the Third Reading, and a motion is made that the Bill be passed into law. Therefore I support this motion."

Mr. S. SATYAMURTI :—" Mr. President, Sir, I have listened to the hon. the Law Member's very impassioned and very earnest,—I do not say eloquent because now after coming to this House I have come to know eloquence is a crime—speech, in making the motion that the Bill be read in Council. But I cannot say that he gave any reasons which convince me—and I feel which will convince many others at least on this side of the House—that this reading ought to be permitted at this stage. Let us now examine the arguments that he advanced. Before I do so, I must be allowed, and I hope I shall be, to enter my humble protest against the somewhat uncharitable and unchivalrous attack which my hon. Friend, the Law Member, if he would allow me to say so, made on the Swarajist programme and party. Sir, I am pledged to obstruct and to hold up all Government business, unless and until the Government yield to the reasonable demands of the people. Though unfortunately our number here is not very very large, but still, when it is, the Swarajya party will hold up every business of the Government. It will hold up not one Irrigation Bill but a thousand Irrigation Bills. It will hold up not one grant but a thousand grants until the Government grant Swaraj. For I am convinced that Irrigation Bills can wait but Swaraj cannot. That is the only argument which I have got to give in answer to the somewhat, may I say, unchivalrous attack on the Swarajist programme made by the hon. the Law Member. I can understand and realize my hon. Friend, Mr. Veerian's attack, but I was not prepared for the hon. the Law Member's attack. I want to say this that we, who are here, representing large constituencies, are at a great disadvantage in offering responsible criticisms on this Bill. Within the last three days have been piled on our devoted heads reports after reports, papers after papers, and with the best will in the world I have not been able to go through them and much less digest them. And I must ask the hon. the Law Member to place himself in our position and not that of a Member of Government. He will then realize our difficulty, he having come in contact with many Bills. He is an expert lawyer and has been studying these various provisions for some time. But here I am; I have not been able to read the Committee's recommendations and I sat here with amusement listening to the powerful arguments of Mr. Krishna Rao and Mr. Krishnan Nayar. I thought they were going to oppose this motion, but each ended his speech by supporting it. I do not want to come between them and their logic, but I may tell the House that it is somewhat amusing to us to be told that Committees have made recommendations but yet they have not been accepted, and yet the Members of the Committee said that the Bill must be supported. The House can further understand our great difficulty. We are not able to see what recommendations were made by the Committee, why they were made, what recommendations of the Committee were accepted, why they were accepted; what recommendations were not accepted and why they were not accepted. Therefore, we are in a very difficult position. And speaking of the elected Members of this House—I mean no slur on the nominated Members, for they are not responsible to any electorates as they do not exist now—so far as we are concerned, we have got to consult our electorates,

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and we are here representing the views of our electors and not our own opinions *ex cathedra*, on matters of very vital importance affecting the lives and well-being of thousands and hundreds of thousands of our fellow-subjects throughout the whole of this Presidency. I, therefore, think that it would be fair if this matter is allowed to lie over pending their decision.

"Let me now state such objections and give such answers as I can, within the limited time given to me for speaking in connexion with this motion. The first argument of the hon. the Law Member was that there would be no money until the necessary legislation was passed, and he used very picturesque language, very exaggerated language and painted to us pictures of the Garden of Eden spreading itself in the famine-affected dry Ceded Districts and said that in regard to places like some taluks of the Tanjore district there would be life-giving waters flowing. My mouth watered, for I also hold some land in those parts, and I thought that the moment the Irrigation Bill is passed, there would be life-giving waters flowing. But, Sir, I know the ways of the Government of India, and so does the hon. the Law Member and unless the moving eloquence—I am sorry to use any word which my

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I for one do not regard it as specially uncomplimentary, Sir."

Mr. S. SATYAMURTI :—" I am very glad to have that assurance, and I feel a little more strengthened to speak here as I am used to speak elsewhere. Unless he is able to change the century-old ways of the Government of India, I do not expect that because you introduce this Bill—you do not pass it, mind you—after this very careful, very conciliatory and very well-considered speech of the hon. the Law Member calculated to buy off or conciliate all opposition, in which he says: 'I am not committed to anything under the Sun except an Irrigation law and some control and therefore accept the Bill'—I do not think the Government of India are such simpletons as to say that because we introduced a Bill therefore they will be ready to give money."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The Government of India are not simpletons. They have, and I know they have in this matter the interests of this Presidency at heart, as much as we have."

Mr. S. SATYAMURTI :—" That is what I was leading to. If the Government of India have the interests of this Presidency at heart, if they knew the sufferings in our districts, they would not have awaited for an Irrigation Law to be passed to sanction this money, and if the Government of Madras would stand up like a man before the Government of India and say 'No Irrigation Law until money is given', then this Council will support them in their attitude. But it is because the Government of Madras have always surrendered themselves to the Government of India and do not stand up as a man, that we are being fleeced to the extent of 3½ crores year after year. And the Government are again giving them the answer 'Whatever you dictate, you may dictate and we will not oppose you.' I do therefore think that the argument that because the Government of India are going to give us 2½ crores the moment we introduce some Bill, will certainly not convince any one in this House. The hon. the Law Member said—and I took notes of his speech—that the Government is anxious to introduce some legislation to control irrigation. If he had made a proposition like this, namely,

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that this House do now agree for legislating for some control of irrigation, personally I would not have had much to say against it. But after having said that"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I am sorry to take up the very little time that is available to my hon. Friend. What I said was that the Government is pledged to this formula, that we must have an Irrigation Law so as to secure to Government such power of control over the water made available for irrigation at public expense as would enable it to make the best possible distribution of the supplies and prevent embarrassing litigation."

Mr. S. SATYAMURTI :—" So he did. But later on in his peroration when he was appealing to the Members of this House"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" My hon. Friend knows better than myself what value to attach to perorations."

Mr. S. SATYAMURTI :—" I attach much greater importance to his perorations than the hon. the Law Member does to his own. Anyhow, I want to say this, that after the House listened to his peroration, I ask him not to expect anything except this, namely, some legislation for irrigation. But he says 'Vote for this Bill of 101 clauses which contains various provisions' and various defects. That is exactly where our difficulty comes in. Then, we come to that hard nut which the Government have found it very difficult to crack, namely, the permanent settlement. The hon. the Law Member said 'We are not going to disturb the permanent settlement'. I am not one of those who believe that the permanent settlement is a part of the Vedas or of the Bible or of the Koran. I think that when Swaraj comes to this country, the zamindars must accept the terms of the Swaraj Government and that they, the few, should not have any rights as against the many. But for the present when the Government of this country is a foreign Bureaucracy and a Military camp, what guarantee is there that the money which is being spent by the zamindars in this country when once transferred to the Government will be spent even in this country? I therefore do not think that there is any danger at present of the zamindars being deprived of their rights. On this matter the zamindars can well take care of themselves. We know that some of them have remained neutral and others are in opposition, and therefore they know their interests better than we do. I am speaking only on behalf of the ryotwari landholders, and I want this House to know that this Bill affects ryotwari rights, ryotwari interests, as much as it affects zamindari interests, if not more. A red-herring has been drawn across the discussion on this Bill throughout, and it is somewhat overdone, that the holiness is on the side of the Government and the unholiness is on the side of the zamindars, and we naturally must take the side of the holy ones. My contention is that the subsequent chapters of the Bill and the definition clauses also affect ryotwari proprietors. It also affects the zamindari proprietors, and it has been stated that such changes as have been made in the present Bill have been made in favour of the zamindars. That is no reason why this Bill should go down the throat of this House. The provisions of this Bill may go down the throats of the zamindars.

"The first major criticism which I want to make on this Bill is this. The Bill makes no mention of riparian rights at all. The hon. the Law

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Member is too much of a lawyer not to recognize that even ryotwari landholders and proprietors have got riparian rights, natural rights which no State ought to confiscate. And yet there is no provision in any of the various sections in this Bill for the protection of these riparian rights. Then, Sir, my hon. Friend, Mr. Krishna Rao, has already referred to the empty provision regarding Rules being made and laid on the table of this House. I want the hon. the Law Member to state whether this is merely an empty formality or may mean an active or passive consent of this House. So far as I can see at present, the Rules are there and none of us takes any notice of them, and if any one does take notice of them, no notice is taken by others of his notice. And thereafter the Rules go forward. Then, we have had a lecture from Mr. Paddison. I am not against any man going or being asked to go or do any such customary labour as was referred to by him, but after having practically destroyed the communal life of the village, after having made the village headman, not the respected member and leader of the village community, but the hireling of a Bureaucratic Government, and in these days of easy communication, when labour can be had at market rates in almost any place in the country, there is no reason for this antediluvian provision being enacted into law. Well, Sir, we have got various sections about which the hon. the Law Member says so much, e.g., sections 45 to 53 relating to the construction and maintenance of irrigation works on special terms. Therein you have got this provision, namely, 'No objection shall be taken to the rate of water-cess nor shall the liability of any person to pay the cess be questioned in any civil court.' Now, Sir, after having taken away this remedy from the jurisdiction of the civil courts of the country, in very important matters the Irrigation officer is given powers which may very easily be abused.

"If the hon. the Law Member will recall his own non-official days, he will remember that it is perfectly easy for the officers of Government, and especially for those in the lower grades, to exceed the limits of the law and cause harassment to the people under their control. I think that even in this Bill itself the Irrigation officers are given such great powers over all the waters in the land, that I have not the least doubt in my mind that unless the political conscience of my countrymen is thoroughly aroused in the meantime, the Irrigation officer will dominate the polling booth in the next election. I have no doubt in my mind that if this Bill goes forth, the ryots will be very much at the mercy of the Irrigation officers, their lascars and their maistris, and I do not think that the hon. the Law Member himself wants to produce that effect."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Certainly not."

Mr. S. SATYAMURTI :—"I am only asking him, Sir, to consider whether the spirit which is calculated to be developed in these petty officials with these extraordinary powers vested in them is not opposed to the development of democracy in which the hon. the Law Member is, I hope, as much interested as any one of us here.

"Then, Sir, there is only one section which I want to read so as to convince this House what radical changes this Bill is making in existing rights. Section 17 says :

'The Local Government may, after publishing a notice to that effect construct, repair, modify, remove or close any irrigation or

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drainage work, change the irrigation or drainage work from which water is supplied and take any other measures they may consider necessary in order to control the distribution and to regulate the flow of water from any irrigation or drainage work.'

"And then, clause (3) says:

'No right to receive a supply of water from any particular irrigation work shall debar Government from exercising all or any of the powers conferred by this section.'

"Therefore, Sir, that takes away the right which people otherwise have for the purpose of taking water.

"Then we have got section 64 which says:

'Whenever in the exercise of the powers conferred by this Act the supply of water to any person is stopped or diminished under circumstances entitling him to compensation under section 56, the Local Government shall, with the consent of the person so entitled and subject to such conditions as may be agreed upon, confer on him, in lieu of or as part of such compensation, a right to a supply of water from any irrigation or drainage work, unless such supply is in the opinion of the Local Government impracticable or the cost of such supply would exceed the amount of compensation payable.'

"But, Sir, if we turn to section 56, we will find:—

'No compensation shall be awarded for any loss or damage sustained in consequence of—

(a) the stoppage or diminution of a supply of water from an irrigation work when such supply has been received or derived for the first time after the passing of this Act.'

"I thought, Sir, that one of the most earnest pleas which the hon. the Law Member put forward in favour of this Bill was that if this Act is passed there would be such a number of fresh sources of water-supply, such an extent of land irrigated, and such new sources of irrigation, that people would take advantage of this. But what becomes of that, I ask, when Government, by a stroke of the pen, deprive them of that right and say into the bargain: 'You shall have no compensation whatever because you are entitled to the water only after the passing of this Act?'

"The one other clause I want to refer to, and that briefly, is this: My hon. Friend, the Law Member, assured me and assured this House, yesterday morning, that he also was a lawyer. I knew that, and I know that. But, may I appeal to his legal conscience to say whether it is right that under the numerous sections of the Bill, viz., 23, 36, 37, 44, 53, 59, 76, 79 and 90, he should take away the jurisdiction of the civil courts and empower the executive officers of the Government with these great powers? The hon. Member used the phrase 'embarrassing litigation'. Yes, so it is. But after all, until humanity finds out another means of ascertaining and asserting people's rights, I suggest that an appeal to the highest tribunals of the land is the only legitimate, is the only normal, and is the only proper means of ascertaining and asserting such rights."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The phrase is of the Government of India."

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Mr. S. SATYAMURTI:—"But that does not excuse this legislation."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"That does excuse me."

Mr. S. SATYAMURTI:—"Anyhow, I hope when the official report comes, the hon. the Law Member will mark this phrase in inverted commas. After having ousted the jurisdiction of the civil courts, the hon. the Law Member cannot say that the powers of the courts have been preserved. But he said that the powers of the courts have been preserved. Yes, in a most truncated form. But in any case, it does not affect the zamindar vitally. They are willing to give the zamindars the right to litigate for their pleasure in courts."

"Again, this Bill is a taxation measure. Whatever Government may say, this is a taxation measure. They are not going to adopt the recommendations of the Joint Committee but are giving the Executive Government a right to levy a water-cess at their sweet will and pleasure, and also to increase the settlement rates, not because the ryot takes any more water, but because an irrigation officer takes it into his head to classify a particular irrigation source as belonging to a higher class. We are asked to give our assent to this Bill and we are bound at least to give to the hon. the Law Member the views which we hold on the various sections of the Bill. The hon. the Law Member said that this Bill gives effect only to the decisions of the High Court. If this Bill only gives effect to the decisions of the High Court, then why this Bill? I have heard, Sir, that legislation is passed usually only when courts have left matters in doubt, or when the decisions are not beneficial either to the interests of the State or the people. If, as a matter of fact, you are merely giving effect to the decisions of the highest tribunals, then I submit there is no need at all for any legislation."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"That expression was used in regard to the mutual relations and obligations between the Government and the zamindars."

Mr. S. SATYAMURTI:—"So, I take it, Sir, that with regard to the Government and the ryots, the Government do propose to make radical changes in the relations which now exist between them. I do hope that representatives of ryotwari interests present in this House will take note of the fact that, while as regards zamindars they are merely giving effect to the existing rights, as regards the humbler folk, the ryotwari proprietors, they want to put new fetters upon them."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I did not say so."

Mr. S. SATYAMURTI:—"Of course, I did not say that the hon. Member did. Again, the Government with one stroke of the pen, although I must say that the hon. the Law Member rather hesitated in saying so, say that all that which is not zamindari land, or inam land, is Government land. One of the most difficult and complex problems which have been taxing the brains of most eminent men all over the world is as regards the rightful ownership of the land, whether it is the property of the State or belongs to the people; and the hon. the Law Member says that all lands, excepting inam lands or zamindari lands, are Government lands. I do not think that we should allow such a contention to go forward. The hon. the Law Member says that Government are not bound to maintain irrigation works in a state of repair. An eminent Judge of the Madras High Court, whose

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authority the hon. the Law Member himself recognises quite as much as I do, Justice Sir S. Subramania Ayyar, says in 28 Madras at page 72 that 'the duty of the Government to maintain irrigation works is imperative as opposed to permissive obligation.' But, while the Government may do anything, yet no ryot can get compensation because Government have omitted to keep these irrigation works in repair. Let me say this, that, although I belong to the Swarajists' camp pledged to oppose all Bills of this kind, I have examined this Bill with the utmost care, and I find that this Bill, apart from the assurance given by the hon. the Law Member in his picturesque language that once we agree to this Bill, whatever our opinions may be with regard to its provisions, it is surely going to give us life-giving waters flowing even in the desolate darknesses of the Madras Presidency . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I might have said that, but I said so for the obvious reason that irrigation works are not constructed overnight."

Mr. S. SATYAMURTI :—"I can judge the difference between to-morrow and the day after, Sir, but I am only suggesting that the temptation which the hon. the Law Member placed before this House was that, whatever our objections may be with regard to the provisions of this Bill, we must agree to it because in that case in 15 or 20 years there is going to be water flowing in all the fields in the Madras Presidency. Well, Sir, that is a consummation which we all devoutly wish for, but what I say is that even such a consummation ought not to be purchased at the sacrifice of the valued liberties and privileges of the people, and we ought not to commit ourselves blindfold to a Bill about whose provisions the hon. the Law Member is not sufficiently cautious, about the beneficial effects of which we are rather dubious, and about whose provisions, last but not least, we the elected members and others have not yet had sufficient time to consider and bring forward reasoned, useful and effective criticisms, as representing the opinion not only of ourselves, but also of those whom we represent. I, therefore, venture to appeal in all humility to this House, in spite of the impassioned eloquence of the hon. the Law Member, to reject this Bill and leave the Government to bring forward another Bill, if they choose later on. Do not be deceived, I say, by the assurance of language. With the Government holding out all reasonable assurances, this Council turned down by a large majority Sir K. Srinivasa Ayyangar's Bill. Therefore, Government were anxious to placate opinion. With that object in view, they appointed a Committee. That Committee made several recommendations. Government accepted very few of them, but turned down all the others. Therefore, are they going to show a more reasonable frame of mind when we pass the first reading of the Bill and when it comes on to the House again for its second reading? No. I know the ways of the Government, and I would appeal to the House to take time by the forelock and tell the hon. the Law Member "No, Thank You; we will not allow this Bill to go forward."

Dr. P. SUBBARAYAN :—"Mr. President, I must congratulate the hon. the Law Member on the very conciliatory speech he made, but I do not think with all that he has convinced the class that I represent that the Bill in any way gives them the advantage that they thought it would after it had been considered by the Committee. As the hon. Member himself said, the case for the landholders was very ably put forward by Mr. Venkataranga

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Rao and by my hon. Friend Mr. Narasimha Raju. They fought every clause of the Bill, especially in Chapter II, at every step, but I do not think the impress of that fight has been left in the Bill that has been presented to the Council to-day. The hon. Law Member might play upon the words 'all rivers and streams wholly situated in an estate or estates' which are put forward in clause 6. As has been pointed out by my hon. Friend Mr. A. S. Krishna Rao, the effect of that clause has been taken away by what has been introduced in clause 7 wherein Government reserve power to themselves by the mere issue of an order even to take control over streams lying wholly within an estate. So, what they give with one hand in clause 6, they take away with the other in clause 7.

"I was sorry, Sir, that my hon. Friend Mr. Satyamurti chose to attack the class that I represent in this Council in the way he did. I do not think he in any way makes Swaraj come nearer by attacking the class that I represent. If Swaraj is going to be really like the one he said it would be, certainly I for one and the class which he chose to attack will be very thankful if the old Government remained with its Executive Council and its idea of fairplay and justice, but I know it is not going to be that as I think the hon. Member's opinion is rather the exception than the rule. If my hon. Friend had for one moment thought of what the zamindars are suffering under, I do not think he would have made the statement which he did. I shall present this to him if he is unaware of it. I can quote cases of zamindaris in this Presidency where they are paying as *peshkash* nearly half their income. I should like to ask my hon. Friend this question: 'Is there a single ryotwari landholder in this Presidency who is paying nearly half his income to the Government?'"

Mr. S. SATYAMURTI :—"Oh yes, and more."

Dr. P. SUBBARAYAN :—"I should like also to make a present of this observation to my learned Friend, the Member for the University. The zamindaris have no doubt rights, but they also have duties which they owe to their ryots, and if my hon. Friend chooses to tour round some of the zamindaris in this Presidency, he will find that the ryots under the zamindars live a contented and happy life."

Mr. S. SATYAMURTI :—"I would only ask one question, Sir. What about the innumerable suits under the Estates Land Act which we hear so much about in these well-conducted zamindaris?"

Dr. P. SUBBARAYAN :—"My hon. Friend has entirely misunderstood my statement. There are zamindars and zamindars. I said there are zamindaris in this Presidency where only if my hon. Friend will take care to tour round, he will find that the tenants have no suits under the Estates Land Act. I am not boasting myself. It is now eleven years since I took charge and there has not been a single suit under the Estates Land Act in my zamindari (hear, hear and applause), and I think there are other zamindars as well who can lay claim to the same statement that I have made."

"I should like also to say this in connexion with the main provisions of the Bill. As my hon. Friend Mr. Satyamurti himself pointed out, there are many clauses in the Bill under which the jurisdiction of the courts has been taken away. I should like in this connexion to point out to the hon. the Law Member an article which was written in the 'Quarterly

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Review' of 1915 by Professor Dicey called 'Administrative Law in England' in which he refers to two decisions, viz., *Rice versus* the Board of Education, and *Arlidge versus* the Local Government Board, in both of which Professor Dicey shows where a system of administrative law is slowly gaining ground. As has been said it is better to have a system like the French with its administrative tribunals rather than the English one where power is placed by legislation in the hands of petty officials as is done under this Bill.

"I should also like the hon. the Law Member to read an article by Mr. Allen in the October number of the 'Quarterly Review'—the name of that article is 'Bureaucracy triumphant' (Mr. O. V. Venkataramana Ayyangar: 'hear, hear')—in

which he will find many reasons which Mr. Allen alleges why power should not be indiscriminately placed in the hands of petty officials. Because whatever will they may have to be honest, owing to the narrow groove in which they are brought up, these officials are not able to understand the difficulties of the people. In spite of all that has been said about the embarrassing nature of litigation, I think the law courts helped by lawyers are able to come to better decisions. I should only like to make a present of this fact to the hon. the Law Member. There are many cases under the Village Service Act wherein a village official thrown out of service appeals to the Board of Revenue, and only gets this order 'The Board sees no reason to interfere.' That is the only thing the Board of Revenue does. On the other hand, if the village official can engage counsel and go to a court of law, you will very likely have better results; because the court goes into the whole case and examines everything, instead of depending on the notes written in the Secretariat and handed over to the Member in charge. I therefore appeal to the hon. the Law Member if the Bill ever goes to the Select Committee—I hope it will not (laughter)—to make these few amendments which will make the Bill acceptable to the zamindars, because people seem to think that the Bill has been made so sweet that the zamindars will gulp it down as it is. I am only sorry that my hon. Friend, Mr. Satyamurti, has not understood the viewpoint of the zamindars properly, and his knowledge of the zamindars seems to be rather incorrect.

"Also, as was pointed out by my hon. Friend, Mr. A. S. Krishna Rao, the definition of 'Government land' is rather too wide. It has made the ryotwari landholder rather apprehensive as was shown by a note which has been handed over by a leading landholder from the south to whom the hon. the Law Member made reference in his opening speech.

"With these few words, I appeal to the hon. Members not to give a First Reading to this Bill."

Raj Bahadur Sir K. VENKATAREDDI NAYUDU:—"Mr. President, I am one of those who have long held the view that an Irrigation law is an absolute necessity in this Province. Coming as I do from the district of Godavari, where a number of schemes have been held up, and finding how the Government have invariably replied—they have replied quite recently in connexion with a scheme which I proposed, viz., the Polavaram Island scheme—I must say that my constituency and the people of my district are very anxious to have an Irrigation law before we proceed to see that their cherished desires are realized. I do not much believe that the Government of India will come forward with any great help if there should be any

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Irrigation Bill. I do not attach much value on that ground, for this reason, Sir. The subject of irrigation had been in the hands of the Government of India for nearly fifteen or twenty years before the Reforms during which period they were not able to do anything for us. As early as 1900 or 1902, when the Irrigation Committee submitted its report, certain schemes amounting to something like Rs. 15 crores have been enunciated and recommended to the Government of India. At the same time an equal number of schemes costing about an equal amount were recommended in the provinces of the Punjab and the United Provinces. What do we find? Twenty years after this, we find that, while the Government of India have spent nearly all that was required to be spent in the United Provinces and in the Punjab, they did not spend even a crore of rupees in this province. Probably those that were nearer the seat of the throne were able to influence the Government of India. All we can say is that we have to stand on our own legs—and I am prepared to stand on my own legs. When it is suggested that the want of an Irrigation law is the only reason for delaying all our great schemes, I think we ought to support such a law as that, and I rather think that it is too late in the day to say that an Irrigation law is a necessity for us.

"That does not mean that this is the Bill that is wanted. But for the assurance the hon. the Law Member has given that he is keeping an open mind on almost every item in the Bill, many of us would have probably voted for that Resolution which was thrown out yesterday, namely, the motion for giving more time for this Bill. Well, Sir, whatever that may be, the present Bill requires enormous perspective. One first criticism which I must advance is that the Bill appears from beginning to end as one which secures some rights to the Government. No objection to that. But they should not at the same time forget their obligations towards the people. As was said by my hon. Friend, Mr. Krishna Rao, Sir, in the older Bills, Bills introduced in Northern India, in the Punjab, Bombay, Burma and United Provinces, there has always been a chapter on drainage. There is no such chapter in this Bill. If the voluminous pages of evidence recorded before the Irrigation Commission were perused, it would have been noticed that several witnesses, especially the Superintending Engineer from the Godavari district, clearly indicated that the system cannot be a success until a scheme for drainage is properly worked out. To this day this Government as well as the Government of India have neglected the drainage systems of the Godavari and Kistna districts, with the result that we have not been able to progress as we should have been able to progress. That is one criticism.

"Reference has also been made to the obligation of the Government to repair and to pay compensation, where, by their action or by their negligence, injury might accrue to the people. Apart from these, it would not perhaps be possible within the limited time at our disposal to go into details. But I wish that the eloquence of my hon. Friend, Mr. Satyamurti, had been devoted a little more largely on that question with regard to the definition of the words 'Government land.' Well, Sir, that is a question which disposes of, if I may say so, with one stroke of the pen, the solution of that vexed question, whether the land revenue in this country is a tax or a rent. That great ingenious fertile brain of the great Viceroy of India, whose genius and whose activity ransacked all the departments

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of the Governments, not only of his own but of his provinces as well, and made researches in the laws from the ancient monuments and after all produced that book called the 'Indian Land Revenue Policy', even that statesman could not solve that question. And what do we find, Sir? The Madras Government in one single sentence by way of definition have taken away that which is dearest to the ryots of this land. I say, Sir, the Government in this country have no land of their own, ('hear, hear') except what is purchased by them. If the land is yours, why should the question of compensation come in? You say you will pay not merely the price of the land but something more—50 per cent more for the land to be compensated. It is not only that. I am sorry there is no time to go into the whole question, but I will just refer to the rulings of the High Court and of the Privy Council in which it has been definitely held that the land belongs to the ryots and not to the Government. Those of us that are acquainted with conveyances in our own land know, Sir, that even in the most ancient documents we find terms which invariably lead to the only one inference, namely, that the proprietary right of the soil vests in the ryot and not in the Government. சொல்லுங்கள், நீர், water, trees, mines are all conveyed in the ordinary conveyances, and now to be told, in the year of Grace 1924, after one hundred and fifty years of benign British rule, after the decisions of so many courts, that the land belongs to the Government at one stroke and that everything is Government land is something startling and extraordinary. Now, Sir, I hope it will not be taken as a threat, but it is an honest conviction and an expression of honest opinion when I say that unless the hon. Member in charge is prepared to say that he will take away that provision whether it be in the Select Committee or at a later stage, unless he gives me that assurance, I must say that I cannot give my assent to the reading of this Bill."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"This definition of Government land was embodied in the Survey Act which was recently passed, and I do not think any objection was taken then."

Mr. M. RATNASWAMI :—"May I ask whether Government land means anything else than land belonging to Government?" (laughter).

Mr. S. SATTAMURTI :—"May I ask what it does mean?" (laughter).

Mr. M. RATNASWAMI :—"I am asking a question to be answered, Sir."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"At any rate, that is the way in which I understood the wording there, that every land in this country, except land within the ambit of a zamindari, ryotwari or inam, is declared to be Government land. That, I submit, is an extraordinary proposition which will lead to great injury to the people. Not because it is so declared, Sir, but the thin end of the wedge has been introduced, simply by way of a definition. I can understand why definitions are used; they are used for words occurring very often in the Act; the repetition of a number of words may take up space and time, and in order to save that, definitions are put in. When I examined this Bill, I find these words 'Government land' have been used only in half a dozen clauses. I have not unfortunately the time enough to refer to all those clauses. But I will just run through and tell you what those clauses are. They are clauses 4 (10), 11 (d), 12 (2) (b) (vi), 12 (2) (d), 24, 42 (1) (a) and 56 (2) (b). Now, what difficulty is there to use

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an expression which is clear in those few places? Why use this language? Well, Sir, to put forward in this Bill such an expression, to put forward such a thing in this Council, which I take it represents and contains representatives from various districts, representatives who have been returned by a number of ryotwari voters is something startling, and I wonder if any one would venture to say that he would subscribe to such a dangerous proposition as that. Now, take the case of this one clause—clause 6 in the second Chapter—which deals with the powers taken by Government in order to secure control over water sources. I will not in the least object to that. It is absolutely necessary in the interests of the country and for the discharge of the duties which the State owes to the country. These duties relate to promoting and extending irrigation works which would naturally result in the prosperity of the country. Now, I am perfectly agreed with that. But, Sir, the powers are so quietly, so vaguely, and so sweetly vaguely, taken that there is no knowing where those powers will end. Just take that clause, Sir. I am sorry I have no time to go into details.

"Suppose to-morrow on the ground, for instance, that the sand of the Godavari is being silted up at the top, or on the ground that
4 p.m. at present it irrigates only a lakh of acres, I only quote the figures approximately, let us say that it benefits some 15 lakhs of people and water is blocked up or banded up; the whole stream of Godavari may be diverted to another district say the Kistna, Guntur or Nellore, and so on and they can say that it is likely to irrigate a larger area, that it is likely to yield larger crops and benefit the largest number of people. When such a thing is done what is there that is provided here? Objections may be submitted and of course they will be coming up and disposed of. But, Sir, when such important schemes as this are put forward, I think it must be the duty of the Government to intimate this House and to place such schemes on the table of this House and obtain the sanction of the House. Because, it is after all those who are entrusted with the safety of the people that have to safeguard the interests of the ryots. I would suggest, Sir, that any scheme involving more than say a certain figure must come before the Council and must obtain the express sanction of the House.

"I would only mention, Mr. President, one other point. There are two chapters in this Bill providing for compulsory labour and *kudinaramat*. I have heard with great pleasure and with great interest to the speech of my hon. Friend the Labour Commissioner, for whose words I have always the greatest regard. But let me remind this House that these provisions are only fit for a savage people governed by a primitive Government. It is no doubt, Sir, that we had that law in the days of mutiny, I think, in the year 1858. But in those days of mutiny if such a large step was found necessary, one can understand. But to say that when over half a century has elapsed that forced labour should be allowed in a Statute, during days when there has been repeal of the Act enjoining compulsory labour which is being contested as unworthy, is one that we cannot understand. We find that some provisions have been made that if people do not go on their own accord the Government can engage labour and then recover the costs incurred from them. That presupposes, Sir, a sort of coercive labour and is not worthy of being on the Statute book. We are already being criticised as a

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nation of fools and let that no longer stand staring us in our face: let it not disgrace our Statute book with the inclusion of such a provision and let us treat labour as equal to any other respectable profession of our society. In these days, Sir, when in all civilized countries we have labour dictating to us their own terms and claiming to come in contact with everybody and asserting for work whatever hours they like, it is doubtless incumbent that we should also recognize their position. The only occasion when labour can be coerced is probably during times of war. I do not for one moment suppose that the circumstances under which labour ought to be coerced under the provisions of this Bill can at all be placed on a par with the conditions existing at war time; and that too, Sir, in the days when the Labour Government is in power! I can understand such a thing when a bureaucratic power is at its height. But now when more than half of our Government is composed of ourselves I cannot understand such a provision being incorporated in a Bill. I can understand this thing when the die-hards were in power in the days when the Liberals, who were more or less Conservatives or at least half Conservative, being enacted; but I cannot conceive how under the regime of the Labour Government such a provision is being introduced."

RAO BAHADUR C. NATESA MUDALIYAR:—"Sir, Mr. President, I thank the Members of the various parties of this House for having decided not to take this measure as a party one. Ever since I entered this Council whenever an opportunity occurred I never failed to mention that the prosperity of our agricultural province depended upon the improvement of our irrigation works. On the very first day when the hon. the Law Member took his seat, the first request that I made of him was to take up at least one irrigation project. He is a democrat and he has often expressed that having come into a democratic institution, he cannot but accept the democratic measures. He has come forward now with a democratic measure. Sir, even though I opposed the Bill introduced by the late lamented Sir K. Srinivasa Ayyangar, even then I admitted the necessity for an irrigation legislation to extend our irrigation works for the benefit of our agriculturists, to develop our irrigation scheme, to prevent our magnificent rivers wasting waters into the seas, to make our irrigation works on which large capital has been sunk to pay a return and not to allow the zamindars or landholders or ryots to go scot-free even though the number of canals of water supplied to their fields have increased enormously, due to large improvement of existing irrigation works and to construction of new works, and to prevent wastage of water by the ryots by regulating it and diverting the excess to lands that go uncultivated. I learn that only 7 million acres of land in our Presidency are cultivable to-day. Sir, while admitting the paramount power of the Government for collecting, retaining and distributing water for public good, the rights of the zamindars and landholders or ryots should be safeguarded—the rights and the privileges they earned either by grants or by prescription. There is a point of economy in these irrigation legislations. They legally mark out the amount of control that the executive officers can exercise and the extent of privilege the ryots possess. In Northern India where irrigation legislations exist I learn that irrigation litigations are almost unknown. Even in the Bombay Presidency I learn that irrigation litigations are becoming infrequent."

"Sir, this Bill contains certain defects. Under clause 13, for the purpose of preparing a record, an officer delegated can enter into any land, bore and

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do also such other things as are necessary. Why not this be done after due notice to the proprietor of the land or his accredited agent? Right through the Bill the order of the District Collector is final: why not the decision of a District Judge within the jurisdiction? There is also an attempt made to revive the ancient *kudimaramat* system. I thank the hon. the Law Member for having expressed the sentiment that he makes no distinction between a wealthy man and a labourer. I welcome that idea. But *kudimaramat* worked well under the old village form of government which was almost a republic. But now the Government want the control of water sources. Where is the logic in Government asking the villagers to come to its rescue? Of course we are all pleased to hear the burning appeal made by the hon. Member Mr. Paddison. Of course there is a necessity. But the people should be given more privileges for them to offer their services.

"In the *kudimaramat* system, supposing a village munsif belongs to one of the political parties or village cliques, he can use his power to any extent to trouble his opponents. Lastly the penalty for illegal irrigation is thirty times the cess. Any innocent landholder may suffer for the unscrupulous action of any lowly-paid subordinate of the engineering department or a vindictive neighbour. He will have to pay, instead of Rs. 1,000, Rupees 27,000. My Friend, Mr. Biswanath Das, expressed that the rights of the zamindars' ryots are not safeguarded.

"I hope, Sir, that the Select Committee will look into all these things and present the Bill on the occasion of its third reading in a more acceptable form."

MR. S. MUTTAYYA MUDALIYAR:—"Mr. President, Sir, in beginning to speak on this Bill I feel greatly constrained by the time-limit which you have chosen to put upon me and I do not propose to deal with all the details, but I propose to make certain observations which I think are absolutely necessary before I can give my vote. The hon. the Law Member in opening his speech yesterday candidly confessed that the provisions as regards the ryotwari lands in the Bill are practically the same as they were when the Bill was introduced by Sir K. Srinivasa Ayyangar. But he said that the Bill had been before the public for over twelve months and as regards the ryotwari landholders that no criticisms came up and no objections were made. Let us examine the statement and see how far it is correct and justifiable.

"The Bill came to the public notice in December 1922 and in January 1923 it was introduced into the Council, rejected so that the Bill was entirely off the public mind. Then we were told that a Committee was formed for the purpose of examining the provisions of the Bill and framing a new measure; it was a very strong Committee that was appointed consisting of representatives of the ryotwari landholders and many recommendations were made and people thought that those recommendations would be accepted by the Government before the Bill was taken up for final drafting. But according to the candid confession of the hon. the Law Member none of the suggestions made as regards the ryotwari landholders have been incorporated in the Bill. Certainly I confess I have not been able to go in detail into the report and find out how far they have been accepted or not. But I take the hon. the Law Member at his word that so far as the ryotwari landholders are concerned the Bill is practically the same as before. The circumstances which

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compelled this House to reject the Bill originally are now existing so far as the ryotwari landholders are concerned. If according to the hon. the Law Member there was no change introduced into the present Bill, what is there, I ask to alter the vote of the ryotwari landholders in this Council when they have by a large majority thrown out even the introduction of the Bill in 1923. I submit there is absolutely no reason.

"There are one or two vital points which I may mention, in my opinion, go to the very root of the rights of the ryotwari landholders and I shall refer to them. As my hon. Friend, Sir K. Venkata Reddi has already pointed out, the Bill enacts that every land which is not estate land is Government land. I should say that this definition of Government land is not only a declaration of right but it is something worse and capable of bringing in worse wrongs than the declaration of rights can do. But the hon. the Law Member in reply to Sir K. Venkata Reddi's criticism on the matter said that it was not a new definition but that it was copied from the definition of Government land given in the Survey and the Boundaries Act. But this was the answer which was given by Sir K. Srinivasa Ayyangar and if it was found necessary then to reject it I do not see how it can be voted for now; and if the definition was to be found in one Act there is no reason why it should be continued in the other also.

"It is a very important question whether land belongs to the Government or to the mirasidars. I may say for the information of the House that judicial decisions have all been in favour of the mirasidars and you may see from half a dozen passages in Huddleston's Mirasi papers that under Hindu Law it has been recognized that the Sovereign has no right to the land and that the mirasidar has that right. Assuming for purposes of argument that Government land does not mean land belonging to Government, what follows? The mirasidar should have the right over the land. A registered landholder is a person in whose name Government land is registered. There is nothing to show that he is the owner of the land. As regards the land that is not registered in anybody's name as house-sites who is the owner? I submit that this is a forfeiture clause and before this House 17 days ago and as was pointed out it was not published in the vernacular languages to enable the non-English knowing people to understand it. How are they to raise their objections and criticise the Bill? Where do you give them the opportunity of putting forward objections? There is absolutely no time. On this single ground I will ask you to throw out the Bill. It is a forfeiture Bill."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, Sir, sincerely speaking it is not my desire to interrupt any speech or to put an end to the discussion. But I take it that the general sense of the House is that they will reserve further consideration of the specific objections which each individual hon. Member may have to the succeeding stages, viz., the Select Committee and the subsequent consideration by the full House. Yet, I would be wanting in courtesy to hon. Members who have benefited me with their remarks if I do not offer a few observations on some of the points made by them. One of the main points of attack elaborated by my hon. Friend Sir K. Venkatarreddi, following in this respect the remarks of

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the hon. Member for the University, was as to the implications of the words Government land. I may assure hon. Members of this House that it is not the intention of the Government nor was it the object of the framers of this legislation by a side wind as it were to set at rest long-continued controversies and differences of opinion. I modestly followed the example of the other Act passed not very long ago by this august assembly. Turning to Madras Act VIII of 1923, what do we find? It is an Act relating to survey of lands. There Government land means any land not forming an estate or any portion thereof. When that Act was on the legislative anvil and when it passed through its various stages in this House this suspicion was not entertained and this charge was not levelled. If I had used a much more cumbersome and long-winded expression like 'land not forming or included in the estate' wherever 'Government land' was used, I do not think it would have opened us to so much criticism and permitted hon. Members to make remarks of the nature that has been made to-day. I may assure hon. Members that it was not the intention of those who framed this measure to set at rest all controversies on this matter and to lay down in a cowardly way, as by a side wind as I have already stated, that there is a proprietorship under this Act where it has not been existing before.

"I will now turn to the hon. Member for the University whom, notwithstanding that he is not in his place, you will accord me permission in absentia to congratulate upon his advocacy of what I venture to say is a losing cause, that is, an attempt to have this measure thrown out even at its very inception. He stated that no attempt has been made to define riparian rights as existing between ryotwari proprietors and Government. Well, whatever rights there may be, the extent and connotation of them are open to much discussion. I for one am perfectly prepared to have a discussion on this matter in the Select Committee. I may add that this question of riparian rights did not actively come before the Select Committee though it was alluded to on one occasion and left for further consideration and examination, but nothing happened. I am perfectly prepared to have that matter carefully examined.

"Then another hon. Member said that lawyer though I was I had taken particular care to exclude from the jurisdiction of courts every important matter reserving to them certain trivial and unimportant details. I venture to point out as I said yesterday that the objects which animated those who produced this draft were twofold, firstly to preserve by Clause 90 the jurisdiction of courts generally speaking, and secondly to restrict the jurisdiction of courts to cases and instances where they may function most appropriately. It may be that in one instance or in another this hon. House may come to a different conclusion. I for one will be ready to accept any such Amendment. But it will be remembered that there are matters of detail of inspection on the spot of even important things in which local officers, detested though they have been in these debates, would be more usefully functioning than the courts. Taking Clause 90, I pointed out that the general purport of the measure was to preserve the jurisdiction of the courts. I say wherever the jurisdiction of courts was not postulated, there was room given under Clause 101 for the scrutiny of the legislature being brought to bear upon by the rules. Turning to Clause 101, sub-clause (f) one will find that the declaration of rates of water-cess is included. That is not a kind of matter in which the court can function usefully. Those rules strictly pertain to the legislature. It is therefore provided that

[Mr. C. P. Ramaswami Ayyar] [7th February 1924]

rules relating to rates of water-cess should be placed before the House. It was stated that it is only provided that these rules should be laid on the Table of the House for two months while the House is in session, and it is not provided as is sometimes stated, notably in the Government of India Act, that the active consent of the legislature is necessary before those rules can have operation or validity. Now I take it that the object of the rule prescribing the placing of these matters on the Table of the House is to evoke a Resolution, to stimulate debate and to inaugurate controversy so that we may have the advantage and the benefit of having the Legislative Council's opinion on this matter. It may be that upon some of these matters the Select Committee or the House may say that it is of such paramount importance that affirmative sanction of the legislature is necessary. There may be other matters in which the House may consider that particular things must be brought to the notice of the House and that we should abide by the decision of the House. Now my hon. Friend Mr. A. S. Krishna Rao, in the course of a very very vigorous, and if I may say so, very constructive attack upon this Bill referred to the unique character of the declaration of Clause 6. He said that nowhere has the Government's rights been admitted. Let me turn to the Burma Act II of 1905. The preamble says:

"Whereas, throughout the territories to which this Act extends, the Government is entitled to use and control for public purposes the water of all rivers and streams flowing in natural channels, and of all lakes and other natural collections of still water, and to assume the control and undertake in whole or in part the maintenance of any irrigation work upon such terms, if any, as to compensation as it deems just, whenever it appears to be necessary in the public interest to do so."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"May I know, Sir, if the preamble is treated as part of the Act?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is not part of the Act for certain purposes, but it is the guiding factor of the Act; it is the key, the scope and intent of the legislation."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"As the hon. Member has referred to the statement made by me, let me state that the preamble is not a part of the Act. There is nothing in the present declaration to show that there is an undertaking on the part of the Government in whole or in part to show that it is upon such terms and so forth."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I may mention, Mr. President, that the object of Clause 6 as provided is to do more but not less than this. It is a resumé of the powers and functions detailed in the Bill."

"My hon. and learned Friend wants me to omit clause 6 and have all the other clauses granting the powers and laying down the obligations. If he can give me a formula by way of concentration and of gathering together all the root ideas in the succeeding clauses, a formula which will compress in one or two succinct sentences the meaning and the object of the Government, no one would be more grateful to him than myself."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I hope to be able to satisfy the hon. Member and give him a formula."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am very relieved. Then my hon. Friend, the Member from Chittoor, who again is absent from his place, referred to the obligations of the Government with regard to the keeping in proper repair of irrigation works. It is a moot point how far

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the Government are under any obligation in ryotwari tracts in regard to the repair of irrigation works. But the question is one which may be investigated and carefully looked into later on. There are three very important points to which I must invite special notice. There are points which, I assure the hon. House, will receive the most careful and anxious consideration of the Select Committee. One of them is the provision—to which reference has already been made—that in cases where an irrigation officer on his own initiative constructs a new water course, the cost of it may be recovered from the owners and occupiers of land. The other is with regard to the land registered as dry. The third is about compensation. These are matters which, I assure the House, will be carefully kept in view. Speaking on one of those matters, namely, that relating to Clause 56, this House will not find that I am going to block any amendments or will be unsympathetic. I do not propose at this stage to say more than this. I ask the House to take my undertaking in the spirit in which it is given. I hope that the House will be satisfied that the object is not the sinister one of rushing the legislation. I hope they will take me in the spirit in which I have approached them, and I hope they will allow the First Reading of the Bill. I trust that it will be possible to say at the end of a very few months that in this Presidency the long-standing reproach of the want of an irrigation law has been eradicated and that we can go on with projects which will bring about an era which is dear to the heart of each one in this House and outside it." (Hear, hear and cheers.)

Mr. V. C. VELLINGIRI GOUNDER:—"With the permission of the President, may I say a few words?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"Many of us want to speak on this Bill and in the absence of a motion for closure I think we may be permitted to speak."

The hon. Sir CHARLES TODHUNTER:—"Sir, I move that the question be now put."

Mr. C. V. VENKATARAMANA AYYANGAR:—"The hon. the Leader of the House got up and moved for closure when I was on my legs and was saying that in the absence of a motion for closure we might be permitted to speak."

The hon. the PRESIDENT:—"I have not called upon any hon. Member to speak except the hon. Sir Charles Todhunter who has moved the closure."

The motion for closure was put and the House divided as follows:—

Ayes.

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| 1. The hon. Sir Charles Todhunter. | 15. Mr. H. Tireman. |
| 2. " Sir Arthur Knapp. | 16. " C. B. T. Congreve. |
| 3. " Mr. C. P. Ramaswami Ayyar. | 17. " J. A. Davis. |
| 4. " the Raja of Kollengode. | 18. " A. J. Leech. |
| 5. " the Raja of Panagal. | 19. " C. Nicholson. |
| 6. " Rao Bahadur Sir A. P. Patro. | 20. " T. B. Venkatarama Sastriyar. |
| 7. " Diwan Bahadur T. N. Siva-
gnanam Pillai. | 21. " P. W. Partridge. |
| 8. Mr. E. W. Davies. | 22. " Ari Gowder. |
| 9. " P. Hawkins. | 23. " S. Arpudawami Udayar. |
| 10. " E. W. Leigh. | 24. " P. K. S. A. Arumuga Nadar. |
| 11. " C. Madhavan Nayar. | 25. " A. V. Bhanoji Rao. |
| 12. Dr. John Mathai. | 26. " N. Devendradu. |
| 13. Mr. P. L. Moore. | 27. Diwan Bahadur Sir P. Tyagathaya
Chettiyar. |
| 14. " G. F. Paddison. | 28. Rao Sahib S. Ellappa Chettiyar. |

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Ayes—cont.

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| 29. Rao Bahadur P. C. Ethirajulu Nayudu. | 44. Rao Bahadur C. Venkataranga Reddi. |
| 30. " Cruz Fernandez. | 45. Mr. R. Veerian. |
| 31. Rao Sahib P. V. Gopalan. | 46. " Abbas Ali Khan. |
| 32. Mr. L. C. Guruswami. | 47. " G. Abdulla Ghatala Sahib. |
| 33. Rao Bahadur K. Krishnaswami Nayudu. | 48. " Abdul Hye Sahib. |
| 34. Mr. V. Madhava Raja. | 49. " V. Hamid Sultan Marakkayar. |
| 35. Hony.-Lieut. Madurai. | 50. Khan Bahadur P. Khalif-ullah Sahib. |
| 36. Mr. K. S. Ponnuswami Pillai. | 51. Mr. T. M. Moidu Sahib. |
| 37. " P. S. Rajappa. | 52. " T. N. Bava Ravuttar Muhammad Sahib. |
| 38. Rao Bahadur P. Raman. | 53. Khan Sahib Saiyid Diwan Abdul Razaq Sahib. |
| 39. Mr. R. Srinivasan. | 54. Mr. K. Uppi Sahib. |
| 40. " P. V. S. Sundaramurti. | 55. " Janab Muhammad Yahya Ali Sahib. |
| 41. Rao Sahib T. C. Tangavelu Pillai. | |
| 42. Rao Bahadur O. Tanikachala Chettiyar. | |
| 43. Mr. K. Venkatachala Padayachi. | |

Noes.

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| 1. Mr. B. Mahabala Hegde. | 21. Mr. P. Siva Rao. |
| 2. The Zamindar of Kurupam. | 22. " A. Chidambara Nadar. |
| 3. Mr. P. N. Marthandam Pillai. | 23. " K. Koti Reddi. |
| 4. " B. Muniswami Nayudu. | 24. " P. Anjaneyulu. |
| 5. " C. Muttayya Mudaliyar. | 25. Sriman Biswanath Das Mahasayo. |
| 6. " P. C. Muttu Chettiyar. | 26. Mr. S. Muttayya Mudaliyar. |
| 7. " C. Ponnuswami Nayudu. | 27. Dr. P. Subbarayan. |
| 8. " K. Prabhakaran Tampen. | 28. Rai Bahadur T. M. Narasimhaachari. |
| 9. " G. Premayya. | 29. Mr. P. Peddiraju. |
| 10. " K. Raghuchandra Bellala. | 30. " V. C. Vellingiri Gounder. |
| 11. " P. T. Rajan. | 31. " A. Ranganatha Mudaliyar. |
| 12. " B. Ramachandra Reddi. | 32. " J. A. Saldanha. |
| 13. " J. D. Samuel. | 33. Sriman Sasibhushana Rath Mahasayo. |
| 14. " K. Sarabha Reddi. | 34. Mr. M. Seetayya. |
| 15. " K. Sarvarayudu. | 35. " M. B. Seturatnam Ayyar. |
| 16. " K. Sitaranga Reddi. | 36. " B. Srinivasa Ayyangar. |
| 17. " Chavadi K. Subrahmanya Pillai. | 37. " C. V. Venkataramana Ayyangar. |
| 18. Rao Bahadur O. Natesa Mudaliyar. | 38. The Raja of Ramnad. |
| 19. " A. S. Krishna Rao Pantulu. | 39. Mr. M. Ratnaswami. |
| 20. " C. V. S. Narasimha Raja. | 40. Diwan Bahadur M. Krishnan Nayar. |

Ayes : 55. Noes : 40.

The closure was carried.

The motion that the Madras Irrigation Bill be read in
4-45 p.m. Council was then put and carried.

A poll was demanded and the House divided as follows :—

Ayes.

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| 1. The hon. Sir Charles Todhunter. | 19. Mr. C. Nicholson. |
| 2. " Sir Arthur Knepp. | 20. " T. B. Venkatarama Sastriyar. |
| 3. " Mr. C. P. Ramaswami Ayyar. | 21. " P. W. Partridge. |
| 4. " the Raja of Kollengode. | 22. " Ari Gowder. |
| 5. " Rao Bahadur Sir A. P. Patro. | 23. " S. Arpadaswami Udayar. |
| 6. " Diwan Bahadur T. N. Siva-
gnanam Pillai. | 24. " P. K. S. A. Arumuga Nadar. |
| 7. Mr. R. W. Davies. | 25. " A. V. Bhanoji Rao. |
| 8. " P. Hawkins. | 26. Diwan Bahadur Sir P. Tyagaraya
Chettiyar. |
| 9. " E. W. Legh. | 27. Rao Sahib S. Ellappa Chettiyar. |
| 10. " C. Madhavan Nayar. | 28. Rao Bahadur P. C. Ethirajulu Nayudu. |
| 11. Dr. John Mathai. | 29. " Cruz Fernandez. |
| 12. Mr. P. L. Moore. | 30. Rao Sahib P. V. Gopalan. |
| 13. " G. F. Paddison. | 31. Mr. L. C. Guruswami. |
| 14. " H. Tireman. | 32. " B. Mahabala Hegde. |
| 15. The hon. the Raja of Panagal. | 33. Rao Bahadur K. Krishnaswami Nayudu. |
| 16. " Q. B. T. Congreve. | 34. Mr. V. Madhava Raja. |
| 17. " J. A. Davis. | 35. Hony.-Lieut. Madurai. |
| 18. " A. J. Beech. | 36. Mr. P. N. Marthandam Pillai. |

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Ayes—cont.

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| 37. Mr. B. Muniswami Nayudu. | 61. Mr. R. Srinivasa Ayyangar. |
| 38. " C. Muttayya Mudaliyar. | 62. " C. V. Venkataramana Ayyangar. |
| 39. " P. C. Muttu Chettiyar. | 63. Rai Bahadur Sir K. Venkatarreddi Nayudu. |
| 40. " K. S. Ponnuswami Pillai. | 64. Mr. P. S. Sundaramurthi. |
| 41. " G. Premayya. | 65. Rao Sahib T. C. Tangavelu Pillai. |
| 42. " K. Raghuchandra Bellala. | 66. Rao Bahadur O. Tanikachala Chettiyar. |
| 43. " P. S. Rajappa. | 67. Mr. K. Venkatachala Padayachi. |
| 44. " B. Ramachandra Reddi. | 68. Rao Bahadur C. Venkataranga Reddi. |
| 45. Rao Bahadur P. Raman. | 69. Mr. M. Ratnaswami. |
| 46. Mr. A. Ramaswami Mudaliyar. | 70. Diwan Bahadur M. Krishnan Nayar. |
| 47. " J. D. Samuel. | 71. Mr. W. Vijayaraghava Mudaliyar. |
| 48. " K. Sarabha Reddi. | 72. " B. Veerian. |
| 49. " K. Sitaranga Reddi. | 73. " Abbas Ali Khan. |
| 50. " R. Srinivasan. | 74. " Haji Abdulla Sahib. |
| 51. Rao Bahadur O. Natesa Mudaliyar. | 75. " Ghatala Sahib. |
| 52. Mr. T. A. Kamalinga Chettiyar. | 76. " Abdul Hye Sahib. |
| 53. Rao Bahadur A. S. Krishna Rao Pantulu. | 77. " Hamid Sultan Marakkayar. |
| 54. " C. V. S. Narasimha Raja. | 78. " Khalitulla Sahib. |
| 55. Mr. P. Siva Rao. | 79. " Moidu Sahib. |
| 56. " K. Koti Reddi. | 80. " Muhammad Sahib. |
| 57. Rai Bahadur T. M. Narasimhaachari. | 81. Khan Sahib Saiyid Diwan Abdul Razaq Sahib. |
| 58. Mr. A. Ranganatha Mudaliyar. | 82. Mr. K. Uppi Sahib. |
| 59. " V. C. Vellingiri Gounder. | 83. " Yahya Ali Sahib. |
| 60. " J. A. Saldanha. | |

Noes.

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| 1. Mr. K. Prabhakaran Tampen. | 8. Dr. P. Subbarayan. |
| 2. " P. T. Rajan. | 9. Mr. P. Peddiraju. |
| 3. " C. Ponnuswami Nayudu. | 10. " M. Seetayya. |
| 4. " Chavadi K. Subrahmanya Pillai. | 11. " B. Seturatnam Ayyar. |
| 5. " P. Sagaram. | 12. Sriman Sasibhushana Rath Mahasayo. |
| 6. " A. Chidambara Nadar. | 13. Mr. K. Sarvarayadu. |
| 7. " S. Muttayya Mudaliyar. | |

Neutral.

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| 1. Mr. N. Devendrudu. | 4. Sriman Biswanath Das Mahasayo. |
| 2. The Zamindar of Kurupam. | 5. The Raja of Ramnad. |
| 3. Mr. P. Anjaneyulu. | 6. Mr. G. Ramaswara Rao. |

Ayes : 83. Noes : 13. Neutral : 6.

The motion was carried.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, I move that
the Bill be referred to a Select Committee."

The hon. the RAJA OF KOLLENGODE :—" I second it."

The motion was put and carried.

The SECRETARY then read the title of the Bill.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I move that a committee
consisting of the following Members be formed for the consideration of the
Bill :—

Select Committee on the Irrigation Bill.

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|--|--|
| 1. The Advocate-General. | 11. Mr. A. Ramaswami Mudaliyar. |
| 2. Mr. T. B. Venkatarama Sastri. | 12. " K. Sitaranga Reddi. |
| 3. " P. Hawkins. | 13. " P. T. Rajan. |
| 4. " E. W. Legh. | 14. Rao Bahadur P. C. Ethirajulu Nayudu. |
| 5. The Raja of Ramnad. | 15. Sir K. Venkatarreddi Nayudu. |
| 6. Dr. P. Subbarayan. | 16. Rao Bahadur C. V. S. Narasimha Raja. |
| 7. The Raja of Chellapalli. | 17. Diwan Bahadur M. Krishnan Nayar. |
| 8. The Raja of Kurupam. | 18. Rao Bahadur T. A. Kamalinga Chettiyar. |
| 9. Rao Bahadur O. Tanikachala Chettiyar. | 19. Mr. C. V. Venkataramana Ayyangar. |
| 10. Mr. B. Muniswami Nayudu. | 20. Rao Bahadur A. S. Krishna Rao Pantulu. |

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Select Committee on the Irrigation Bill—cont.

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| 21. Mr. B. Srinivasa Ayyangar. | 28. Rao Sahib P. V. Gopalan. |
| 22. „ A. Ranganatha Mudaliyar. | 29. Mr. P. Siva Rao. |
| 23. Khan Bahadur P. Khalifulla Sahib. | 30. Rai Bahadur T. M. Narasimhaachari. |
| 24. Mr. Yahya Ali Sahib. | 31. Mr. P. Peddiraju. |
| 25. „ V. Madhava Raja. | 32. „ A. V. Bhanaji Rao. |
| 26. „ B. Mahabala Hegde. | 33. Sriman Biswanath Das Mahasaya. |
| 27. „ R. Srinivasan. | 34. The Mover. |

The hon. the RAJA OF KOLLENGODE:—“ I second it.”

The motion was put and carried.

The hon. the PRESIDENT:—“ I appoint the hon. the Law Member as Chairman of the Committee.

“ It will now be open to hon. Members to take up the remaining items on the agenda paper to-day, namely, the adjourned motion of Mr. Peddiraju. Is it the desire of the hon. Members to continue the discussion on that motion or shall it be taken up to-morrow ? ”

The sense of the House was that the motion might be taken up the next day.

The House then adjourned at 4-52 p.m. to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX III.

[Vide page 292 supra.]

(1)

Proceedings of the Twelfth Meeting of the Finance Committee, 1923-24, dated 24th January 1924.

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

M.R.Ry. A. RANGANATHA MUDALIYAR AVARGAL, M.L.C.

Rai Bahadur T. M. NARASIMHACHARLU Garu, M.L.C.

„ Sir K. VENKATAREDDI NAYUDU, Kt., M.L.C.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.

Dr. P. SUBBARAYAN, M.L.C.

R. W. DAVIES, Esq., I.C.S., M.L.C.

1 The first item taken up for consideration was the Part II scheme relative to the appointment of district maintenance officers.

Annual recurring cost	Rs.
1,12,450	

Members N. Maamichael and P. T. Srinivasa Achari were present.

The proposal was placed in class III.

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Schemes other than Part II schemes and Supplementary Demands.

2. 22. General Administration—

(a) Local Self-Government Department—Additional establishment—one Superintendent and two upper division clerks—Annual cost Rs. 7,192.

Mr. P. L. Moore was present.

The Committee recommended the proposal for acceptance.

(b) Additional establishment—Office of the Registrar-General of Panchayats—Annual cost Rs. 1,080.

The proposal of the Local Self-Government Department was placed in class I for 1924-25.

3. 24. Administration of Justice—

(a) Conversion of ‘ Mayne’s Bungalow ’ at Vellore into a residence for the District Judge—Cost Rs. 10,500.

The proposal was recommended for acceptance.

(b) Appointment of an Additional Sessions Judge, Coimbatore—Supplementary grant—Rs. 2,512.

The Committee recommended the proposal for acceptance.

4. 26. Police—

Creation of an additional circle in the South Malabar district—Cost Rs. 2,400 temporary for one year.

Mr. G. R. F. Tottenham was present.

The Committee recommended the proposal for acceptance.

5. 31. Education—

Additional allotment for equipment grants to non-European Colleges and Secondary Schools—Rs. 45,000.

The Committee were unable to recommend the presentation of a supplementary demand.

6. 33. Agriculture—

Deputy Directors, Assistant Directors of Agriculture and Agricultural Demonstrators—Travelling allowance—Supplementary grant—Rs. 8,450.

The proposal was recommended for acceptance.

7. 41. Civil Works—Grants-in-Aid—

Grant—Gudalur-Mysore Frontier Road—Rs. 81,900.

The proposal was deferred for consideration along with the subsidies to local boards in 1924-25.

Part II—Schemes, 1924-25.

8. (i) 9. Registration—

Opening of twelve new sub-registry offices—

	Rs.
Estimated cost	31,934 per annum.
Cost in 1924-25	21,378

It was recommended that six new sub-registry offices be placed in class II and six in class III.

[7th February 1924]

(ii) 24. Administration of Justice—

Opening of an additional District Munsif's Court in Kistna district—

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
RS.	RS.	RS.	RS.
4,906	900	4,906	900

The proposal was placed in class III.

At this point Sir Venkatarreddi Nayudu took the Chair.

(iii) 25. Jails—

Jails—Andamans—Returned prisoners—Maintenance and transport charges—

	Estimated cost.		Provision for 1924-25.	
	Recurring.	Non-recurring.	Recurring.	Non-recurring.
	RS.	RS.	RS.	RS.
Dietary charges.	2,50,000	..	2,50,000	..
Railway warrants.	..	40,000	..	40,000

The proposal was placed in class I.

(iv) 26. Police—

Kallar reclamation—Madura and Ramnad districts—Additional Police staff—Cost Rs. 8,745 (11 months)

The Committee placed the scheme in class II.

(v) 31. Education—

(a) Reorganization of industrial classes in the Reformatory School, Chingleput—

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
RS.	RS.	RS.	RS.
702	3,440	495	3,935

The proposal was placed in class III.

(b) Provision for vocational education—

	RS.
Recurring	35,800
Non-recurring	55,900

The Committee recommended that the expenditure on vocational education should be confined to the amount already sanctioned up to and during the current year and that no further allotment than the expenditure already sanctioned should be provided in next year's budget.

(c) Transfer of seven posts from the S.E.S. to the M.E.S.—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	31,581	2,000

The Committee placed the scheme in class III.

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(d) Labour Department—Education—Training of Fishermen teachers—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	1,920	1,734

The proposal was placed in class II.

(e) Building and furniture grants to aided schools—Agency Tracts—Cost Rs. 650 (non-recurring).

The scheme was placed in class II.

(f) Opening of a secondary training class in the Government Higher Elementary Training School, Chicacole—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	8,918	6,112
Non-recurring	2,340	2,340

The Committee placed the scheme in class III.

(vi) 32. Medical—

(a) Bifurcation of the Kistna district—Medical arrangements for the new district—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	30,924	11,000

The Committee placed the scheme in class II.

(b) Appointment of an Assistant to the Professor of Biochemistry. Medical College, Madras—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	5,038	2,200

The proposal was placed in class II.

(vii) 33. Public Health—

(a) Grant of Rs. 10,000 to the Madras Health Council.

The Committee placed the scheme in class III.

(b) Experimental filters at Guindy—Rs. 8,916 per annum.

The Committee recommended that the scheme be continued on a temporary basis for 1924-25.

[7th February 1924]

(viii) 34. Agriculture—

Additional establishment—Office of the Registrar of Co-operative Societies—

Estimated cost per annum.	Provision in 1924-25.
RS.	RS.
2,614	1,760

The scheme was placed in class I.

FORT ST. GEORGE,
25th January 1924.

C. G. TODHUNTER.

(2)

Proceedings of the Thirteenth Meeting of the Finance Committee, 1923-24, dated 25th January 1924.

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

Rai Bahadur Sir K. VENKATAREDDI NAYUDU, Kt., M.L.C.

,, T. M. NARASIMHACHARLU Garu, M.L.C.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.

,, A. RAMASWAMI MUDALIYAR Avargal, M.L.C.

Dr. P. SUBBARAYAN, M.L.C.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.

C. NICHOLSON, Esq., M.L.C.

R. W. DAVIES, Esq., I.C.S., M.L.C.

1. (i) The first item taken up for consideration was the installation of a portable saw mill and box-making plant at Olavakkode under S. Forests as a Part II scheme—

	Estimated cost.	Provision for 1924-25.
	RS.	RS.
Recurring	39,540	39,540
Non-recurring	1,75,000	1,75,000

Messrs. C. S. Martin and J. K. Pearce were present.

The Committee recommended that the Council be moved to sanction the scheme at once and to meet the cost from loan funds.

(ii) Formation of new ranges in the Wynad and South Mangalore Divisions—

Estimated cost.		Provision for 1924-25.	
Recurring.	Non-recurring.	Recurring.	Non-recurring.
RS.	RS.	RS.	RS.
8,028	32,500	6,248	32,500

The proposal was placed in class II.

7th February 1924]

2. 15. Irrigation—

(i) Shifting the head of the Thottiam Chinna Voikal, Trichinopoly Division—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.

Non-recurring 45,720 45,720

The Committee placed the scheme in class I.

(ii) Improvements to Chagollu Tank, Nellore Division—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.

Non-recurring 52,514 19,060

The proposal was placed in class II.

3. 25. Jails—

Indent for Europe stores—Clayton disinfectant for Coimbatore Jail—

Cost in 1924-25.

RS.

Non-recurring 440

The proposal was placed in class II.

4. 31. Education—

Opening of six additional elementary schools for fisher children—duty allowance of Rs. 2 to the headmasters.

The proposal was placed in class II.

5. 32. Medical—

(a) Addition to the cadre of Civil Assistant and Sub-Assistant Surgeons—Appointment of Lady Apothecaries in the Bezvada and Kumbakonam hospitals and of a Lady Sub-Assistant Surgeon at Erode—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.

Recurring 8,364 4,125

The scheme was placed in class I.

(b) Employment of a midwife in the Cherla dispensary—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.

Recurring 840 495

The Committee placed the scheme in class II.

6. 34. Agriculture—

Additional co-operative staff for work under the Commissioner of Labour—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.

Recurring 19,722 13,260

The proposal was placed in class III.

[7th February 1924]

7. 35. Industries—

(a) Wesleyan Mission Industrial School, Tiruvallur—Building grant—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.
Non-recurring	13,833	13,833

The Committee placed the scheme in class II.

(b) Equipment grant to the Pasumalai Trades School—

	Cost in 1924-25.
	Rs.

Non-recurring 4,310

The proposal was placed in class III.

(c) Investigation into the possibilities of a match industry in the Madras Presidency—appointment of Mr. Ghosh—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.
Non-recurring	5,000	5,000

The proposal was not recommended for acceptance.

8. 41. Civil Works—Public Works Department—

(a) Registration buildings—

Construction of a Sub-Registry office and quarters for the Sub-Registrar and three clerks at Boyirani—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.
	19,998	3,000

The Committee placed the scheme in class III.

(b) Land Revenue buildings—

Construction of a Divisional office at Narsapur.

In view of the fact that the old building can be completely overhauled and repaired at a cost of Rs. 1,000, the scheme was not recommended for acceptance.

(c) Administration of Justice—Buildings—

(i) Construction of a combined court-house at Calicut for the Sub-Judge, Calicut, and the District Munsif, Vayittiri—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.
Non-recurring	1,11,000	30,000

The proposal was placed in class III.

(ii) Construction of a court-house for the District Judge, Kurnool.

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.
Non-recurring	1,60,000	22,000

The Committee placed the scheme in class III.

[7th February 1924]

(d) Jail Buildings—

Madras Penitentiary—Provision of cage latrines—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.

Non-recurring 10,010 10,000

The scheme was placed in class III.

(e) (i) Education Buildings—

Construction of a building and a hostel with Warden's quarters for the Government Training school, Russellkonda—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.
	81,670	10,000

The scheme was not ready and was not therefore taken into consideration.

(ii) Construction of a hostel for the Industrial school at Ranipet certified under the Madras Children Act—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.
	90,500	30,000

The scheme was placed in class II, to be financed from loans.

(iii) Umdah Bagh buildings, Mount Road—Extensions and improvements—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.
	1,50,000	1,50,000

The Committee placed the scheme in class II, the cost to be met by a loan.

(iv) Construction of a building for the Municipal High School, Bellary—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.
	50,000	50,000

The Committee placed the scheme in class II subject to a maximum expenditure of Rs. 50,000 on the school, to be met from loans.

(f) Medical buildings—

King George's Hospital, and Medical College, Vizagapatam—

	Estimated cost.	Provision in 1924-25.
	Rs.	Rs.

Non-recurring { 2,02,694 } 1,75,000
+ 6,50,000

[7th February 1924]

The Committee placed the scheme in class II, to be met from loan funds.

(g) Agriculture buildings—

Construction of quarters at the Agricultural College—Provincial officers—

Estimated cost.	Provision in 1924-25.
RS.	RS.
86,000	50,000

The proposal was placed in class III.

9. As a temporary measure, pending the remission of the contributions, the Committee were of the opinion that building schemes costing Rs. 50,000 or more should be financed by borrowing, provided that they represent works of permanent public utility.

10. 41. Civil Works—Reserved Agency—Contribution to local bodies—

	RS.
(i) Grant for Road Works	96,994

The Committee placed the scheme in class I.

	RS.
(ii) Grant for Bridge Works	81,080

The proposal was placed in class III.

11. 55. Construction of Irrigation, Navigation, Embankment and Drainage Works—

Constructing a new weir at Ramudupalem, Pennar River Canals System, Nellore district—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	20,574	20,574

The proposal was placed in class II.

12. Loans and Advances—Class V—Miscellaneous—Loans—

Land Mortgage banks—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Non-recurring	2,00,000	2,00,000

The Committee recommended the acceptance of the scheme. Specific provision of funds in 1924-25 was considered to be unnecessary.

13. (i) 22. General Administration—

Bifurcation of the Kistna district.

Adjourned till Wednesday the 30th for further consideration.

(ii) 26. Police—

Bifurcation of the Kistna district.

Adjourned to Wednesday the 30th for further consideration.

[7th February 1924]

(iii) 31. Education—

Non-European—Grants-in-aid and subsidies—Budget provision for 1924-25.

Adjourned to Tuesday the 29th when the Director of Public Instruction should be asked to be present.

(iv) 41. Civil Works—Police Buildings—

Budget provision for Police works for 1924-25.

Postponed to Wednesday the 30th in order that an explanation of the necessity for the buildings may be furnished.

(v) Labour Department—

31. Education—

(i) Opening of additional schools in districts where operations are now carried on.

(ii) Opening of schools in new districts.

(iii) Opening of schools for Kallars in Tanjore district.

33. Public Health—

Grants for betterment of depressed classes.

The Committee desired that the whole of the Labour Budget should be taken up simultaneously, and that the Labour Commissioner should be present to explain his budget.

FORT ST. GEORGE,
26th January 1924.

C. G. TODHUNTER.

(3)

Proceedings of the Fourteenth Meeting of the Finance Committee,
1923-24, dated 28th January 1924.

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

Rai Bahadur T. M. NARASIMHACHARLU Garu, M.L.C.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.

„ A. RAMASWAMI MUDALIYAR Avargal, M.L.C.

Dr. P. SUBBARAYAN, M.L.C.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.

R. W. DAVIES, Esq. I.C.S., M.L.C.

Agriculture.—The following three proposals were first taken up for consideration.

Mr. R. D. Anstead, the Director of Agriculture, was present.

(1) Opening of a paddy breeding sub-station in the Kistna delta.

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	20,000	14,450
Non-recurring	1,24,000	1,24,000

[7th February 1924]

The Committee placed the scheme in class II, the capital expenditure to be met from loan money.

(2) Additions to the upper subordinate cadre in the Agricultural Department—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	32,268	23,375

The Committee placed the scheme in class III.

(3) Increase of teaching staff at the Agricultural College, Coimbatore—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	6,090	4,400

The Committee placed the scheme in class II but did not recommend the allowance for the Librarian.

Items other than Part II schemes.

2. Reduction in the number of Veterinary Assistants in the Agency from six to five.

The proposal was recommended for acceptance.

Supplementary Grant.

3. Special Magistrates for the trial of cases arising out of the Mappilla rebellion—Supplementary grant—Rupees 12,217.

The Committee recommended that a supplementary demand be moved.

Part II schemes.

4. 26. *Police*—

Reclamation of Kallars in the Tanjore district—Police staff—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	3,096	2,838

The proposal was placed in class II.

5. 31. *Education*—

(1) Provision for mid-day meal for pupils belonging to the Depressed classes—

Cost in 1924-25	RS. 10,000
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The Committee were unable to recommend the expenditure.

(2) Opening of a School of Commerce in the Northern Circars—

Cost in 1924-25	RS. 10,400
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The Committee deferred consideration of the proposal till the scheme was ready.

7th February 1924]

(3) Employment of a sergeant in the Queen Mary's College and the revision of the pay of the house-keeper in the College—
Cost in 1924-25—

Pay of sergeant at Rs. 50 for 12 months.	RS. 600
Increment to house-keeper at Rs. 4 for 12 months	48
Total	648

The proposal was placed in class II.

6. 32. *Medical*—

Medical College, Vizagapatam—Opening of the 2nd year class—

Cost in 1924-25	RS. 90,812
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The Committee placed the scheme in class I.

7. 35. *Industries*—

Madras Trades School—staff—permanent retention—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
Recurring	9,416	3,344

The Committee placed the scheme in class II.

8. 41. *Civil Works*—

(i) Forest Department Buildings—

Quarters for Forest Officers—Construction of a bungalow at Vellore—

Provision for 1924-25.	RS. 26,000
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The scheme was placed in class III.

(ii) 9. *Registration Buildings*—

(a) Construction of an office and quarters for the Sub-Registrar and his establishment at Uttankarai—

Cost in 1924-25	RS. 14,825
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The proposal was placed in class III.

(b) Construction of quarters for the Sub-Registrar and his establishment at Coonoor—

Cost in 1924-25	RS. 12,500
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The Committee placed the scheme in class III.

(iii) 24. *Administration of Justice --Buildings*—

Construction of a separate block of buildings for the Court of Small Causes, Madras—

	Estimated cost.	Provision in 1924-25.
	RS.	RS.
	5,56,000	10,000

[7th February 1924]

The Committee placed the scheme in class II to be met from loans.

(iv) 25. Jail Buildings—

(a) Construction of 45 cells for undertrial and quarantine prisoners in the Central Jail, Bellary—

Estimated cost.	Provision in 1924-25.
RS.	RS.
77,500	30,000

The proposal was placed in class III, the cost to be met from loans.

(b) Construction of a sub-jail in the compound of the Taluk Office, Salem—

Cost in 1924-25	RS.
.. .. .	51,200

The Committee placed the scheme in class III, to be financed from loans.

FORT ST. GEORGE,
29th January 1924.

C. G. TODHUNTER.

APPENDIX IV.

[Vide page 292 supra.]

List of appointments on Rs. 500 and above created between 1st March 1923 and 30th November 1923.

Designation of appointment.	Period of employment.	Pay per mensem. RS.
<i>I. Temporary.</i>		
(1) A special officer to carry out a test-check of contingent expenditure in selected offices.	Three months.	500
(2) Appointment of Messrs. Fraser and Ross, Chartered Accountants, to initiate and audit the accounts of Government commercial concerns.	One year ..	1,500
(3) Assistant Secretary, Finance Department (for Budget work).	Six months ..	500
(4) Assistant Secretary, Local Self-Government Department, in the place of Under Secretary (post kept in abeyance).	Do. ..	500

[7th February 1924]

Designation of appointment.	Period of employment.	Pay per mensem. RS.
<i>I. Temporary—cont.</i>		
(5) Deputy Secretary, Chief Secretariat.	Three months.	Pay under superior time-scale in the Indian Civil Service cadre plus a special pay of Rs. 200 per mensem.
(6) A special officer for the preparation of the Presidency Administration Report.	Do.	Grade pay in the Indian Civil Service cadre.
(7) Four Superintendents of Police for work in connexion with the Agency operations.	Six months ..	Grade pay plus Agency allowance of Rs. 100 per mensem each.
(8) Eight Sub-Judges for eight additional temporary sub-courts.	Varying from three to eight months.	650—50—850 each.
(9) Public analyst for the Madras Presidency.	Three years.	1,650
(10) Bio-Chemist, Medical College, Madras.	Do.	1,250
(11) Chief Forest Engineer ..	Do.	3,000
(12) Logging Engineer ..	Two years ..	1,000—100—1,200
(13) Master Fisherman ..	Do. ..	690
(14) A special officer for the British Empire Exhibition.	One year and four months.	500
(15) Temporary Chief Engineer and Additional Secretary, Public Works Department, for completing the preliminary investigations in regard to the Kistna and the Cauvery-Metar projects.	Two months and 20 days.	3,000
(16) Temporary Superintending Engineer for revising administrative orders of Government as contained in Public Works Department Code and Works Audit Manual.	One month and 17 days.	Rupees 2,150 plus Presidency house-rent of Rs. 60 per mensem.
<i>II. Permanent.</i>		
(17) Principal, Medical College, Vizagapatam.	....	Indian Medical Service 650—2,100. Non-Indian Medical Service 500—50—900—1,000.

[7th February 1924]

Designation of appointment.	Period of employment.	Pay per mensem. Rs.
<i>II. Permanent—cont.</i>		
(18) Professor of Biology, Medical College, Vizagapatam.		500—50—900
(19) Assistant Superintendent, Women's Medical School, Madras.*	...	450—50/3—850 plus overseas pay of Rs. 100 per mensem.
(20) Additional Assistant Secretary to the Board of Revenue, Land Revenue and Settlement (to be recruited from the Deputy Collectors cadre).†		Pay of a Deputy Collector plus a special pay of Rs. 200 per mensem subject to a maximum Rs. 1,200 per mensem.

* Replaced by a Lady Assistant Surgeon on Rs. 300—15—850—20—450 in the middle of November last.

† This appointment was created in lieu of the post of Secretary to the Board of Revenue abolished.

R. W. DAVIES,
Secretary to Government, Finance Department.

APPENDIX V.

[Vide page 293 supra.]

We, the undersigned members of the Select Committee appointed to consider certain draft amendments to Standing Order 44 (1) (i) of the Standing Orders of the Madras Legislative Council which were moved by Rai Bahadur T. M. Narasimhachari at the meeting of the Council on the 5th February 1924, have the honour to submit the following report.

2. We approve of the amendments which are consequential on the amendments to Standing Orders 16 and 49 already passed by the Council on the 5th February 1924.

3. The Standing Order as amended would run as follows:—

"44 (1) After the presentation of the final report of a Select Committee on a Bill, the member in charge may move—

- (i) that the Bill as reported by the Select Committee be taken into consideration, but any member may object to its being so taken into consideration if the copies mentioned in Standing Order No. 42 have not been available for the use of members for fifteen days, or if three months have not elapsed from the date of the first publication of the Bill; and such objection shall prevail unless the President in the exercise of his power to suspend this order allows the report to be taken into consideration; or

7th February 1924]

(ii) that the Bill be re-committed either—

- (a) without limitation, or
(b) with respect to particular clauses or amendments only, or
(c) with instructions to the Select Committee to make some particular or additional provision in the Bill.

(2) If the member in charge moves that the Bill be taken into consideration, any member may move as an amendment that the Bill be re-committed."

4. We do not recommend that this report be published in the Gazette.

L. D. SWAMIKANNU.
P. KESAVA PILLAI.
O. MADHAVAN NAIR.
M. KRISHNAN NAIR.
A. S. KRISHNA RAO.
R. SRINIVASA AIYANGAR.
C. P. RAMASWAMI AIYAR.
T. M. NARASIMHACHARLU.
YAHYA ALI.

6th February 1924.

THE MADRAS LEGISLATIVE COUNCIL.

Friday, 8th February 1924.

The House met at 11 o'clock, the hon. the President (Diwan Bahadur L. D. SWAMIKANNU PILLAI AVARGAL, C.I.E., I.S.O.) in the Chair.

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 and answers shall be arranged in order of subjects.

The Secretary shall call the name of each interpellator in the order in which the names are printed, 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.]

SUPPLEMENTARY QUESTIONS TO QUESTION No. 286—*cont.*

Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, the answer given is that the Board of Revenue is the authority in such matters according to the Act of 1894. May I ask whether the Board of Revenue consulted the Government before they regrouped these villages ? "

The hon. the RAJA OF KOLLENGODE :—" Government gave them orders to regroup the villages. "

Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, if Government gave orders to the Board of Revenue to regroup the villages, under whose responsibility was it done ? Is it under the responsibility of the Government or the Board of Revenue ? And considering the feeling with reference to this matter in this House, will the Government ask the Board of Revenue to stop any further regrouping of villages ? "

The hon. the RAJA OF KOLLENGODE :—" Government do not propose to do so. "

Mr. S. SATYAMURTI :—" Sir, in view of the fact that the Board of Revenue is acting under orders from the Government, will the Government be pleased to call for the details of information asked for in clause (c) ? "

The hon. the RAJA OF KOLLENGODE :—" Sir, I do not admit that the reduction of village officers and regrouping of villages has left a large number of villages without the assistance of village headmen, karnams, talaiyaris, etc. If there are any such cases I should be glad to . . . "

Mr. S. SATYAMURTI :—" Sir, are the Government in possession of information fully, or are they in possession of some information and not of the rest ? The hon. the Revenue Member's statement shows that the Government are in possession of some. "

The RAJA OF RAMNAD :—" Will the hon. the Raja of Kollegode be pleased to say whether in the regrouping of proprietary villages and reducing the village staff the consent of the proprietors was obtained or at least whether they ascertained their convenience in the matter ? "

[8th February 1924]

The hon. the RAJA OF KOLLENGODE :—"Sir, in regard to settled estates it is usual to consult the proprietors as a matter of courtesy. I don't think they are bound to be consulted whenever a reduction or a change takes place."

Mr. T. ADINARAYANA CHETTIYAR :—"Sir, yesterday we asked the Revenue Member whether there are not large areas of villages in North Arcot district where regrouping of villages has deprived them of village officers, headmen, talaiyaris . . ."

The hon. Sir CHARLES TODHUNTER :—"On a point of order, Sir, this is question time and the hon. Member is making a speech."

Mr. T. ADINARAYANA CHETTIYAR :—"May I ask the hon. the Revenue Member to call for the details of information?"

The hon. the RAJA OF KOLLENGODE :—"I would be glad to do so."

Abolition of the Ramnad district.

287 Q.—Mr. P. K. S. A. ARUMUGA NADAR: Will the hon. the Member for Revenue be pleased to state—

- (a) whether it is a fact that the revenue taluks of Sattur and Srivilliputtur of the present Ramnad district are to be amalgamated with the Tinnevely district and the other zamindari taluks of the Ramnad district to be amalgamated with the Madura district, thus abolishing Ramnad district; and
- (b) if the answer be in the affirmative, when it will take effect?

A.—No such proposal is at present under the consideration of Government.

Mr. P. K. S. A. ARUMUGA NADAR :—"Sir, will the hon. the Revenue Member be pleased to state whether there is any prospect of such arrangements as mentioned in clause (a)?"

The hon. the RAJA OF KOLLENGODE :—"I cannot say what is going to happen in future, Sir."

Regrouping of villages.

288 Q.—Mr. K. KOTI REDDI: Will the hon. the Member for Revenue be pleased to state—

- (1) the number of villages resulting from the grouping and amalgamation of villages that has been recently carried out; and
- (2) the number of original villages out of which the above 'grouped' villages were created?

A.—The Board of Revenue being the authority under the Village Service Acts, the Government have not the details asked for in their possession.

Court of Wards and Zamindars.

Estates under the Court of Wards.

289 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Member for Revenue be pleased to state—

- (1) how many estates are now under the Court of Wards;
- (2) how many of them are encumbered and to what extent at present;

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(8) the extent of the encumbrances of the several estates when they were taken over by the Court of Wards; and

(4) when these estates will be free from encumbrances and be given back to the owners?

A.—(1), (2) & (3) The hon. Member is referred to the Administration Reports of the Court of Wards which are regularly placed on the Editors' Table.

(4) The Government are unable to say when the liabilities of the encumbered estates will be cleared. The release of estates from the Superintendents of the Court of Wards will be regulated by the provisions of sections 54 to 57 of the Court of Wards Act.

The Sivaganga estate.

290 Q.—The RAJA OF RAMNAD: Will the hon. the Member for Revenue be pleased to state whether it is a fact that the Court of Wards administering the Sivaganga estate has contracted debts, and if so, to state the amount and the circumstances that led to it; also to furnish the date when the debt was incurred or any loan contracted?

A.—The hon. Member is referred to the answer to question No. 64.

The RAJA OF RAMNAD :—"Sir, my question is not exactly as the interpellation referred to No. 64. I want to know exactly when and before what date these debts were incurred?"

The hon. the RAJA OF KOLLENGODE :—"If it is the date that he wants I shall enquire, Sir."

The RAJA OF RAMNAD :—"I shall be much obliged if the hon. Member furnishes the information, Sir."

Economic condition.

Damages caused by floods in South Kanara.

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

- (a) whether the Government have collected any statistics with regard to the damages caused by floods in South Kanara;
- (b) if so, what is the number of houses which have collapsed or have been damaged by the floods;
- (c) what is the total area on which crops have been damaged by the floods;
- (d) what is the total area damaged by accumulation of sand and otherwise rendered unfit for cultivation;
- (e) what is the total extent (1) of one crop and (2) of double crop land damaged by the floods;
- (f) whether it is a fact that rich pattadars are to be excluded from the benefit of remission of revenue sanctioned on this account;
- (g) whether any rules have been drawn up by the Collector defining 'rich and poor' for purposes of remission and whether those rules have had the approval of Government; and

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(h) whether it is a fact that all those who pay an assessment of over Rs. 50 have been declared not entitled to any remission, regardless of the extent of damage suffered?

A.—(a) Some statistics are available.

(b) 12,360 houses.

(c) to (e) Statistics are not available.

(f) to (h) The hon. Member is referred to Board's Standing Order No. 14, paragraph 10, which applies to the case in question.

Rao Sahib U. RAMA RAO:—"Sir, the answer given to clauses (c) to (e) is that the statistics are not available. Are they not available in the Secretariat, or in South Kanara itself?"

The hon. the RAJA OF KOLLENGODE:—"Not available in the Secretariat, Sir."

Rao Sahib U. RAMA RAO:—"Will the Government be pleased to call for the statistics?"

The hon. the RAJA OF KOLLENGODE:—"Yes, Sir, Government will call for them."

Floods in the Tinnevely district.

292 Q.—MR. S. SATYAMURTI: Will the hon. the Member for Revenue be pleased to state—

(a) the amount of loss, if any, of human life, due to the recent floods in Tinnevely district;

(b) the amount of loss of cattle;

(c) the amount of loss of property, private or public, including standing crops and tanks;

(d) any relief measures which the Government have undertaken or propose to undertake;

(e) whether any remissions of land revenue have been or will be granted to the sufferers; and

(f) whether any special officer has been deputed to study and report on the situation?

A.—(a) to (e) The hon. Member is referred to the answer to question No. 152.

(f) No.

Floods in the Tinnevely district.

298 Q.—The RAJA OF RAMNAD: Will the hon. the Member for Revenue be pleased to state the extent of damage done to person and property in the recent floods in Tinnevely district?

A.—The hon. Member is referred to the answer to question No. 152.

Famine.

Famine conditions in the Salem district.

294 Q.—Rao Sahib S. ELLAPPA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(1) whether it is a fact that famine conditions prevail in most parts of Salem district owing to failure of the monsoon;

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(2) if so, whether they have any intention to open relief measures in the district as contemplated in the Famine Code; and

(3) whether in view of the total failure of pasture and fodder and consequent deaths among cattle any orders have been issued to open all forest reserves as a special measure of relief for grazing cattle?

A.—(1) & (2) Famine conditions do not exist at present in any part of the Salem district. The conditions in parts of Hosur, Dharmapuri and Omalur taluks are causing some anxiety and the situation is being watched carefully.

(3) There is difficulty in the matter of obtaining sufficient pasture and fodder for cattle. To meet the situation, closed reserves have been thrown open for grazing subject to the condition that the concession is confined to ploughing cattle.

Hard conditions prevailing in the Coimbatore district.

295 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR: Will the hon. the Member for Revenue be pleased to state—

(1) whether any reports have been received from the Collector and the Board of Revenue about the hard conditions prevailing in the greater part of the Coimbatore district; and if so, to lay them on the table;

(2) whether the Government have received memorials from the people of the district;

(3) what steps the Government are going to take to meet the situation; and

(4) whether the Government would adopt the following among other remedies:—

(a) postponement of the collection of kist in the area affected;

(b) remission of taxes where there has been no crop harvested; and

(c) recommendation to Railway Companies to levy reduced rates of fare for fodder, etc.?

A.—(1) Yes. An extract from the report is printed as an appendix.*

(2) The Government have received reports from several Members of the Legislative Council.

(3) After receiving the further report promised by the Collector the Revenue Member himself hopes to visit the district.

(4) The proposal will be considered when the facts are more clearly ascertained.

Famine conditions in Madanapalle.

296 Q.—Mr. K. KOTI REDDI: Will the hon. the Member for Revenue be pleased to state—

(1) whether it is a fact that famine conditions prevail in the Madanapalle division of Chittoor district; and

(2) if the answer to clause (1) is in the affirmative, what steps the Government propose to take?

A.—The Government have no information, but have called for a report for the whole district.

* Printed as Appendix I on pages 442-443 infra.

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Land Revenue.*Loans applied for and sanctioned in the Bellary district.*

297 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state—

- (1) the number of applications for loans received in the Bellary district in the current fasli;
- (2) the total amount of the loans so applied for;
- (3) the amount sanctioned up to date for disbursement of loans; and
- (4) the staff employed to deal with the applications for loans?

A.—(1) to (3) Information is available only for the quarter ending 30th September 1923 in the current fasli and is given in the following statement:—

Number of applications received.	Amount of loans applied for.	Amount sanctioned.
	RS.	RS.
880	1,21,884	89,774

- (4) The following temporary staff has been employed in the Bellary taluk to deal with applications:—

One tahsildar.
Four revenue inspectors.
Three clerks.
Six peons.

Collection of loans advanced in the Bellary district.

298 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Revenue be pleased to state the villages in the Bellary district in which the collection of either the principal or interest or both of the loans advanced in faslis 1330 and 1331 under the Agricultural Improvement and Loans Acts, respectively, were since (a) postponed and (b) remitted?

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

Tree-tax on poramboke trees.

299 Q.—MR. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Member for Revenue be pleased to state—

- (a) the amount received by way of tree-tax on poramboke trees in each district in the year 1922-23 as well as in the year 1920-21;
- (b) whether it is a fact that the enhanced tax is to be paid on all trees whether they bear fruit or not;
- (c) whether the Government have made any distinction regarding the tree-tax among various districts and, if so, where and why;
- (d) whether the Government have received any memorials on this matter and whether they are aware that the enhancement of the tree-tax is causing considerable hardship and much opposition among the public; and
- (e) whether the Government have any idea of revising the rates of the tree-tax at an early date?

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A.—(a) The amounts for 1920-21 are not available. The figures for 1922-23 are given in the following statement:—

District.	Fasli 1332. RS.	District.	Fasli 1332. RS.
Agency district ...	4	South Arcot ...	64,539
Ganjam ...	489	Tanjore ...	1,46,610
Vizagapatam ...	73	Trichinopoly ...	74,325
Gōdāvari ...	126	Madura ...	25,621
Kistna ...	602	Ramnad ...	3,901
Guntūr ...	89	Tinnevely ...	39,773
Nellore ...	3,118	Coimbatore ...	29,621
Cuddapah ...	161	The Nilgiris ...	1
Anantapur ...	163	Salem ...	51,720
Bellary ...	1,619	South Kanara ...	649
Kurnool ...	1,489	Malabar ...	2
Madras ...	314	Anjengo ...	...
Chingleput ...	14,704		
Chittoor ...	11,174	Total ...	4,92,927
North Arcot ...	22,040		

(b) Yes, so long as it is not relinquished by the pattadar.

(c) No, except in the cases of Anantapur and Tanjore. For the distinction in these two districts, the hon. Member is referred to G.Os. No. 2207, Revenue, dated 4th October 1921, and No. 136, Revenue, dated 24th January 1923, which were placed on Editors' Table.

(d) Yes, from the districts of Tanjore, Trichinopoly and Coimbatore. The Government are not aware of any general hardship.

(e) No.

The Badakhan tank in the Kurnool taluk.

300 Q.—RAO BAHADUR C. VENKATARAMA REDDI: Will the hon. the Member for Revenue be pleased to state—

- (a) whether there is any proposal to abandon the tank known as the Badakhan tank in the Kurnool taluk, Kurnool district;
- (b) if so, the necessity for abandoning the tank;
- (c) the extent of the bed of the said tank and of the ayacut under it;
- (d) whether the tank-bed has been assigned on patta either permanently or temporarily to anybody;
- (e) if so, to whom; and
- (f) if not, whether the Government will consider the desirability of assigning it to landless people in the neighbouring villages, especially to the depressed classes?

A.—The Government have no information.

RAO BAHADUR C. VENKATARAMA REDDI:—"Will the hon. the Member for Revenue be pleased to call for information?"

The hon. the RAJA OF KOLLENGODE:—"I shall try to get the information."

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Assignment of poramboke and disafforested lands in Cuddapah.

301 Q.—**Mr. ABDUL HYE SAHIB**: Will the hon. the Member for Revenue be pleased to state whether it is a fact that all the poramboke and disafforested lands in Cuddapah district are being invariably assigned to a few Christian converts owing to the influence of the Missionaries and that in consequence there is a tendency on the part of the poorer villagers to embrace Christianity?

A.—The Government have no information.

Mr. C. V. VENKATARAMANA AYYANGAR:—"Considering the seriousness of the allegations against the district officers, will the Government be pleased to call for information?"

The hon. the **RAJA OF KOLLENGODE**:—"For what particular locality does the hon. Member want to get information?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"The Collector of the district may be asked to furnish information and submit a report."

Mr. M. RATNASWAMI:—"May I know the particular district officers against whom there are allegations?"

(No answer.)

Failure of crops in the Malabar district.

302 Q.—**Diwan Bahadur M. KRISHNAN NAYAR**: Will the hon. the Member for Revenue be pleased to state—

(a) whether the attention of the Government has been drawn to the failure of the second paddy crop in parts of the Malabar district owing to want of rains;

(b) whether the Government have ordered any inquiries to be made about the extent of the failure mentioned in clause (a) above; and

(c) whether the Government intend to grant any remission of revenue on account of the said failure?

A.—(a) The Government are aware that the second crop has failed in parts of Malabar owing to the unfavourable character of the season.

(b) The Collector is making the necessary inquiries.

(c) Under the rules in the Board's Standing Order No. 13, the Collector and the Jamabandi officer are competent to grant remission for loss of crops.

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, has the Collector made any report on the matter?"

The hon. the **RAJA OF KOLLENGODE**:—"He is inquiring into the matter, Sir."

Diwan Bahadur M. KRISHNAN NAYAR:—"Is he making an inquiry on his own initiative or under orders from Government?"

The hon. the **RAJA OF KOLLENGODE**:—"On his own initiative, Sir."

Remission of land revenue in Malabar.

303 Q.—**Mr. V. MADHAVA RAJA**: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware that, on account of the abnormal floods of the last south-west monsoon in the district of Malabar, much damage was caused to crops in the several parts of that district;

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(b) whether the Government have made enquiries into this matter and whether they propose to grant any remission for the loss sustained;

(c) whether the Government are aware that the second crops have completely failed in many parts of Malabar on account of the failure of the last north-east monsoon; and

(d) whether they propose to grant any remission for the above loss?

A.—(a) & (b) The hon. Member is referred to the Collector's report dated 16th September 1923 printed in G.O. No. 1469, Revenue, dated 28th September 1923, which has already been placed on Editors' Table.

(c) The Government are aware that second crops have failed in some parts of Malabar on account of the failure of the north-east monsoon.

(d) Under the rules in Board's Standing Order No. 13, the Collector and the Jamabandi officer are competent to grant remission for loss of crops.

Failure of crops in Malabar.

304 Q.—**Mr. K. PRABHAKARAN TAMPAN**: Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government are aware that on account of unprecedented drought the second crop in Malabar has completely failed;

(b) whether the Government have taken steps to ascertain the extent of the damage; if not, whether they propose to do so; and

(c) whether the Government propose to remit the assessment levied on such crops in the affected places?

A.—(a) The Government are aware that the second crop has failed in parts of Malabar owing to the unfavourable character of the season.

(b) The Collector is making the necessary inquiries.

(c) Under the rules in the Board's Standing Order No. 13, the Collector and the Jamabandi officer are competent to grant remission for loss of crops.

Public Works (Buildings).*Divisional offices at Devakottai.*

305 Q.—**Rao Bahadur A. M. MURUGAPPA CHETTIYAR**: Will the hon. the Member for Revenue, the hon. the Minister for Local Self-Government and the hon. the Minister for Education and Public Works be pleased to state—

(a) whether it is a fact that the Divisional offices at Devakottai have been constructed in a place far removed from and with no proper communication with the town;

(b) whether in selecting the site for the construction of the offices the convenience of the public was taken into consideration;

(c) whether it is a fact that during the rainy season people find it very difficult to go to the offices owing to the river in the way;

(d) whether it is a fact that the District Board of Ramnad applied for help to the Government to construct a bridge over the river, and the Government refused to grant any help; and

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(e) whether the Government propose to construct a bridge over the river in view of the great inconvenience caused to the people?

A.—(a) The Divisional office at Devakottai is situated at a distance of half a mile from the town. There is no bridge across the river which separates the office from the town.

(b) The site was approved by a Site Committee.

(c) Yes. The Government have issued orders for the temporary location of the office on the northern side of the river during the rainy season.

(d) On receipt of plans and estimates for the construction of a bridge, the District Board was asked to report how it proposed to finance the work. The President requested that the cost be met entirely from Provincial funds. He was then asked to report whether the Board was willing to finance the scheme by means of a loan, but he enquired whether a grant of half the cost would be sanctioned. He was informed that no promise of a half grant could be given.

(e) The answer is in the negative. It is for the District Board to construct a bridge.

The RAJA OF RAMNAD:—"May I request the hon. the Minister for Local Self-Government to kindly reconsider the answer given to clause (e) and try to see that a bridge is constructed?"

The hon. the RAJA OF PANAGAL:—"Mr. President, Sir, the question asked by the hon. Member has received the very careful consideration of the Government. It is a question of the financial condition of the province. I cannot give any assurance without consulting my Colleagues."

The hon. the PRESIDENT:—"Moreover it is a suggestion for action."

Village establishments.

Revision of Village establishments.

306 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Member for Revenue be pleased to state—

(a) the number of posts of village officers and menials reduced by the Board of Revenue both in the ryotwari and in the proprietary areas, in connexion with the recent general revision of village establishments subsequent to the increase in their salaries; and

(b) the total amount of saving involved thereby?

A.—The attention of the hon. Member is invited to the statement at page 65 of the Report of the Madras Retrenchment Committee, Volume I, which has been placed on the Council table. Up to date information is not available.

Mr. YAHYA ALI SAHIB:—"Sir, the answer given contains information up to 19th September 1923. May I ask the Government to bring it up to date, say till December 1923?"

The hon. the RAJA OF KOLLENGODE:—"We have not got the figures; it is rather difficult to collect the figures. Yet, we will do it."

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Education (Primary).

Amending Bill to the Compulsory Education Act.

11-15 A.M. 307 Q.—Mr. A. V. BHANOJI RAO: Will the hon. the Minister for Local Self-Government and the hon. the Minister for Education be pleased to state—

(a) whether he is likely to introduce an amending Bill to the Madras Elementary Education Act;

(b) if so, when;

(c) whether the Cocanada Municipal Council attempted to make a beginning with the introduction of free and compulsory primary education without additional taxation but by means of an equitable adjustment of property and professional taxes, and whether it is a fact that the scheme was discountenanced in the Local Self-Government Department, and, if so, on what grounds;

(d) the progress made in the introduction of vocational education in schools and the measures he is likely to adopt to render the progress real and substantial; and

(e) in what stage the proposal to establish the Andhra University is and what the measures are which he is going to adopt for the speedy introduction of the University Bill?

A.—(a) Yes.

(b) As early as possible.

(c) The Council proposed to introduce free and compulsory elementary education in some of the wards of the Municipality and to meet the additional cost involved in the scheme by appropriating for the purpose $\frac{1}{4}$ of the property tax and $\frac{1}{4}$ of the tax on companies and of the profession tax after raising the last-mentioned tax from $\frac{1}{4}$ to $\frac{1}{2}$ of the maximum rates. The proposal to appropriate a portion of the property tax for the purpose amounted to a reduction of tax under the District Municipalities Act for which the sanction of Government was necessary under section 78 of that Act. It was vetoed by Government as they considered that the additional cost involved in the scheme of compulsion should be met by the levy of an education tax under the Elementary Education Act which should be in addition to the existing taxes under the Madras District Municipalities Act. Otherwise, the Government would be paying a contribution equal to the proceeds of the tax, while the Council continued merely to maintain the existing rates of taxation.

(d) Provision for vocational education in such subjects as carpentry, weaving, mechanical drawing and metal work has been made in a large number of schools at a recurring cost to Government of about Rs. 60,000 *per annum* and schemes relating to the introduction of such education in other schools are under consideration. The officers of the department have been instructed to keep a close watch on the initiation and working of vocational schemes.

(e) The matter is under consideration.

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Mr. S. SATYAMURTI :—“ May I know from the hon. the Minister for Education, in view of his answer to clause (c) of this question whether it is the policy of the Government to sanction the introduction of free and compulsory elementary education in Municipal areas only when the Municipal councils are willing to increase the existing rates of taxation ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The Government are only applying to those municipalities the provisions of the Elementary Education Act.”

Mr. S. SATYAMURTI :—“ Is it not open to the Government, under the Act, even if the Municipalities do not raise the education cess but find money otherwise, to sanction those proposals ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The legal adviser of the Government has expressed himself against the view held by the hon. Member.”

Mr. S. SATYAMURTI :—“ Will the Government, in view of the difficulties of the situation, be pleased to take steps to have the Elementary Education Act amended in order that elementary education be more easily spread, if that is the object of the Government ? I presume that is their object.”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Difficulty is not experienced. But the question is under consideration.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ Is it not a fact that for the purpose of amending the Madras Elementary Education Act proposals were called for from the District Educational Councils and received so long ago as in 1922, and that hon. the Minister for Education then stated that an amending Bill would shortly be introduced ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The answer is in the affirmative.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ If so, may I know from the hon. the Minister why there has been a delay of more than one and a half years for the introduction of this Bill and what steps have been taken since then ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Steps have been taken to collect information from the different bodies interested in the expansion of elementary education and a special officer was placed on duty to consolidate all the information and to make a clear statement as to the policy to be adopted. Amendments have been taken on hand and it will take some time before all the amendments are consolidated and fully considered.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ Has it not been found possible to appoint an officer of the Education Department to undertake this task and to frame a policy for the expansion of elementary education ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The officer that was appointed was mostly responsible for preparing and framing the last Elementary Education Act and Government wanted to utilize the services of one who was fully conversant with all the attendant circumstances in preparing that Act.”

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Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ Therefore, may I know from the hon. the Minister whether it was at his instance that Mr. Moir was appointed as special officer for the purpose ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ It cannot be otherwise.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ With regard to clause (d) regarding the introduction of vocational education, may I know whether the hon. Minister has taken steps to secure more funds for this purpose this year ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The administrative department have applied for more grants to the Finance Department with regard to vocational education. The matter is under the consideration of the Finance Department and the Finance Committee.”

Mr. A. RAMASWAMI MUDALIYAR :—“ May I know if the Retrenchment Committee has advised against vocational education ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I am sorry to say that the last Finance Committee which was also the Retrenchment Committee recommended against vocational education.”

Rao Bahadur A. S. KRISHNA RAO PANTULU :—“ As regards clause (e) may I know what steps the hon. the Minister has taken to give effect to the proposals made at the meeting held at Vizagapatam in November 1922 for the purpose of creating an Andhra University ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Those proposals were placed before the Finance Committee and the Finance Committee said that the provincial finances were not in a position to meet the expenditure for a new University and therefore the matter is kept in abeyance. As far as the administrative department is concerned, a Bill is under preparation for the purpose.”

Dr. P. SUBBARAYAN :—“ May I ask the hon. the Minister whether any specific proposal for the creation of an Andhra University was placed before the Finance Committee ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ A specific, definite and clear scheme was prepared and placed before the Finance Committee.”

Dr. P. SUBBARAYAN :—“ It is a matter of opinion.”

Mr. YAHYA ALI SAHIB :—“ May I know, Sir, whether legislation regarding the University is not a Central subject ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I will refer my hon. Friend to the rules on Provincial subjects published in the *Fort St. George Gazette*.”

Mr. S. SATYAMURTI :—“ May I ask the hon. the Minister to tell me for what purpose is vocational education introduced in secondary high school classes ? Is it to train the students as carpenters, weavers, etc., or is it only to give a training to the hand ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I want notice of that question ” (laughter).

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Indian Women's Association.*Grant to the Indian Women's Association*

308 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government and the hon. the Minister for Education be pleased to state—

(1) whether they are aware that the Women's Indian Association started in July 1923 a 'Women's Home of service for the helping and development of Indian women in vocational work' and whether the Home also conducts a Baby Welcome centre; and that the Home is carried on on entirely non-sectarian lines with the help of an advisory committee consisting mostly of prominent Indian ladies; and

(2) whether the Indian Women's Association has applied to the Government for a grant to enable them to carry on the institute next year, and, if so, whether any and, if so, what provision will be made in the next year's budget towards the required grant?

A.—From an application for financial assistance received recently from the Honorary Secretary of the Women's Indian Association it would appear that the facts are as stated in clause (1) of the question. The application is under consideration.

Local Self-Government.*Travelling allowance drawn by District Board Presidents.*

309 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) the names of presidents of district boards who stood as candidates for the recent elections to the Madras Legislative Council or the Indian Legislative Assembly from this Presidency; and

(2) the number of days spent on tour by them for the quarter (August to October) of 1923 and the amount drawn by them as travelling allowance for this quarter as also the amount for the corresponding quarter (August to October) of the previous year?

A.—(1) A statement showing the names of the Presidents of District Boards who stood for election to the Legislative Council is laid on the table.* No President of a District Board stood for election to the Legislative Assembly.

(2) The Government have no information.

Mr. T. ADINARAYANA CHETTIYAR:—“Will the Government be pleased to call for the information required under clause (2)?”

The hon. the RAJA OF PANAGAL:—“Mr. President, the information is available from the district boards. If the hon. Member wishes to have that information he can apply to the district boards.”

Mr. T. ADINARAYANA CHETTIYAR:—“If it is available, cannot the hon. the Minister oblige us with the information?”

(No answer.)

* Printed as Appendix II on page 443 infra.

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Mr. S. SATYAMURTI:—“It is a matter of some importance to the House and I would suggest that the hon. the Minister for Local Self-Government will be good enough to call for the information. In agreement with the rules regarding interpellations, I shall ask him whether he would be kind enough to call for the information?”

Mr. A. RAMASWAMI MUDALIYAR:—“May I ask the hon. the Minister whether he considers that he should interfere with meticulous details like this when the information can easily be obtained by any member of the district board or from the president of the district board concerned?”

Mr. S. SATYAMURTI:—“I am obliged to my hon. Friend again for his answer this morning.”

Appointments in the Local Self-Government Department.

310 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state whether he is consulted by and whether he does advise His Excellency the Governor with regard to high appointments in the departments administered by him?

A.—The answer is in the affirmative.

Mr. S. SATYAMURTI:—“May I know from the hon. the Minister for Local Self-Government whether his advice is usually taken or is usually rejected; if rejected, I would request him to give an instance?”

The hon. the RAJA OF PANAGAL:—“Sir, I am not prepared to answer that question.”

Mr. S. SATYAMURTI:—“Thank you very much.”

Mr. SAMI VENKATACHALAM CHETTIYAR:—“May I know if the hon. the Minister's advice was rejected in connexion with the appointment of Major Bradfield in the Medical College?”

The hon. the RAJA OF PANAGAL:—“Sir, I decline to answer that question too.”

Mr. S. SATYAMURTI:—“May I know from the hon. the Minister whether he advised His Excellency in connexion with that appointment although his advice might not have been accepted by the Government and whether his advice or suggestion to the Governor was for the appointment of Colonel Choudhury?”

The hon. the RAJA OF PANAGAL:—“I decline to answer that question.”

Mr. SAMI VENKATACHALAM CHETTIYAR:—“Was the appointment of Major Bradfield made during the term the hon. the Minister first held the portfolio?”

(No answer.)

Mr. SAMI VENKATACHALAM CHETTIYAR:—“May I ask the hon. the Minister for Local Self-Government whether before he submitted his resignation of the last term, he had recommended another gentleman for the place?”

The hon. the RAJA OF PANAGAL:—“I am not prepared to answer that question too.”

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Mr. S. SATYAMURTI:—"Will the hon. the Minister be good enough to state the reasons for his declining to answer these pertinent questions?"

The hon. the RAJA OF PANAGAL:—"The answer to this follows from the answer I have given before."

Travelling allowance drawn by Presidents of certain District Boards.

311 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state the amount of travelling allowances drawn by the Presidents of the District Boards of Chingleput, South Arcot, North Arcot, Tinnevely, Kistna and Gōdāvari during the months of August, September and October 1923?

A.—The Government have no information.

The Salem District Board.

312 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that Mr. Foulkes was renominated as President of the District Board, Salem, a few days before his departure to England;

(b) whether the Minister was aware of Mr. Foulkes' impending departure when he passed the order nominating him;

(c) whether Mr. Foulkes is expected to be absent from India for more than six months; and

(d) whether the Vice-President of the District Board, Salem, has arranged to hold meetings of the Board once in two months, instead of once in a month?

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

(b) The answer is in the negative.

(d) The attention of the hon. Member is invited to rule 1 of Schedule II to the Madras Local Boards Act, 1920, as amended by notification No. 657 published in Part I-A of the *Fort St. George Gazette*, dated 19th September 1922.

Mr. S. SATYAMURTI:—"May I know the reasons why, when the hon. the Minister for Local Self-Government knew that Mr. Foulkes was going out of India, he appointed him as President of the Salem District Board without ascertaining from him as to how long he will be absent from India, especially when he was the head of an executive office?"

The hon. the RAJA OF PANAGAL:—"The answer, as stated, is in the negative. That shows that I did not know."

Mr. S. SATYAMURTI:—"The hon. the Minister does not seem to follow my question. May I suggest that he studies the questions and answers a little more carefully?"

The hon. Rao Bahadur Sir A. P. PATRO:—"On a point of order, Sir, it is not open to the hon. Member to ask the hon. the Minister as to why he did not do this or do that. I think there must be a certain amount of discipline in the House and hon. Members should observe the decorum that is necessary for the dignity of the House."

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Mr. S. SATYAMURTI:—"Discipline and decorum are entirely in your hands, Sir. I submit, Sir, that I have committed no breach of discipline in inviting the hon. the Minister's attention to the question I have put and which has not been answered. In answer to clause (c) which asks whether Mr. Foulkes is expected to be absent from India for more than six months, he says, it is in the affirmative. So, I am entitled to ask him why, when he knew that Mr. Foulkes would be absent from India for six months, he entrusted the executive charge of a responsible office like the presidentship of a district board to him?"

The hon. the RAJA OF PANAGAL:—"I fail to see the logic involved in this question. I said that I knew that he would be absent from India for six months. I came to know of it only after he departed or it may be that I knew it only yesterday. It does not mean that I knew it at the time when he left office."

Mr. S. SATYAMURTI:—"May I know when the hon. the Minister came to know of that?"

The hon. the RAJA OF PANAGAL:—"Sir, I cannot say when exactly I came to know of it."

Mr. S. SATYAMURTI:—"May I know when the hon. the Minister for Local Self-Government came to know of it?"

The hon. the PRESIDENT:—"I think the hon. the Minister has just informed the hon. Member that he cannot say exactly when he came to know of it."

Mr. S. SATYAMURTI:—"I did not hear it. Now, I want only to ask this one question. I want to know whether the hon. the Minister has any intention of cancelling that appointment?"

Mr. A. RAMASWAMI MUDALIYAR:—"That question does not arise as a supplementary question."

Salem District Board.

313 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the number of nominated seats on the District Board of Salem;

(b) the number of Adi-Dravidas so far nominated to that Board;

(c) whether the Minister recently nominated a relation of the Vice-President of the Salem District Board as a member of the Board; and

(d) the number of members of the Salem District Board belonging to the caste to which the Vice-President belongs?

A.—(a) Ten.

(b) Three.

(c) The Government have no information as to whether the member recently nominated is related to the Vice-President.

(d) The Government have no information.

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District Board, Trichinopoly.

814 Q.—Diwan Bahadur S. Rm. M. Ct. PETHACHI CHETTIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the resolution of the District Board of Trichinopoly, dated 22nd December 1923, requesting the Government to confer on it the privilege of electing its own President has been communicated to him; and

(b) whether the request of the Board has been granted?

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

(b) The matter is under consideration.

Re-arrangement of local boards in the Kistna district.

815 Q.—Mr. P. PEDDIRAJU: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether in view of the bifurcation of the Kistna district the Government intend to re-arrange the local boards in the district; and

(b) if the answer to (a) is in the affirmative, whether the Government will be pleased to lay the proposals on the table?

A.—(a) & (b) No re-arrangement is at present proposed. The district board has not yet moved in the matter.

Taluk Board, Kasaragod.

816 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) whether the attention of the Government has been drawn to the proceedings of the meetings of the Kasaragod Taluk Board held at Kasaragod, South Kanara district, on Monday the 29th October 1923;

(2) whether it is a fact that nearly 64 items had been put on the agenda for consideration and disposal at that meeting and that all the items were ordered 'to lie over';

(3) whether it is a fact that the failure to transact any business at that meeting was due to personal differences between the President and other members of the taluk board;

(4) whether the Government will kindly state the total amount of travelling allowances and batta drawn by the members of the board for attendance at that particular meeting; and

(5) if the Government have no information on these points whether they will be pleased to call for and furnish the necessary information, at an early date?

A.—(1) The answer is in the negative.

(2) to (4) The Government have no information.

(5) The information will be called for.

Amalgamation of the Trichinopoly and Srirangam municipalities.

817 Q.—Mr. M. R. SETHURATNAM AYYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) whether the Government have any idea of amalgamating the Trichinopoly and Srirangam municipalities into one big municipal corporation; and

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(2) if so, whether the Government propose to call for the views of both the municipalities concerned and also of the people in both the places?

A.—The Government have no such intention.

Slaughter of useful cattle.

818 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Madras Government have issued a general order declaring that municipal resolutions prohibiting the slaughter of useful cattle are *ultra vires*; and

(b) the grounds of that order?

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

(b) The Government are advised that this is the legal position.

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know if 11-30 a.m. the Government have any idea of changing the law on the point?"

The hon. the RAJA OF PANAGAL:—"I do not think there is any necessity for any change in the law."

Mr. YAHYA ALI SAHIB:—"May I know if any representations have been received from the municipalities with reference to this matter?"

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

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"May I know from the hon. the Minister whether, though he finds it difficult to take steps to change the law, in the case of useful cattle he will see the advisability of changing the law so as to permit local bodies to prohibit the slaughter of useful cows as distinguished from cattle?"

Mr. C. RAMALINGA REDDI:—"May I ask him whether certain communities like the Muhammadan have not expressed dissent from empowering local councils to prohibit the slaughter of cows, as it might be an interference with what they conceive to be their religious privilege or right to sacrifice?"

(No answer.)

Mr. YAHYA ALI SAHIB:—"Will the Government be pleased to lay on the table the text of the advice referred to in the answer to clause (b)?"

The hon. the RAJA OF PANAGAL:—"I have no objection to lay it on the table."

Sriman BISWANATH DAS Mahasaya:—"Will the hon. the Minister for Local Self-Government be pleased to state whether this Government received any instructions from the Government of India on the subject?"

The hon. the RAJA OF PANAGAL:—"There is no communication from the Government of India."

Sriman BISWANATH DAS Mahasaya:—"Will the hon. the Minister be pleased to state further whether the resolution of the Local and Municipal Conference at Cocanada has been communicated to Government on this point?"

The hon. the RAJA OF PANAGAL:—"The answer is in the affirmative."

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Mr. ABBAS ALI KHAN:—"Is the hon. the Minister for Local Self-Government aware that the Muhammadans have no objection to that resolution being given effect to?"

The hon. the RAJA OF PANAGAL:—"Sir, I cannot say that. The Muhammadan community is a large community and what the views of this individual or that individual member of that community are I am not prepared to say."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Will the hon. the Minister for Local Self-Government be pleased to say at least now after this discussion, whether he would consider the desirability of taking steps in that direction?"

(No answer.)

Travelling allowance of the local board presidents.

319 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) the districts whose local board presidents have not drawn the higher rates of travelling allowance referred to in G.O. No. 168, Finance, dated 18th February 1921, for the period 1st March 1921 to 31st March 1923;

(2) whether in the case of other districts the Government have directed that no local board president should be allowed to draw the higher rates of travelling allowances for the period 1st March 1921 to 31st March 1923 and the Examiner of Local Fund Accounts has accordingly requested the presidents of various local boards to recover the excess travelling allowance drawn during the period;

(3) how the presidents of local bodies referred to in clause (2) above were permitted to draw higher rates of travelling allowance month after month for two years; and

(4) the officer or officers responsible for such overdrawal without any objection and the action taken by the Government in regard to their right to enforce the travelling allowance rules relating to presidents?

A.—The Government issued a general order in the matter and apparently the Examiner has taken action under that Government Order. The whole question is however under the consideration of Government.

The Ootacamund municipality.

320 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Ootacamund Municipal Council has resolved to have an elected Chairman on Rs. 500 a month;

(b) whether the Government have passed orders on that resolution to the following effect, viz., that the Government are not prepared to pay any contribution towards the salary of the Chairman, if he is elected by the Council, but that the Government will appoint a Chairman and pay him, if the Council agrees; and

(c) the reasons why, when the Municipal Council is willing to elect and pay its own Chairman, the Government should insist on a nominated Chairman?

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- A.—(a) The answer is in the affirmative.
(b) Final orders have not yet issued but alternative suggestions as in clause (b) have been made.
(c) The Council did not specifically say that it was willing to bear the entire cost of the Chairman if it were allowed to elect him.

Mr. S. SATYAMURTI:—"With reference to the answer to clause (c) may I ask the hon. the Minister to be good enough to say whether, if the Council is willing to bear the entire cost of paying its chairman, the Government will permit them to elect their chairman?"

The hon. the RAJA OF PANAGAL:—"The question is under consideration, and the Government would have no objection to let the Council have its own way."

Mr. C. RAMALINGA REDDI:—"Sir, it is stated that it is proposed to restrict the chairmanship to engineers or people with similar special qualifications. If it is a fact, I want to know whether the Council will be given full liberty of choice?"

The hon. the RAJA OF PANAGAL:—"The answer is in the negative."

Toll-gates in the North Arcot district.

321 Q.—Mr. M. ABDULLA GHATALA SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether he is aware that great hardship is caused to the public of the North Arcot district by the location of toll-gates at very short distances; and

(b) what steps have been taken, or are proposed to be taken, to reduce the number?

- A.—(a) The answer is in the negative.
(b) A report will be called for.

Medical.

Compulsory retirement of certain Sub-Assistant Surgeons.

322 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) whether there is a proposal to replace Sub-Assistant Surgeons in taluk headquarter hospitals by the more highly-paid Assistant Surgeons;

(2) whether certain Sub-Assistant Surgeons in permanent service were compulsorily retired without allowing them to enjoy the leave earned by them, while others older in years and also in service were retained;

(3) whether the Government have permitted local bodies to have their own medical men in all the medical institutions in their charge excepting those at taluk headquarters; and

(4) whether the Government propose to reconsider the case of such Sub-Assistant Surgeons as have been compulsorily retired?

- A.—(1) The answer is in the negative.
(2) The hon. Member is referred to the answer given to question No. 165.
(3) The matter is under the consideration of the Government.
(4) The answer is in the negative.

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Number of Sub-Assistant Surgeons affected by the Retrenchment scheme.

323 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased to furnish a statement showing—

- (a) the number of sub-assistant surgeons affected by the Retrenchment scheme,
- (b) their age and service,
- (c) what kinds of leave they were entitled to before retirement,
- (d) the number of officers who applied for the leave and the number granted leave and the number refused, and
- (e) the total savings effected under the Retrenchment scheme?

A.—(a) (i) Number of sub-assistant surgeons who were given notice of retirement 84

(ii) Number of sub-assistant surgeons who were given notice of reversion to temporary appointments ... 52

Total ... 86

(b) Pages 42 to 85 of the Quarterly Civil Medical List (corrected up to 30th September 1923) gives the required information in regard to 86 out of the 86 officers affected. The remaining three are—

(i) *Given notice of retirement—*

1. M. Narayana Nayar, age 47, service 27 years (retired on 4th August 1923).
2. R. Chenchu Reddi, age 51, service 28 years (died on 27th September 1923).

(ii) *Given notice of reversion as temporary—*

3. K. Kamarazu, age 23, service 1 year.

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

(e) The annual saving on account of the reduction of the leave reserve of sub-assistant surgeons is Rs. 1,97,835.

Compulsory retirement of Sub-Assistant Surgeons who were not selected for selection grade.

324 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) whether it is a fact that sub-assistant surgeons of over 25 years' service who were not selected for selection grade were compulsorily retired in 1923, and, if so, how many were so retired;

(2) whether they were heard or permitted to make any representation they liked through the proper channel, before orders retiring them from service were passed; and

(3) whether they were refused all kinds of leave including casual leave, when they applied for it to go and represent their grievances to the authorities concerned?

A.—(1) Yes. Thirty-four sub-assistant surgeons were served with notices of retirement.

(2) The answer is in the negative.

(3) So far only one case in which a sub-assistant surgeon was refused casual leave to represent his grievances has come to the knowledge of the Government.

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Sub-Assistant Surgeons over 50 years of age and 30 years of service.

325 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state whether there are sub-assistant surgeons still in service of over 50 years of age and 30 years of service who have not been compulsorily retired?

A.—There are a few sub-assistant surgeons of over 50 years of age and 30 years of service in the selection grade.

Promotions of compounders.

326 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Local Self-Government be pleased to state if no promotions were made of Compounders to the Selection grade in the Government Headquarter Hospital, Guntur?

A.—The Government have no information.

Mr. YAHYA ALI SAHIB:—“Will the Government be pleased to call for the information?”

The hon. the RAJA OF PANAGAL:—“Yes.”

The allopathic dispensary at Tirukkarangudi.

327 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Shermadevi Taluk Board has resolved to close the allopathic dispensary at Tirukkarangudi;

(b) the reasons for such a step; and

(c) whether, under proper management, the chatram, from whose funds the dispensary was being maintained, would show an annual saving of about Rs. 8,000?

A.—(a) & (b) The Government understand that the Taluk Board has decided to close the dispensary on financial grounds.

(c) The President of the District Board has reported as follows in his administration report for 1922-23:—

“There was a marked decrease in the receipts of the Tirukkarangudi chatram which fell from Rs. 25,984 to Rs. 14,488, the outstanding arrears amounting to Rs. 17,700. The tenants are said to be refractory and much difficulty is said to be felt in collection. The account of the chatram closed with a deficit balance of Rs. 12,459. The Taluk Board has decided to reduce the expenditure by Rs. 3,000 per annum to wipe off the deficit balance in the course of a few years.”

Appointment of a civil surgeon in the place of Dr. Nedungadi.

328 Q.—The RAJA OF RAMNAD: Will the hon. the Minister for Local Self-Government be pleased to state why, on the retirement of Dr. Nedungadi, a military assistant surgeon was confirmed as civil surgeon without one in the regular line being promoted to fill up the said vacancy?

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A.—No Military Assistant Surgeon has been confirmed as Civil Surgeon in the place of Dr. Nedungadi.

The RAJA OF RAMNAD:—"My question is 'why on the retirement of Dr. Nedungadi, a military assistant surgeon was confirmed as civil surgeon without one in the regular line being promoted to fill up the said vacancy.' But the answer is that 'no military assistant surgeon has been confirmed as civil surgeon in the place of Dr. Nedungadi'. Will the hon. the Minister for Local Self-Government kindly give a more appropriate answer?"

The hon. the RAJA OF PANAGAL:—"The answer given here is to the question that was already put, but if the hon. Member wants any further information at this stage, I should like to have notice to answer."

The RAJA OF RAMNAD:—"I am not asking for further information, but I am asking for a more appropriate answer."

The hon. the PRESIDENT:—"The hon. the Minister for Local Self-Government has asked for notice of any further question that may be asked but the hon. Member the Raja of Ramnad is insisting that his question bears a certain meaning which the answer shows that the hon. the Minister has not understood, because the Raja of Ramnad says it is not appropriate. I too think that it is capable of another meaning, and the hon. Member had better put another question making his meaning clear, namely, that by the words 'on his retirement' he meant something else than 'in his place'."

Colonel Harley, I.M.S.

329 Q.—Mr. SAMI VENKATACHALAM CHETTIYAR: Will the hon. the Minister for Local Self-Government be pleased to state whether there is any proposal to make Colonel Harley a 1st Surgeon?

A.—The answer is in the negative.

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Sir, I think that my questions are mutilated beyond recognition even by their author. I made no reference to Colonel Harley's appointment as 1st Surgeon. I thought I must bring this matter to your notice, Sir."

The hon. the PRESIDENT:—"I understand that the hon. Member was communicated with about the curtailment of his question. Is that not so?"

Mr. SAMI VENKATACHALAM CHETTIYAR:—"True, Sir. But only certain questions were disallowed, which I agreed to. But my submission is that this question is one of the several others which remain to be answered. I sent a series of questions with regard to three gentlemen, Major Bradfield, Colonel Chowdari and Colonel Harley. One communication was received by me in which certain questions regarding statistical details as to the operations and other things conducted by Major Bradfield were asked to be omitted. I have received no communication other than that, Sir."

The hon. the PRESIDENT:—"Was not the hon. Member informed that those parts of the question which bore on the number of operations, etc., were disallowed for certain reasons mentioned in the communication to him?"

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Mr. SAMI VENKATACHALAM CHETTIYAR:—"True, Sir. Apart from those questions, I sent other questions about which I received no communication. I do not raise any objection to the questions disallowed by you so far."

The hon. the PRESIDENT:—"Then the case is that the hon. Member has had no notice that this question is being put in this changed form. Was there not a notice of questions which the hon. Member must have received some time ago?"

Mr. SAMI VENKATACHALAM CHETTIYAR:—"I am afraid I have not perused it, Sir. This last one (holding the printed copy in his hand) is the only notice paper that I have perused so far. As I could raise this objection only at question time, I am referring to it now."

The hon. the PRESIDENT:—"The hon. Member is apparently dissatisfied with the way in which the questions were altered. It is perfectly open to him to tell the Secretary that he does not like his questions to be changed and it will then be for the Secretary to consider the objection and suggest some other method of procedure. I would therefore advise the hon. Member to write to the Secretary what he wants to say on the matter, and I shall then dispose of it."

Public Health.

Nuisance caused by patients suffering from contagious diseases in Mangalore.

330 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the number of persons suffering from leprosy, syphilis and other loathsome diseases or crowding in public places is so large as to be a serious menace to the public health of the town;

(b) what steps are being taken to stop this nuisance under the existing law;

(c) what arrangements are made for accommodation and treatment of such patients;

(d) what grants are given by Government to existing Missionary or other Leper Asylums in South Kanara; and

(e) whether these grants are found sufficient for isolating lepers?

A.—(a), (b) & (c) The Government have no information.

(d) A capitation grant of Rs. 4-8-0 per mensem for each inmate treated subject to a maximum of Rs. 3,670 a year is paid to the St. Joseph's Leper Asylum at Mangalore.

(e) The grant is not intended to cover the entire cost of segregating lepers.

Mr. J. A. SALDANHA:—"The increase of lepers prowling in the public streets of Mangalore is becoming a serious nuisance and it is now greater than before. And attention has been drawn to this matter in several papers in Mangalore and Calicut. Will the hon. the Chief Minister therefore be pleased to call for information mentioned in clauses (a) to (c)?"

The hon. the RAJA OF PANAGAL:—"The Government have no objection to call for the information, Sir."

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Plague in Tuticorin.

331 Q.—Rao Bahadur CRUZ FERNANDEZ: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether the Government are aware of the sudden outbreak of plague in Tuticorin in an indigenous form;

(b) what preventive measures are taken to stamp out the disease and by which authority;

(c) whether it is a fact that there is a conflict of authorities in the matter of taking measures under the new Plague Regulations published in the *Fort St. George Gazette*, dated the 10th July 1923, so far as Tuticorin is concerned, where there is a Civil Surgeon and also a Health Officer;

(d) whether it is a fact that the plague regulations do not define the duties and functions devolving respectively on the Chairman of the Municipal Council, the Municipal Health Officer and the Revenue Divisional Officer; and

(e) whether it is a fact that the said officers are greatly handicapped in taking immediate measures on the outbreak of plague and that in consequence one officer is expecting the other to take the initiative on any particular measure?

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

(b) The reports received from the Collector of Tinnevely and the Assistant Director of Public Health are placed on the table.*

(c) The answer is in the negative.

(d) Under the Standing Orders the general control of all measures connected with plague is vested in the Collector of the district unless the Government in any case otherwise direct; and all officers of Government, of local boards and of municipalities and all plague officers must obey and carry out the Collector's orders.

(e) The answer is in the negative.

Mr. R. VEERIAN:—"With reference to clause (b), will the Government be pleased to issue orders to the District Collector of Tinnevely to pay, out of the funds under the discretion grants placed at his disposal, a certain amount of remuneration to the labouring classes, men, women and children in order to get themselves inoculated?"

The hon. the RAJA OF PANAGAL:—"Sir, it is left to the discretion of the Collector to distribute the fund."

Religious and Charitable Endowments.*The Madras Hindu Religious Endowments Bill.*

332 Q.—Mr. M. R. SETURATNAM AYYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(1) the number of meetings held in various places for the expression of protest against, and disapproval of, the Madras Hindu Religious Endowments Bill;

(2) the number of memorials of protest received by the Government in regard to the measure; and

* Printed as Appendix III on pages 443-446 infra.

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(3) the number of deputations which approached the Government and which were allowed to wait on His Excellency the Governor to represent their protest against and disapproval of the proposed measure?

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

(2) The attention of the hon. Member is invited to the answer to question No. 78.

(3) Two.

The issue of a whip to nominated non-official members.

333 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state whether it is not a fact that he issued a whip to nominated non-official members of the Legislative Council to support the "Government" on the "No-confidence" motion?

A.—The answer is in the affirmative.

Education.*The Satyamangalam Elementary Girls' School.*

334 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Satyamangalam Elementary Girls' School is located in a rented building and that the owner objects very strongly to the admission of girls belonging to the depressed classes;

(b) whether it is a fact that the Satyamangalam Elementary Taluk Board School for girls receives provincial subsidy; and

(c) why no steps have been taken up to this as regards the admission of girls into the Satyamangalam Elementary Taluk Board School?

A.—(a), (b) & (c) The Government have no information but have called for a report.

Admission of depressed classes pupils in Singanallur Higher Elementary School.

335 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Headmaster of the Singanallur Higher Elementary School, Coimbatore Taluk Board, refused admission to six young men belonging to the depressed classes when the boys approached him some months back, with their transfer certificates, after completing their full elementary course in the Panchama Irrugur and Vellalur Elementary Schools, and that the boys were obliged to go and join the Training School in Coimbatore to undergo primary training at least; and

(b) whether it is a fact that this Singanallur Higher Elementary School, Coimbatore taluk, receives provincial subsidy?

A.—(a) The Government have no information but have called for a report.

(b) Yes.

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The splitting up of the cadre of the Sub-Assistant Inspector of Schools.

336 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Education be pleased to state—

(1) whether the old sub-assistant inspectors of schools cadre has been split up into two branches, viz., deputy inspectors of schools and school assistants;

(2) whether there is any difference, and if so, what difference in the qualifications prescribed for each;

(3) whether any increments in the case of school assistants are granted to them by selection, when they reach a pay of Rs. 100; and

(4) the sanctioned strength of deputy inspectors and school assistants respectively in the Presidency and the percentage of appointments in each class reserved for the selection grade of Rs. 150—10—250?

A.—(1) Yes.

(2) Ordinarily there is no difference.

(3) Not until they come to be promoted to the next higher grade of Rs. 100—10—150.

(4) The sanctioned permanent strength of the cadre is 257 in the case of deputy inspectors and 185 in the case of school assistants. The percentage of appointments on Rs. 150—10—250 is 25 and 12 per cent respectively.

Mr. C. V. VENKATARAMANA AYYANGAR:—“With reference to the answer to clause (2) is it a fact that school assistants have two bars of promotion, one at Rs. 100 and another at Rs. 150, while the deputy inspectors have got only one bar at Rs. 150?”

The hon. Rao Bahadur Sir A. P. PATRO:—“Sir, the answer is found in the answer to clause (4), which runs thus:—“The sanctioned permanent strength of the cadre is 257 in the case of deputy inspectors and 185 in the case of school assistants. The percentage of appointments on Rs. 150—10—250 is 25 and 12 respectively.” Rupees 150 is the place where they stop and there the selection grade begins.”

Mr. C. V. VENKATARAMANA AYYANGAR:—“I will repeat my question, Sir, because clause (4) has absolutely nothing to do with my question. Clause (2) of the answer here says that ordinarily there is no difference. Is it not a fact that school assistants have got two bars of promotion, one at Rs. 100 and the other at Rs. 150, whereas deputy inspectors got only one bar of promotion, namely, at Rs. 150?”

The hon. Rao Bahadur Sir A. P. PATRO:—“That is so.”

Mr. C. V. VENKATARAMANA AYYANGAR:—“Will the hon. the Minister be pleased to say whether he considers that ordinarily there is no difference?” (No answer.)

Subordinate Educational Service, Collegiate Branch.

337 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) when the Assistant Professors and Assistant Lecturers in the Government Colleges were constituted into a separate service called the Subordinate Educational Service, Collegiate Branch;

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(b) the reasons for so doing; and
(c) the salary then proposed?

A.—(a) In 1907.

(b) Prior to the formation of this cadre pay was attached to a particular post in a particular college rather than to the officer. When a vacancy arose in any of the posts of Assistant Lecturers, either permanent or temporary, it was often necessary to transfer an officer in the order of seniority from one college to another in order to enable him to obtain the promotion. An arrangement of that kind seriously interfered with the continuity as well as the efficiency of teaching. The desirability of minimising transfers causing dislocation of work and of enabling officers who were doing more or less the same work to obtain their due promotion without of necessity a change of place constituted the reasons for the grouping.

(c) Four grades—Rs. 175, 150, 125 and 100.

Memorials by the Educational Service (Subordinate), Collegiate Branch.

338 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) how many memorials have been submitted by the Educational Service (Subordinate), Collegiate Branch, for the revision of salaries since 1911 and what action has been taken on each of them;

(b) the attitude of the Principals of Colleges through whom the memorials were submitted;

(c) what recommendations were made by the Director of Public Instruction;

(d) how the memorandum submitted by the Madras Non-gazetted Educational Officers' Association on the disabilities and demands of the Subordinate Educational Service, Collegiate Branch, was disposed of by Government; and

(e) whether the Director of Public Instruction recommended to the Salaries Committee an initial salary of Rs. 150?

A.—(a) Several memorials, especially during the last few years, were received in this regard. As joint representation is under standing rules forbidden, it is usual to receive separate copies of every memorial from each of the members of the service. It will be a difficult task to collect all the information required about them especially owing to the operation of rules of guidance in regard to the preservation of records. The Government also doubt whether any useful purpose will be served by undertaking the task.

(b) & (c) The Government regret that they cannot publish the opinions of officers submitted to them for their consideration.

(d) The Madras Non-gazetted Educational Officers' Association made two requests:—

(i) that the pay of the Subordinate Educational Service (Collegiate branch) should be further revised; and

(ii) that more posts in the Subordinate Educational Service should be included in the Madras Educational Service.

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The first request was negatived on financial grounds and the second request is receiving due consideration.

(e) The answer is in the affirmative.

Subordinate Educational Service, Collegiate Branch.

339 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that most of the members of the Subordinate Educational Service, Collegiate Branch, had reached the maximum of the grade in about nine years before the reorganization of 1st March 1921; and

(b) whether it is a fact that under the reorganization more than double the number of years has to be spent in the Subordinate Educational Service, Collegiate Branch, to reach the maximum?

A.—(a) No. It took them from ten to twelve years on the average. Please see answer to question No. 830 (1) asked at the meeting of the Council held on 14th October 1921.

(b) The time that will be taken under the reorganization is twenty years.

Education.

The Subordinate Educational Service.

340 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state whether it was ordinarily the practice to fill up vacancies in the Madras Educational Service by promoting officers in the Subordinate Service?

A.—Yes; but direct recruitment is also adopted in certain cases.

Mr. S. SATYAMURTI:—“May I ask the hon. the Minister for Education whether he will be good enough to say if there are any principles governing cases where direct recruitment is also adopted?”

The hon. Rao Bahadur Sir A. P. PATRO:—“It is not necessary to state in detail what it is. But if any specific instance is given with regard to direct recruitment, information will be furnished.”

Mr. S. SATYAMURTI:—“I do not want the details, Sir, but I am only asking the hon. the Minister for Education to say what are the main and general principles under which the rules of promotion from the lower grade are departed from and direct recruitment is resorted to.”

The hon. Rao Bahadur Sir A. P. PATRO:—“Where special circumstances, and special qualifications exist, direct recruitment is resorted to.”

Presidency College, Madras.

341 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state why in the Presidency College, Madras, there is only one Professor for each of the subjects of Sanskrit and Philosophy while there are more than one for the other subjects?

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A.—It is not the case that every subject other than Sanskrit and Philosophy has more than one Professor. The number of Professors in each subject varies according to the nature and extent of the syllabus to be covered and also the number of pupils taking up the subject.

Vice-Principalship in certain Second-grade Colleges.

342 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state why there is no Vice-Principalship in the Madras Educational Service in the Government Second-grade Colleges of Coimbatore, Tellicherry and Mangalore while there is one in the Government Victoria College, Palghat?

A.—There is no Vice-Principalship in the Government Victoria College, Palghat, or in any Government Arts College.

History Lecturership in the Ceded Districts College, Anantapur.

343 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state the special reason why an acting Assistant Professor on Rs. 125 was promoted to the Madras Educational Service Lecturership in History in the Ceded Districts College, Anantapur, superseding several of his seniors in the higher grades, including some who had acted in the Provincial Service?

A.—The promotion was made in accordance with the policy laid down in G.O. No. 658, Public, dated 15th August 1922.

Philosophy Lecturership in the Arts College, Rajahmundry.

344 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state why in August 1922 the Madras Educational Service Lecturership in Philosophy in the Rajahmundry Arts College was filled up by an outsider with very little lecturing experience in a First-grade College to the detriment of the claims of experienced senior officers in the Subordinate Service, Collegiate Branch?

A.—M.R. Ry. J. Satyanarayanamurti Pantulu was appointed Lecturer in Philosophy in the Rajahmundry Arts College in August 1922 having regard to his qualifications for the post. The claims of officers in the Subordinate Educational Service received due consideration.

Lecturership in English in the Government College, Kumbakonam.

345 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state why, in July 1922, the Lecturership in English in the Government College, Kumbakonam, was filled up by an outsider superseding the claims of members of the Subordinate Service who had acted in the Madras Educational Service and even drawn increments in that service?

A.—The appointment was made in December 1922 in accordance with the policy laid down in G.O. No. 658, Public, dated 15th August 1922.

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The Subordinate Service, Collegiate Branch.

346 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that consequent on the reorganization of the Subordinate Service, Collegiate Branch, on a time-scale basis, some of the junior members got higher salaries than their seniors in the grade; and

(b) if the answer to (a) is in the affirmative, whether the Government will be pleased to consider the injustice done to the seniors?

A.—(a) No.

(b) The question does not arise.

District secondary schools boards.

347 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) the reasons why district secondary schools boards are not allowed to elect their own presidents;

(b) the principles, if any, on which presidents of such boards are nominated by him;

(c) the minimum educational qualifications which have been prescribed; and

(d) the educational qualifications of the nominated President of this Board in Salem district and the other honorary offices he holds?

A.—(a) The boards have just been constituted and the Government consider that they should reserve power to nominate the Presidents till they find on experience that the boards discharge their functions properly.

(b) The Government nominated the best person amongst the members—the best in their opinion to perform the functions of the President.

(c) None.

(d) The Government have no information in regard to the educational qualifications of the President of the District Secondary Education Board, Salem. He is the elected Vice-President of the District Board and is in charge of the Presidentship of the District Board and a Member of the Madras Legislative Council.

Mr. S. SATYAMURTI:—"Sir, with reference to the answer to clause (a) of this question, may I ask the hon. the Minister for Education to state what the amount of experience necessary to be gained is and what is the length of time for which the Government want to reserve the power of nominating Presidents of Secondary schools boards is?"

The hon. Rao Bahadur Sir A. P. PATRO:—"That, the future will decide, and I cannot answer it now, Sir."

Mr. P. ANJENEYULU:—"May I know from the hon. the Minister for Education whether any educational qualifications are taken into consideration in appointing these presidents and whether any rule has been framed?"

The hon. Rao Bahadur Sir A. P. PATRO:—"There are no rules framed."

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Mr. S. SATYAMURTI:—"Apart from the question of rules, the hon. the Minister for Education being responsible to this House for the exercise of his discretion, will he be pleased to say whether in making these appointments he paid any attention to the educational qualifications of the persons appointed as Presidents to these bodies?"

The hon. Rao Bahadur Sir A. P. PATRO:—"Persons of good common sense and business habits, persons of reliable nature and character have been chosen for the posts of presidents of these bodies."

Mr. S. SATYAMURTI:—"Is it suggested, Sir, that the educational qualifications of a person are inconsistent with these very desirable qualities?"

(No answer)

District Secondary Education Boards.

348 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether the attention of the Government has been invited to the proceedings R.O.C. No. 2515-D/23, dated the 13th December 1923, of the Director of Public Instruction, Madras, directing that no papers need be referred to District Secondary Education Boards, unless the Director or the Government specially order such reference in specific cases; and

(b) whether the Government propose to rescind the said proceedings and delegate to the said boards all powers relating to secondary institutions and the other subjects enumerated in paragraph 2 of G.O. No. 24, dated the 5th January 1923, place them on a par with the District Educational Councils?

A.—(a) The Government have since perused the proceedings referred to.

(b) No. It was issued only to prevent routine matters being needlessly placed before the boards by the inspecting officers causing delay to ordinary flow of work of routine character.

Mr. YAHYA ALI SAHIB:—"May I ask, Sir, if it is the function of the Director of Public Instruction to shut out from the consideration of district secondary education boards whatever paper he likes?"

The hon. Rao Bahadur Sir A. P. PATRO:—"The answer is in the negative."

Mr. YAHYA ALI SAHIB:—"Will the Government be pleased to frame rules defining the Powers of presidents of district secondary education boards in the matter referred to in the question?"

The hon. Rao Bahadur Sir A. P. PATRO:—"As difficulties are disclosed rules will be framed to meet them."

Mr. S. SATYAMURTI:—"Is there any definition in the Government offices as to the phrase 'routine matters'?"

The hon. Rao Bahadur Sir A. P. PATRO:—"My hon. Friend evidently wants some training in some Secretariat office, and then he will know what a routine matter is."

Mr. S. SATYAMURTI:—"That is an impertinent answer."

The hon. Rao Bahadur Sir A. P. PATRO:—"Quite deserving."

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The Madras Law College.

349 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Education be pleased to state whether it is a fact—

(a) that the Madras Law College has been yielding a steady and large surplus every year since 1912;

(b) that the said College has yielded since its institution up to date a net surplus in the aggregate approximately of 8 lakhs of rupees;

(c) that need is felt in the said College—

(1) for providing new additional rooms for classes and for the assistant professors,

(2) for providing an additional staff of professors or assistant professors, and

(3) for increasing the menial establishment both in the library and in the office and in the private rooms of the assistant professors; and

(d) that the latest increase in the staff was in 1916 since which year the strength of the students has nearly doubled?

A.—(a) The annual nominal surplus varies from Rs. 31,000 to Rs. 45,000, but this has to be reduced by the cost of overhead charges and maintenance of buildings. The net surplus, if any, will be trifling.

(b) No.

(c) The Government have no information.

(d) The last increase to the permanent staff of the College was in 1916. The staff has been temporarily strengthened in the current year by the appointment of two additional assistant professors.

Mr. YAHYA ALI SAHIB:—“Is it a fact that the temporary staff would not be required from the 31st of March this year? I am asking with reference to clause (d) of the answer, Sir, in which it is stated that the staff has been temporarily strengthened this year by the addition of two additional assistant professors. I want to know if these temporary posts would not expire by the 31st of March or whether they would be continued after July also?”

The hon. Rao Bahadur Sir A. P. PATRO:—“I want notice of this question. Sir.”

Electric installation for the Umda Bagh Hostel.

350 Q.—Mr. YAHYA ALI SAHIB: Will the hon. the Minister for Education be pleased to state whether there is a proposal to institute an electric installation for the Umda Bagh Hostel attached to the Government Madrasa-i-azam?

A.—Yes.

The Madras Telugu Pandits' Conference.

351 Q.—Mr. SAMI VENKATACHALAM CHETTIYAR: Will the hon. the Minister for Education be pleased to state—

(a) whether he has received the Proceedings of the Madras Telugu Pandits' Conference held on the 17th November 1923 under the presidency of Diwan Bahadur Salla Guruswami Chetti Garu; and

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(b) whether the Government propose to comply with the request of the Conference that a pandit may be chosen to represent that class on the Senate of the University under provision No. 12 of clause III of section 14?

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

(b) The matter is one for the consideration of the University.

Mr. S. SATYAMURTI:—“May I ask whether the hon. the Minister for Education does not know that the appointment to the Senate vest in the hands of the Government or rather of the Chancellor, whether he was not consulted, and if so, whether he cannot give effect to the suggestion mentioned in clause (b) of the question?”

The hon. Rao Bahadur Sir A. P. PATRO:—“The University is an independent body. It is independent of the Government, and it is not a department of the Government.”

Sriman BISWANATH DAS Mahasayo:—“May I inform the hon. the Minister for Education, Sir, that on a reference from me, to the Vice-Chancellor he informed me that the nominations vested in the Chancellor under the advice of the Minister. We cannot therefore say that the matter solely vests in the University and the Vice-Chancellor.”

The hon. Rao Bahadur Sir A. P. PATRO:—“I am afraid the hon. Member has not examined the Act very carefully. The nominations vest in the Chancellor, and whatever the Vice-Chancellor replied to him, must be consistent with the provisions of the Act.”

Sriman BISWANATH DAS Mahasayo:—“I have got the written reply from the Vice-Chancellor, Sir, that His Excellency the Chancellor will make the appointments on the advice of the hon. the Minister for Education, who is ex officio Pro-Chancellor.”

Mr. S. SATYAMURTI:—“With regard to the appointment of 30 and odd members recently made, and in view of the hon. the Minister's statement, may I ask him whether he was or was not consulted by the Chancellor regarding those nominations?”

The hon. Rao Bahadur Sir A. P. PATRO:—“I decline to answer that question.”

Application of Muhammadan students to proceed to England.

352 Q.—Khan Bahadur HAJI ABD-UL-LAH HAJI QASIM SAHIB Bahadur: Will the hon. the Minister for Education be pleased to lay on the table a list of applications received in the year 1923 from Muhammadans to proceed to England for prosecuting their studies together with information as to the orders passed by the Government on each application?

A.—No such applications were received.

The number of students in this Presidency.

353 Q.—Sriman BISWANATH DAS Mahasayo: Will the hon. the Minister for Education be pleased to furnish information as to the number of students receiving instruction in this Presidency for each year from 1919-20 to 1922-23 in

(a) primary schools,

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- (b) secondary schools, and
(c) colleges?

A.—Information in respect of the years 1919-20 to 1921-22 will be found in the Reports on Public Instruction for those years already published. Particulars for 1922-23 will be found in the report which will be published shortly.

Muhammadan girls' schools.

354 Q.—MR. K. ABDUL HYE SAHIB: Will the hon. the Minister for Education be pleased to state whether it is a fact that there are only two Muhammadan girls' schools to serve the needs of the large Muhammadan population of Madras, that both of them are situated in the southern part of the city, and that there are no up-to-date girls' schools corresponding to the above institutions in Georgetown, which is the northern and more important part of the city?

A.—The answer is in the negative, as there are seven Muhammadan girls' schools in the city situated in Royapetta, Mylapore, Choolai, Perambore, Triplicane (2) and Georgetown.

Amount spent on Muhammadan education.

355 Q.—MR. K. ABDUL HYE SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that in pre-Reform days a special sum of Rs. 30,000 was allotted for Muhammadan education in this Presidency under the orders of the Government of India out of the recurring grant sanctioned to the Local Government; and

(b) if so, whether a like sum is now spent on Muhammadan education?

A.—(a) Yes.

(b) Yes. A larger sum is now being spent.

MR. ABBAS ALI KHAN:—"Will the hon. the Minister for Education be prepared to spend a still larger sum, Sir?"

The hon. Rao Bahadur Sir A. P. PATRO:—"If the hon. the Finance Member is able to provide me funds for the expansion of education among the Muhammadan community, I shall be very glad to do so."

MR. YAHYA ALI SAHIB:—"May I know, Sir, whether the larger sum that is now said to be spent is exclusive of the recurring grant made under the orders of the Government of India?"

The hon. Rao Bahadur Sir A. P. PATRO:—"Yes, the total expenditure is now much higher than what it was before."

The 'Lock Hospital Building' for the use of the Muhammadan Training School at Bellary.

356 Q.—MR. K. ABDUL HYE SAHIB: Will the hon. the Minister for Education be pleased to state whether it is a fact that the Government of India have handed over permanently the 'Lock Hospital Building' to the Provincial Government for the use of the Government Muhammadan Training School at Bellary?

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A.—The building referred to was handed over to the Local Government on the usual condition of relinquishment if required for military purposes. It was at first used for a dispensary and on its transfer for the school referred to.

Government girls' school, Kumbakonam.

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

(a) whether it is a fact that some time ago there was a proposal to make over the Government girls' school at Kumbakonam to the local Town High School Committee;

(b) whether it is a fact that the said Committee accepted the proposal;

(c) whether it is a fact that thereafter the Inspectress of Girls' Schools, Southern Circle, under instructions from the Director of Public Instruction withdrawing the said offer, proposed to hand over the school to the local mission, and if so, to state the reasons therefor and lay the papers on the table;

(d) whether a similar offer was made to the local Municipal Council or other public bodies; and

(e) whether the Government have passed any and what orders on the subject of divesting themselves of management of this institution?

A.—(a), (b), (c), (d) & (e) In pursuance of the policy laid down by Government in consequence of the passing of the Madras Elementary Education Act, 1920, that they should withdraw from the direct control of elementary schools, steps have been taken since 1921 and are still being taken to transfer elementary schools formerly under direct Government control to the control of local bodies (except in the Agency tracts).

The Municipal Council, Kumbakonam, was requested by the Director of Public Instruction in September 1922 to express its willingness to take over the management of the Government girls' school at that place. In February 1923 the Council reported that it was not in favour of taking over the management of the school. The Director of Public Instruction was consequently obliged to investigate if any other educational body working in Kumbakonam would be willing to take over the control of the school. Three educational bodies, viz., the Town High School Committee, the Theosophical Society and the Roman Catholic Mission, were asked by him if they would be prepared to assume control of the school and maintain it as an aided school. The two former societies would accept no financial responsibility, but the third, viz., the Roman Catholic Mission, was prepared to take over the school and maintain it as an aided elementary school receiving aid from the District Educational Council, Government making over only the use of the building and its equipment. At this time the public of Kumbakonam endeavoured to induce the Municipal Council to accept the management of the school. The Director therefore requested the Municipal Council to reconsider its decision. A copy of the Standing Committee's resolution agreeing to take

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up the school has recently been received by him and the Chairman of the Municipal Council has been requested to have the question considered by the Council.

Mr. S. SATYAMURTI:—"May I ask, Sir, the hon. the Minister for Education to say whether, if the Kumbakonam Municipal Council is now willing to take over the management of the institution, the Government will be prepared to hand it over to them?"

The hon. Rao Bahadur Sir A. P. PATRO:—"That is a problem which I am not prepared to solve."

The University of Madras.

358 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

- (a) the amount of grants sanctioned or paid to the new University of Madras, after its reconstitution;
- (b) the main purposes for which the grants have been sanctioned or paid; and
- (c) whether any money has been paid for the publication of a History of India in England?

A.—(a), (b) & (c) The following grants have been sanctioned to the University in the current official year:—

	RS.
(1) Usual recurring grant for University Professorships, Library staff, etc.	65,000
(2) Travelling allowance of Fellows and Members of Boards of Studies	20,000
(3) Vice-Chancellor's salary	23,387
(4) Publication of a 'History of South India' by Mr. Robert Sewell	8,250
Total	1,16,687

Mr. S. SATYAMURTI:—"May I ask the hon. the Minister as to why the grant of 3 lakhs—I speak subject to correction—which was budgeted for in the last budget, has not been wholly paid over to the University of Madras?"

The hon. Rao Bahadur Sir A. P. PATRO:—"It is again a matter on which I must draw the hon. Member's attention to the provisions of the University Act wherein the conditions under which grants are made are given."

Mr. S. SATYAMURTI:—"Are there any conditions at all in the University Act with regard to the grant? I know there is none."

The hon. Rao Bahadur Sir A. P. PATRO:—"There was no definite scheme prepared by the new University, because the new University bodies were not brought into existence yet."

Mr. S. SATYAMURTI:—"May I know whether the Government have since imposed any conditions on the grant to the University of Madras that has been constituted."

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Mr. C. RAMALINGA REDDI:—"Perhaps I had better put my question also, so that the hon. the Minister might answer both together. What we are anxious to know from the hon. the Minister is whether there has been any correspondence about this grant of 2½ or 3 lakhs, and whether the University did not request him to hand it over unconditionally, and what orders have been passed on that request?"

The hon. Rao Bahadur Sir A. P. PATRO:—"There have been doubts about the matter. Legal opinion was taken and the matter is still under consideration."

Mr. S. SATYAMURTI:—"With regard to item (4) under which a large sum has been sanctioned in the current official year, viz., 'Publication of a "History of South India" by Mr. Robert Sewell—Rs. 8,250', may I ask the hon. the Minister for Education to state whether the publication is going to be done in England or in India, and if in England, what the reasons are, why an extra sum should have been paid, because it will cost more in England than in India?"

Dr. P. SUBBARAYAN:—"Is it not a fact, Sir, that books printed in England get a wider publicity?"

(No answer.)

Mr. S. SATYAMURTI:—"Is Dr. Subbarayan the Education Minister?"

Capitation allowance to elementary teachers.

359 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Minister for Education be pleased to answer—

(1) whether the attention of the Government has been drawn to Endorsement N. Dis. on C. No. 1402-B of 1923, dated 26th September 1923, of the Director of Public Instruction stopping payment of Capitation allowance to the elementary teachers (in the North Arcot district) earned in the year 1922-23 which but for this order would have been paid to these teachers in 1923 in the usual course; and

(2) in the light of the fact that the new increase of pay in substitution of the Capitation allowance (referred to in G.O. No. 14, dated 3rd January 1923) came into force only from 1st April 1923, whether the Government contemplate issuing orders that the Capitation allowance for 1922-23 already earned by the elementary teachers and due to them be paid to them at once?

A.—(1) Yes.

(2) No, since such disbursement will mean a duplication of payment along with the enhancement of salary.

Mr. T. ADINARAYANA CHETTIYAR:—"My question has only been partly answered, Sir, because I referred to the accrual of the amount for the year 1922-23 which would have been (in the usual course) paid but for the order referred to. The new Act came into force only after 1st April 1923."

The hon. Rao Bahadur Sir A. P. PATRO:—"I cannot give more information than what I have already stated, viz., that the teachers cannot have both increase of salary and the capitation allowance."

Mr. T. ADINARAYANA CHETTIYAR:—"It is not both that they ask for, Sir. I want to know why the amount that was ear-marked for the purpose was held over?"

(No answer.)

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The Harris High School.

360 Q.—MR. YAHYA ALI SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether a representation was received from the Muhammadan Educational Association of Southern India, Madras, praying for the continuance of the Harris High School, Madras, under the management of the Government for a further term of one year;

(b) whether the Government propose to give effect to the recommendation of the Retrenchment Committee regarding the abolition of the Government Muhammadan College, Madras; and

(c) if so, whether they propose to consult the leaders of the Mussalman community before effecting the abolition?

A.—(a) Yes.

(b) The matter is under consideration.

(c) Yes.

MR. YAHYA ALI SAHIB:—“Will the Government be pleased to answer my question contained in clause (a) of Question No. 360?”

The hon. Rao Bahadur Sir A. P. PATRO:—“I said that the matter is under consideration.”

MR. YAHYA ALI SAHIB:—“With regard to clause (a)?”

The hon. Rao Bahadur Sir A. P. PATRO:—“Yes.”

Additional Secretary to the Government.

361 Q.—MR. S. SATYAMURTI: Will the hon. the Member for Finance be pleased to state whether Mr. T. E. Moir has been appointed as Additional Secretary to the Government, and if so, the duties he is discharging and the reasons for the said appointment?

A.—MR. T. E. MOIR was appointed temporary Joint Secretary to Government to prepare—

(1) a scheme for financing an expansion of elementary education; and

(2) a draft Bill to amend the Madras Elementary Education Act, 1920.

This work could not be attended to by the existing establishment.

MR. S. SATYAMURTI:—“May I ask the hon. the Finance Member to say whether the special duties on which Mr. Moir was engaged have been finished by him?”

The hon. Sir CHARLES TODHUNTER:—“Mr. Moir has been working under the orders of the hon. the Minister for Education. I think he can answer that question better than I can do.”

MR. S. SATYAMURTI:—“I put the question to the hon. the Finance Member because the question stands in his name and he has answered it. May I now ask the hon. the Minister for Education to say whether the special duties on which Mr. Moir was engaged have been finished by him?”

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The hon. Rao Bahadur Sir A. P. PATRO:—“I would like to have notice of this question.”

MR. S. SATYAMURTI:—“May I ask the hon. the Minister when his duty is likely to be finished?”

The hon. Rao Bahadur Sir A. P. PATRO:—“Notice.”

MR. S. SATYAMURTI:—“May I ask what the extra cost involved to the Government is in deputing a special officer for doing these two pieces of work?”

The hon. Sir CHARLES TODHUNTER:—“Perhaps I may be permitted to answer that question, Sir. There was no extra cost, because owing to the postponement of the meeting of the Assembly, Mr. Moir, who had returned from leave in order to go to the Assembly on a particular date, was without employment for the space of a few weeks. If we had sent him to a district and made him take over charge there for a week or two and then brought him back again, we should have incurred a large amount of expenditure in transfers, and it was cheaper to Government on the whole to put him on to a useful piece of work which we did.”

MR. S. SATYAMURTI:—“I am glad to get that answer, Sir.”

MR. SAMI VENKATACHALAM CHETTIYAR:—“May I know, Sir, whether the emoluments of Mr. Moir were debited to the Transferred Departments?”

The hon. Sir CHARLES TODHUNTER:—“The answer to that, Sir, is in the affirmative.” (Laughter.)

Fees of pupils in the Queen Mary's College.

362 Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the fees of pupils in the Queen Mary's College have been or are going to be raised this year;

(b) the rate of increase; and

(c) the reasons for the increase?

A.—The hon. Member is referred to the revised fee regulations for Arts Colleges under public management published with notification No. 267 on page 804 of Part I-B of the *Fort St. George Gazette*, dated the 24th October 1922. It has been decided to introduce these regulations in the Queen Mary's College for Women, Madras, from the beginning of the academic year 1924-25. The revision affects all Government Colleges and is consequent on the division of the academic year into three terms.

MR. S. SATYAMURTI:—“In view of the fact women's education is a thing which ought to be encouraged, will the hon. the Minister for Education say whether the Government mean making the fees in the Queen Mary's College less than the fees in the other colleges?”

The hon. Rao Bahadur Sir A. P. PATRO:—“The question has already been raised and is under examination. It is purely a matter of finance.”

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Scholarships to Muhammadans in the Ceded Districts College.

363 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Minister for Education be pleased to give the number of Government scholarships awarded to students in the Ceded Districts College, Anantapur, and state how many of them have been given to Muhammadans during the past three years?

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

Capitation grant to elementary school teachers in Malabar.

364 Q.—Diwan Bahadur M. KRISHNAN NAYAR: Will the hon. the Minister for Education be pleased to state—

(a) whether the capitation grant due from 1st April 1922 to 31st March 1923 to teachers in elementary schools under local boards in Malabar has not been paid till now; and

(b) whether, if it has not been paid till now, he will be pleased to see that it is paid without further delay?

A.—(a) & (b) The hon. Member's attention is drawn to the answer to similar question No. 359.

Educational subsidies to taluk boards.

365 Q.—Mr. V. C. VELLINGIRI GOUNDER: Will the hon. the Minister for Education be pleased to state whether it is a fact that many of the taluk boards are financially unable to meet the demands for providing more elementary schools in spite of the fact that taxes are being levied by them at maximum rates?

A.—No taluk board, except in two instances, has as yet levied all permissible taxes at maximum rates. Any increase of revenue certainly permits the taluk boards to open more elementary schools. If the hon. Member means a sufficient number of elementary schools to permit the introduction of compulsory education, he is informed that the whole question of the expansion of elementary education is now under investigation by a special officer.

Elementary education in villages.

366 Q.—Mr. V. C. VELLINGIRI GOUNDER: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government have any scheme on hand or propose to have one very soon to speedily diffuse elementary education in every village having a population of 300 and more; and

(b) if the answer is in the affirmative, when they will announce the scheme?

A.—(a) A scheme for the expansion of elementary education is under consideration.

(b) As certain very necessary preliminary details have yet to be collected in order to decide the exact line of action, it will take some time before the scheme is finally published.

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Admission of depressed classes pupils in the Ganapati Village Board Elementary School.

367 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the admission of pupils belonging to the depressed classes is being denied in the Ganapati Village Board Elementary School run by the Coimbatore Taluk Board;

(b) whether it is a fact that out of 120 pupils of non-depressed classes receiving instructions at present in the Ganapati Village Board Elementary School there is not a single pupil belonging to the depressed classes;

(c) whether it is a fact that the school receives provincial subsidy;

(d) whether it is a fact that a few pupils belonging to the depressed classes were kept outside the premises of the Ganapati Village Elementary School some time ago and taught through the window; and

(e) whether it is a fact that the pupils stayed away on account of the hardship they underwent in sun and rain?

A.—(a), (b), (c), (d) & (e) A report has been called for.

Secondary School at Melvisharam.

368 Q.—Mr. M. ABDULLA GHATALA SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether his attention has been drawn to the petition of the residents of Melvisharam, dated 26th December 1923, praying for the opening of a secondary school at that place;

(b) whether he is aware that Melvisharam is a big Muhammadan centre with a large and growing mercantile population; and

(c) whether any, and if so what, steps have been taken, or are proposed to be taken, to meet the wishes of the inhabitants?

A.—(a) The Government have received a petition.

(b) & (c) The matter is under investigation.

Compulsory education in Nandyal.

369 Q.—Mr. K. SARABHA REDDI: Will the hon. the Minister for Education be pleased to state—

(a) if any reference was made by the President, Taluk Board, Nandyal, during the last year for the introduction of compulsory education in the taluk board area; and

(b) if so, what action was taken in the matter?

A.—(a) Yes.

(b) The taluk board proposed to introduce compulsory elementary education in the two union villages of Nandikotkur and Atmakur. The Government directed that the board should first set to work for the expansion of elementary education in the two unions by opening more schools and providing vocational instruction in the higher standards and remarked that, after experience had been gained in the matter, the question of compulsory education might be considered.

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Raising the status of the Victoria College, Palghat.

370 Q.—Mr. K. PRABHAKARAN TAMPAN: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government have any idea of raising forthwith the Victoria College at Palghat to the first grade or of locating a first-grade college in any other place in Malabar; and

(b) whether it is a fact that the Government propose to appoint a committee to advise them as to the best place in the district for a first-grade college; if so, when the committee will be appointed?

A.—(a) The hon. Member's attention is drawn to the answer to question No. 70.

(b) The Government have at present no idea of appointing a committee.

The Brennen College, Tellicherry.

371 Q.—Mr. K. PRABHAKARAN TAMPAN: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government have sanctioned a new block of buildings for the Brennen College at Tellicherry; if so, when the scheme was sanctioned;

(b) whether the site for the new buildings has already been acquired, if so, at what cost;

(c) what the estimated cost of the scheme is, and how much has already been spent; and

(d) when he expects the new buildings to be ready for occupation?

A.—(a) & (b) No. The matter has been deferred for the present.

(c) & (d) The question does not arise.

Provident Scheme for teachers in non-pensionable service.

372 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Education be pleased to state whether the general opinion of the teachers in non-pensionable service in aided schools throughout the Presidency has been elicited before formulating the Provident Scheme embodied in G.O. No. 140, dated the 22nd January 1923?

A.—Yes, the opinions of representative bodies and associations of teachers in the Presidency were taken.

Excise.*Local option to local bodies.*

373 Q.—Khan Bahadur HAJI ABD-UL-LAH HAJI QASIM SAHIB Bahadur: Will the hon. the Minister for Education be pleased to state whether it has been decided to give local option to local bodies in the matter of locating liquor and ganja shops; and if so, from what date?

A.—No decision has yet been arrived at in the matter.

Mr. S. SATYAMURTI:—"May I know when the hon. the Minister for Education expects to be in a position to come to a decision on this matter, approximately?"

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The hon. Rao Bahadur Sir A. P. PATRO:—"The Excise Advisory Committee meets on the 1st. It will have to meet again and the questions are being raised for its consideration. It is not possible for me to say just now when it will be finished."

Mr. S. SATYAMURTI:—"Even approximately, Sir?"

(No answer.)

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"May I know from the hon. the Minister if this specific question of handing over local option to local bodies has been under the consideration of the Government?"

The hon. Rao Bahadur Sir A. P. PATRO:—"The general temperance reform is under the consideration of the Government."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"May I know from the hon. the Minister for Education that in view of the fact that the question regarding this temperance has been pressed upon his attention ever since the Council met in 1921, whether there is any satisfactory reason for the long delay in giving effect to it?"

The hon. Rao Bahadur Sir A. P. PATRO:—"I have been pressing this question on the attention of the Government for the last ten or twelve years."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, my question has not been answered. Any question put by him within the last twelve years must have been raised by him as a public man. My question is this. In his capacity as Minister for Excise the necessity for this reform has been pressed upon his attention ever since 1921, the very first year when this Council met after the Reforms. Notwithstanding that, I ask him to say why there has been so much delay in giving effect to this proposal, or even in formulating a scheme to give effect to the question of local option?"

The hon. Rao Bahadur Sir A. P. PATRO:—"I have summarized the work that has been done up till now in a note placed before this House. The note was prepared by me for the information of the Excise Advisory Committee and was placed last month on the Table of the House."

Mr. C. RAMALINGA REDDI:—"Is it because the hon. the Minister is still considering the policy?"

The hon. Rao Bahadur Sir A. P. PATRO:—"I have been examining all the policies that have hitherto been adopted in other provinces and also the better methods that we are to adopt in this province. I want to evolve a policy more suitable to the conditions of this province, whether it be local option, rationing, or excise system, whatever it is. We are examining that very carefully, and the policy will be intimated as soon as the examination is completed."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"May I know if the hon. the Minister for Education has at least consulted local bodies as to this question of local option?"

The hon. Rao Bahadur Sir A. P. PATRO:—"We have taken the advice of experts who have been working in the cause of temperance for many years, both official and non-official. We have also taken statements

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from persons belonging to the missionary bodies as well as non-missionary bodies, who have been working among the masses and among the drinking classes. There is a large volume of evidence which, if any hon. Member wants to refer to, I shall be very glad to show him the files and replies received."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Will it be placed on the table of the House?"

The hon. Rao Bahadur Sir A. P. PATRO:—"It consists of about 150 replies and it will take about 500 to 600 pages in print."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"At least a summary of it may be placed on the table."

(No answer.)

Mr. S. SATYAMURTI:—"Is the Government also considering the policy of total prohibition as one of the means of putting down drink altogether in this country?"

(No answer.)

Liquor manufactured by Messrs. Parry & Co.

374 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education (Excise) be pleased to state—

(1) whether it is a fact—

(a) that the water taken at Mangalore for mixing with country liquor manufactured by Messrs. Parry & Co. is from a well which gets brackish in summer on account of the river close by;

(b) that it is carried first to a tank lined with iron or steel plates which not being galvanised get constantly rusty;

(c) that it is finally mixed with liquor without being filtered;

(d) that liquor is conveyed to Mangalore in steel casks which till recently gave a reddish or muddy colour to the liquor;

(e) that the Revenue Board and other Government authorities passed such discoloured liquor as fit for drinking;

(f) that much of the liquor sold in shops in South Kanara is adulterated with camphor boiled in hot water or liquid camphor mixed in water;

(2) (a) what caused the colouring of the liquor;

(b) whether any steps have been taken to prevent such taint or poisoning; and

(3) whether any Government officers in the Excise Department have heard any complaints about it; if so, whether local inquiries have been made and with what result?

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

Mr. J. A. SALDANHA:—"I have been in favour of stopping the manufacture of liquor altogether. If you are going to give us liquor at all, let it be decent liquor." (Laughter.)

The hon. Rao Bahadur Sir A. P. PATRO:—"Is the hon. Member asking a question or giving a dissertation to the House, Sir?"

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Mr. J. A. SALDANHA:—"I have not finished my question, Sir. My suggestion is therefore that as this question pertains not only to my district where the liquor supplied is abominable but to the whole Presidency I shall be very much obliged if the hon. the Minister for Excise will be pleased to call for information on all the points I have raised in this question."

The hon. Rao Bahadur Sir A. P. PATRO:—"I do not quite follow the hon. Member whether he considers from his experience that the liquor that is served is strong or weak. It is not clear what he means by saying decent liquor is not served out." (Laughter.)

Mr. J. A. SALDANHA:—"It is a stinking dirty stuff, Sir." (Laughter.)

The hon. Rao Bahadur Sir A. P. PATRO:—"I am very sorry to hear my hon. Friend's experience about it. If there is any specific instance where it was so served, I should like to have it examined."

Mr. A. RANGANATHA MUDALIYAR:—"I rise to a point of order, Sir. Is it open to the hon. Member to make an insinuation in that way?"

The hon. the PRESIDENT:—"He has not made any insinuation."

Mr. A. RANGANATHA MUDALIYAR:—"His reference to experience appears to be objectionable."

The hon. the PRESIDENT:—"As I understand it, I do not think the hon. Member is wrong. He did not refer to personal experience. There was no insinuation at all."

Mr. J. A. SALDANHA:—"If I have no objection to drink European liquor there is no reason why I should feel ashamed to take country liquor. . . ."

The hon. the PRESIDENT:—"I do not think there is any occasion for further remarks. Everybody here has heard what fell from the hon. the Minister for Excise. By 'experience' he only meant observation, and there is no need to make any further comment."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"May I know whether the experience of the hon. the Minister for Excise is otherwise in this respect." (Laughter and cheers.)

The hon. Rao Bahadur Sir A. P. PATRO:—"Yes. If the hon. Member for the City of Madras refers to an experience different from that of the hon. Member for South Kanara, I should certainly say 'yes' to his question."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Will the hon. Member be more clear? I was not able to catch him, Sir?"

The hon. the PRESIDENT:—"We had better proceed with the supplementary questions proper."

Liquor manufactured by Messrs. Parry & Co.

375 Q.—Mr. J. A. SALDANHA: Will the hon. the Minister for Education be pleased to state whether the local excise authorities in Mangalore had to reject in 1923 any casks or quantity of liquor sent by Messrs. Parry & Co., as inferior or below the required under-proof strength in the year 1923, and if so, how many casks or quantity of such liquor?

A.—The Government have no information.

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Mr. C. V. VENKATARAMANA AYYANGAR :—" May I ask whether Government will be prepared to call for the information in view of the allegations made ?"

The hon. Rao Bahadur Sir A. P. PATRO :—" I do not think it is necessary to go into it at all."

Mr. J. A. SALDANHA :—" I want the Government to have inquiry made about the action of the local excise authorities. Will the Government call for the information on this question ?"

The hon. Rao Bahadur Sir A. P. PATRO :—" I have already replied to the hon. Member for Coimbatore on it."

Mr. J. A. SALDANHA :—" That is 'no information will be called for.'"

Liquor shops in Malabar.

376 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Local Self-Government and the hon. the Minister for Education (Excise) be pleased to state—

(i) whether any local boards, municipalities and unions in South Kanara and Malabar have made applications for restricting the number of liquor shops and which of them and when and to what extent were restrictions sought ;

(ii) which of the applications were rejected or partially granted and on what grounds ?

A.—(i) Two resolutions, one from the Municipal Council, Mangalore, and another from the Municipal Council, Palghat, were received in 1922 and 1924 respectively for the removal of arrack and toddy shops from within the municipal limits.

(ii) The Government were unable to accept the recommendation of the Municipal Council, Mangalore, because even with the existing number of shops in the town, illicit sale of liquor is reported to be common.

No orders have yet been passed on the application from Palghat.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I know from the hon. the Minister for Excise whether, before the recommendation of the Municipal Council of Mangalore was rejected, the local Advisory Committee was consulted ?"

The hon. Rao Bahadur Sir A. P. PATRO :—" I am afraid I want notice of the question."

Distillation of liquor from Kaju and other products.

377 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Education (Excise) be pleased to state—

(1) whether any analytical tests have ever been made of the various kinds of fruits (including Kaju) and flowers and other materials suitable for the production of liquor and if so what they are ;

(2) if not, whether the Government will be pleased to have an analysis made of liquor produced therefrom and place its results before this Council ;

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(3) (a) whether it is a fact that Kaju fruits and toddy were once largely made use of in South Kanara for manufacturing liquor ;

(b) whether in popular estimation such liquor was found less deleterious than that produced by Messrs. Parry & Co. ;

(4) whether it is a fact that there is great discontent among the people in South Kanara on account of the alleged inferior quality and mixture of bad water ;

(5) whether by allowing distillation of liquor from Kaju and other products in each district separately by reliable Indian contractors any loss would result, and if so what ; and

(6) whether liquor of low strength cannot be had without being mixed up with water ?

A.—The Government have no information.

Mr. J. A. SALDANHA :—" Will the Government be pleased to call for information on this point ?"

The hon. Rao Bahadur Sir A. P. PATRO :—" It will serve no useful purpose."

Report of Messrs. Strathie and Shanmugam Chettiay.

378 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR : Will the hon. the Minister for Education (Excise) be pleased to state—

(1) whether orders have been passed on the report of Messrs. Strathie and Shanmugam Chettiay ;

(2) whether the Government will be pleased to publish the report ; and

(3) what is the excise policy the Government intend to pursue ?

A.—(1) & (2) The hon. Member is referred to the answer given to question No. 861 at the meeting of the Council held on the 12th March 1923.

(3) The Excise policy is indicated in the note prepared for the Excise Advisory Committee which was placed on the table of the House. The Excise Advisory Committee have not yet completed their enquiry.

Sale of liquor in the Atur taluk, Salem.

379 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Education be pleased to state—

(a) whether in the experiment now made in the Atur taluk of the Salem district prohibiting the sale of arrack, any provision is made to prevent the increased consumption of cheap foreign liquor like beer the sale of which does not appear to have been prohibited in that area ; and

(b) if not, whether the Government contemplate taking any steps to prevent the sale of beer and other foreign liquors in the said area except for medicinal purposes ?

A.—(a) & (b) There are no foreign liquor and beer shops in the taluk.

Mr. T. ADINARAYANA CHETTIYAR :—" May I take it that there are no foreign liquor shops introduced after April 1923 ?"

The hon. Rao Bahadur Sir A. P. PATRO :—" No foreign liquor shops."

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Country liquor manufactured by Messrs. Parry & Co.

380 Q.—Mr. J. A. SALDANHA: Will the hon. the Member for Education be pleased to state—

(1) what are the products and materials from which country liquor is manufactured by Messrs. Parry & Co.;

(2) whether it is a fact that it gives a horrible stench and bad taste specially when diluted with water before it is distributed for sale, and is ordinarily mixed with sweet aerated waters to disguise the stench;

(3) in what kind of vessels is the liquor distilled and what precautions are taken against metallic poisoning; and

(4) whether it is not possible to manufacture liquor without the stench it gives out?

A.—(1) Bases used are molasses from Java and treacle, a by-product obtained in the manufacture of sugar.

(2) No.

(3) Liquor is manufactured in patent European stills such as Ilges and Coffey's stills and is free from metallic poisoning. The precautions taken are periodical tests in the Board's Laboratory apart from tests carried out by the Firm's European Chemist on the spot. The liquor is also tested in the Board's Laboratory from time to time.

(4) No stench is given out.

Mr. J. A. SALDANHA:—“Will the hon. the Minister say why molasses should be ordered from Java and other places? Is it not possible to get molasses in India, or even in this Presidency? I for one know there is lot of molasses to be obtained in this Presidency.”

The hon. Rao Bahadur Sir A. P. PATRO:—“Messrs. Parry & Co. are the best judges in the matter, and they are businessmen. The molasses are indented for by them and not by the Government.”

Mr. J. A. SALDANHA:—“Why should not the Government try to obtain molasses themselves?”

The hon. Rao Bahadur Sir A. P. PATRO:—“It is purely a business concern of Messrs. Parry & Co.”

Mr. J. A. SALDANHA:—“What I want is that the Government should obtain the molasses and manufacture liquor instead of leaving it to one single Company, Messrs. Parry & Co., for the whole Presidency.”

The hon. Rao Bahadur Sir A. P. PATRO:—“Does the hon. Member suggest that Government should manufacture arrack and sell it themselves?”

Mr. J. A. SALDANHA:—“I do suggest that. If you want liquor at all, let the Government manufacture it and give good liquor.”

Public Works.

List of Government buildings rented in Madras.

381 Q.—The RAJA OF RAMNAD: Will the hon. the Minister for Education and Public Works be pleased to furnish a list of Government buildings rented

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to Government servants in the city of Madras, including Adyar, with rent paid for each house per month and if possible the value and date of purchase of each one of the buildings?

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

The RAJA OF RAMNAD:—“Will the hon. the Minister for Education and Public Works say on what basis these rents are charged, whether they are on the value of the building or on the pay of the officer occupying the building?”

The hon. Rao Bahadur Sir A. P. PATRO:—“There are definite rules on the matter, and I shall be very glad to give a copy of those rules to the hon. Member. All the rents are pooled and they are distributed over the buildings according to the capital cost.”

Mr. S. SATYAMURTI:—“With reference to column 2 in Appendix VI at page 71 of this volume of questions, may I know from the hon. the Minister for Education and Public Works whether the figures given there represent the present value of the buildings or the value at which they were bought?”

The hon. Rao Bahadur Sir A. P. PATRO:—“The hon. Member is referred to column 3 where the year of purchase is given.”

Mr. S. SATYAMURTI:—“I beg to know, Sir, whether the values given in column 2 represent the present value or the value at which they were bought.”

The hon. Rao Bahadur Sir A. P. PATRO:—“Again I invite attention to column 3 giving the dates.”

The hon. the PRESIDENT:—“The hon. Member wants to know whether the value given is that at the time of purchase or the present value.”

The hon. Rao Bahadur Sir A. P. PATRO:—“That is stated in column 3.”

The hon. the PRESIDENT:—“Column 3 only gives the date.”

Mr. S. SATYAMURTI:—“The juxtaposition of the columns does not show any relation between those columns (columns 2 and 3). Does it show the present value or the value at which they were bought? If the hon. Member seriously thinks so, let him get up and say so. It is a very simple and obvious question to answer.”

Mr. SAMI VENKATACHALAM CHETTIYAR:—“Is the hon. the Minister in a position to deny that they are valuation at the time of purchase?”

The hon. Sir CHARLES TODHUNTER:—“May I answer that question, Sir. The rules will be found in the Fundamental Rules which provide for the calculation of a standard rent based firstly upon the cost of the building and the site, secondly on the additions to capital cost made subsequent to purchase, and thirdly on the cost of repairs. In other words, the standard rent must cover the interest on capital cost plus subsequent additions and a reasonable amount for repairs from year to year. Therefore the value of the building does not represent exactly the value at the time of purchase. It represents the capital expended on the acquisition or construction of the buildings, plus the capital cost on account of additions subsequently made.”

Mr. S. SATYAMURTI:—“That is what I wanted.”

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Mr. C. V. VENKATARAMANA AYYANGAR :—“ Is there no account taken of deterioration ? ”

The hon. Sir CHARLES TODHUNTER :—“ The hon. Member is perfectly correct. The one thing which never deteriorates is a Government residence.” (Laughter).

Registration.

Appointment of Sub-Registrars.

382 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Education be pleased to state—

(1) the number of sub-registrars appointed during the period of the last Council (1920—23), castewar, with their educational qualifications, and

(2) the number of sub-registrars removed, if any, from service, during the same period, castewar, with their educational qualifications ?

A.—(1) The number of Sub-Registrars including Probationary Sub-Registrars appointed during the period of the last Council (1921-23) is given below distributed with reference to their caste and educational qualifications :—

—	B.A.	Intermediate.	Matric. or Secondary School-Leaving Certificate.	Unpassed.	Total.
Brahmans	36	4	3	..	43
Non-Brahman (Hindus)	47	27	25	..	99
Muhammadans	1	7	9	1	18
Indian Christians	5	3	..	..	8
Anglo-Indians	1	..	1	..	2
Total	90	41	38	1	170

(2) The number of Sub-Registrars including Probationary Sub-Registrars removed from service during the above period is shown below under similar heads :—

—	B.A.	Intermediate.	Matric. or Secondary School-Leaving Certificate.	Total.
Brahmans	8	1	..	9
Non-Brahman (Hindus)	1	1	1	3
Muhammadans	..	..	3	3
Indian Christians	..	2	..	2
Anglo-Indians	..	..	1	1
Total	9	4	5	18

Mr. T. ADINARAYANA CHETTIYAR :—“ Are we to take it that it is by mereest accident that the dismissal rate is so high in the unfortunate Brahman community ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I think so.”

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Mr. S. SATYAMURTI :—“ Is it a mere accident ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ It is so, I believe.”

Mr. YAHYA ALI SAHIB :—“ May I ask whether the three Muhammadans who were removed from service were appointed during the time of the present Inspector-General or that of his predecessor ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The answer given to the question is in reference to the period 1920 to 1923.”

Mr. ABBAS ALI KHAN :—“ Is the present Minister also in it ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Partly.”

Mr. ABBAS ALI KHAN :—“ Will the hon. the Minister say how many Muhammadans he appointed while he was in charge and how many of them were gazetted officers ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I will obtain the information and furnish it to the hon. Member.”

Sriman BISWANATH DAS MAHASAYO :—“ What are the special reasons which led the hon. the Minister for Education to appoint unpassed candidates as Sub-Registrars ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Unrepresented communities, depressed classes and such other special reasons.”

Sriman BISWANATH DAS MAHASAYO :—“ Will he give us any idea as to the places in which such appointments were made ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ No.”

Mr. ABBAS ALI KHAN :—“ Is it a fact that now only graduates are appointed ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Preferably graduates.”

Mr. ABBAS ALI KHAN :—“ Where no Muhammadan graduates are forthcoming, will the hon. the Minister make an exception in the case of Muhammadans ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Yes, as in the case of backward and other communities where there is a paucity of graduates and persons who have received higher education.”

Mr. S. SATYAMURTI :—“ Are Muhammadans a backward community ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I believe I said backward and other communities.”

Rao Bahadur C. NATESA MUDALIYAR :—“ Are there any Anglo-Indians included ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ There are.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ Are the Muhammadans placed under the Labour Commissioner ? ” (Laughter).

Granting of leave to clerks in the Registration department.

383 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Education be pleased to state—

(1) whether it is a fact that the present Inspector-General of Registration has increased the quantity of work prescribed for each clerk by about 50 per cent ;

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(2) whether it is a fact that leave of absence is not usually granted to subordinates in the Registration Department and that in usual practice leave of absence is granted only on production of medical certificates; and

(3) whether it is a fact that even when leave is granted on production of medical certificates, no substitutes are usually appointed to act for the absentees and that as a consequence the remaining clerks are made to do the absentees' work in addition to their own heavy work?

A.—(1) It is not a fact that there has been a general increase of 50 per cent in the quantity of work prescribed for each clerk, but in cases of leave and other vacancies, the clerks are expected to turn out more work, say up to 50 per cent of the standard fixed for each clerk, till the vacancies are filled up.

(2) & (3) The answer is in the negative.

Mr. T. ADINARAYANA CHETTIYAR:—“Will the hon. the Minister say whether he does not think it is unfair that such heavy extra work should be imposed on the already overworked clerks and whether he will see that such a thing is not done?”

The hon. Rao Bahadur Sir A. P. PATRO:—“The answer is ‘No’.”

Itinerary Sub-Registrars.

384 Q.—Mr. P. PEDDIRAJU: Will the hon. the Minister for Education (Registration) be pleased—

(i) to state

(1) the number of Sub-Registrars working on the itinerary system;

(2) whether the system has been successful; and

(ii) to place on the table a statement containing the results of that system?

A.—(i) (1) The only place where the itinerating system of registry is now in vogue is Kannamangalam in the sub-district of Vellore. One of the two Joint Sub-Registrars attached to the Registrar's office, Vellore, visits Kannamangalam once a week and does registering work there.

(2) Yes.

(ii) The itinerating Sub-Registrar registered at Kannamangalam 1,029 documents for the period from the 1st August 1922 to 30th April 1923. The collections made and expenditure incurred on account of the registration of documents by the itinerating officer at Kannamangalam are shown below:—

	Collections.	Expenditure.	Surplus.
	RS.	RS.	RS.
Kannamangalam	2,116	1,809	307

The scheme has more than fulfilled expectations from a financial point of view, as also from the point of view of public convenience and it is proposed to extend it to three more places in March 1924.

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Tamil Lexicon.

385 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state—

(a) the amount of money so far spent by the Government on the preparation of the Tamil Lexicon;

(b) the amount of work so far done;

(c) the amount of money which will have to be spent before the work is completed;

(d) the time when the work is expected to be finished; and

(e) the opinions of experts, if any, who have been consulted, as to the value of the work?

A.—(a) A sum of Rs. 1 lakh was sanctioned by Government for expenditure on the preparation of the Tamil Lexicon. This has been fully utilized and the University has been meeting further expenditure from grants annually placed at its disposal by Government. The total amount spent up to the 31st March 1923 was Rs. 1,41,736. The Government have no information as to the amount spent subsequent to that date.

(b) The hon. Member's attention is invited to the periodical reports on the progress of the Tamil Lexicon, which are placed on the Editors' Table. The latest of the reports is printed in G.O. No. 1236, Law (Education), dated 5th September 1923.

(c) Rupees 1,19,264 as per estimate framed in 1921.

(d) In about three years.

(e) The Government have not consulted experts as to the value of the work which is under the supervision of the Syndicate of the University of Madras.

Mr. S. SATYAMURTI:—“Does not the hon. the Minister for Education know that under his University Act for the last one year nearly there has been no Syndicate in the University of Madras? We are just now having the election for the Syndicate. May I ask him to explain what he means by the answer to clause (e), viz., ‘The Government have not consulted experts as to the value of the work which is under the supervision of the Syndicate of the University of Madras’, which is a non-existent body?”

The hon. Rao Bahadur Sir A. P. PATRO:—“I thought the hon. Member who represents the University interests in this House was aware of the University affairs which are governed now by the Vice-Chancellor and his Advisory Committee which does the function of the Syndicate.”

Mr. S. SATYAMURTI:—“I know that. It is not an answer to my question. The answer given on the paper has reference only to the Syndicate, which is a non-existent body. Am I to infer from that statement of the hon. the Minister that what is to be done by the Syndicate is being done by some other body?”

Mr. A. RAMASWAMI MUDALIYAR:—“May I ask the hon. Gentleman who has put the question where he found stated the information that the Government did not consult experts between May 1923 and January 1924 during the short period in which the Syndicate was non-existent?”

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(3) whether the hon. the Minister for Development will be prepared to formulate a scheme of Co-operative Service consisting of two grades (i) Superior service for district charges and (ii) Subordinate service for inspection and auditing ;

(4) whether the training now given to Assistant Registrars and Inspectors cannot be suitably modified by establishing a co-operative institute for training such men similar to the system obtaining in Bombay ; and

(5) whether in the selection of such men he will be prepared to encourage men with diplomas in commerce, agriculture and economics ?

A.—(1) A statement giving the information asked for is appended.*

(2) There are seven Chief inspectors with five years' service as such ; but no qualifications under the examination rules have been prescribed for appointment as Assistant Registrar.

(3) The Government see no necessity for the proposed alteration in the existing organization of the department.

(4) The Government do not consider that the establishment of a co-operative institute in Madras is feasible at present.

(5) The Government are always prepared to encourage such men provided they are suitable in other respects.

Mr. T. ADINARAYANA CHETTIYAR :—" May I know with reference to the answer given to clause (2) whether it does not leave the door open to patronage ? "

The hon. the PRESIDENT :—" It is a matter of opinion. If the hon. Member wants any information, he can ask a supplementary question and not otherwise."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" In view of the fact that till lately the assistant registrars of co-operative societies were recruited from the cadre of deputy collectors, may I know what are the rules prescribed with regard to their appointment ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" This is an important matter and I want to investigate into it before I can answer. I want notice."

Mr. T. ADINARAYANA CHETTIYAR :—" In the appendix given at page 72, it is shown that people have been taken from clerical and lower cadres. I wish to know what are the special qualifications they are required for the place ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" If he wishes me to give him information on matters of such magnitude, I require time to collect the information."

Mr. T. ADINARAYANA CHETTIYAR :—" Is it a fact that there has been a scheme formulated already about the department some time back ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" I am not aware of it."

* Printed as Appendix V on page 448 infra.

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House-building societies on co-operative lines.

390 Q.—Mr. T. ADINARAYANA CHETTIYAR : Will the hon. the Minister for Development be pleased to give details of allotment, districtwar, of funds placed at the disposal of Government for utilization by house-building societies on co-operative lines during the years 1922-23 and 1923-24 ?

A.—No funds were allotted for the purpose in 1922-23.

For 1923-24 a sum of Rs. 4,00,000 has been placed at the disposal of the Registrar who has not made any districtwar allotment but has been dealing with the applications for loans as they were received. The following statement shows the amounts which have hitherto been sanctioned for the several districts and the applications now pending with the Registrar :—

District.	Amount already sanctioned.	Amount yet to be sanctioned to complete construction of houses.	Amount for which loan applications are pending investigation or sanction.
	RS.	RS.	RS.
North Arcot ...	43,500	28,450	23,800
South Arcot ...	29,000	16,419	...
Bellary ...	8,000	16,350	...
Chingleput ...	7,050	...	...
South Kanara ...	7,620	...	21,200
Madras ...	63,750	...	...
Kistna ...	24,450	3,300	...
Madura ...	20,000	42,000	...
Tinnevely ...	15,000	...	...
Salem ...	...	...	2,000
	2,18,370	1,06,519	47,000

Honorary Assistant Registrars of Co-operative Societies.

391 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Development be pleased to state—

(a) the principles on which appointments of Honorary Assistant Registrars are made ;

(b) whether all those who have been appointed so far have been appointed solely with reference to those principles ; and

(c) whether he will lay on the table a statement of the work done by these Honorary Assistant Registrars during the year 1923 ?

A.—(a) It is the policy of the Government to appoint Honorary Assistant Registrars from amongst actual active workers in the movement.

(b) This principle is followed whenever local conditions render it possible to do so.

(c) The information is not available.

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Mr. S. SATYAMURTI :—" With reference to the answers given to (a) and (b), may I know what are the principles guiding their appointments when 'actual active workers in the movement' are not available?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" It is not obligatory on the part of the Government to appoint assistant registrars. If proper men are available the Government appoint such men, otherwise not."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" With regard to answer to clause (c), may I know if no information is available because there is no work done by them?"

Mr. ABHAS ALI KHAN :—" Will the Minister be pleased to consider the claims of the Muhammadans, if any?"

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" With reference to clause (b), I wish to know further how many honorary assistant registrars have so far been appointed and how many of them have been appointed in accordance with the principles laid down in answer to clause (a)?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" The answer, if attempted, will involve the analysis of the appointment of 89 men."

Appointment of Nadars as Honorary Assistant Registrar of Co-operative Societies.

392 Q.—Mr. P. K. S. A. ARUMUGA NADAR : Will the hon. the Minister for Development be pleased to state whether it is a fact that there is no Nadar appointed as Honorary Assistant Registrar of Co-operative Societies in the southern districts?

A.—It is so.

Mr. P. K. S. A. ARUMUGA NADAR :—" May I know whether there is any special reason for not appointing any Nadar?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" Want of proper men."

Mr. P. K. S. A. ARUMUGA NADAR :—" What are the qualifications?"

Mr. R. VEERIAN :—" How many Adi-Dravidas have been appointed up to this as honorary registrars?"

Co-operative Credit Societies for scavengers, etc., in Malabar.

393 Q.—Mr. R. VEERIAN : Will the hon. the Minister for Development be pleased to state—

(a) the names of all the municipalities that have already started Co-operative Credit Societies and Stores within the Malabar district for scavengers and other menials; and

(b) the names of all the municipalities that have not already organized or started Co-operative Credit Societies and Stores within the Malabar district for scavengers and other menials?

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

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Empire Exhibition.

The British Empire Exhibition.

394 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Development be pleased to state—

(a) whether the Government have accepted, or propose to accept, the resolution of the Legislative Council regarding the non-incurring of any further liability on account of the British Empire Exhibition;

(b) whether any further liability has been incurred on this account, since the above resolution was passed by the Legislative Council; and

(c) whether there are any further liabilities which are expected to be incurred on this account, and, if so, the nature and extent of these liabilities?

A.—(a) & (b) The hon. Member is referred to the answers to clauses (c) and (b) of question No. 71.

(c) No further liabilities are expected to be incurred so far as can be foreseen at present.

Industries.

Christian representation in certain departments.

395 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Development be pleased to state—

(1) the number of Christians employed in the Departments of Industries and Fisheries on posts carrying a salary of Rs. 50 and upwards; and

(2) the number of scholarships granted to Christian students by the aforesaid departments during 1920-21, 1921-22 and 1922-23?

A.—(1) The figures will be found in due course in the returns prescribed in G.O. No. 658, Public, dated 15th August 1922, as modified by G.O. No. 563, Public, dated 21st July 1923.

(2) The Government have no information.

Allotments made under the State Aid to Industries Act.

396 Q.—Mr. A. V. BHANOJI RAO : Will the hon. the Minister for Development be pleased to place on the Council Table a statement containing information on the following heads in connexion with the working of the State Aid to Industries Act :—

(a) the amount allotted and available for the purpose of giving loans under the enactment;

(b) the numbers and the names of the applicants for loans, the amounts applied for and the amounts sanctioned to each up to now and the grounds of rejection in case of rejection; and

(c) the amount that is likely to be distributed on loans before the end of the current official year?

A.—(a), (b) & (c) A sum of Rs. 8 lakhs was originally allotted but owing to unavoidable delay in constituting the Board no loans have been, or are likely to be, sanctioned in the current official year.

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Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I request the hon. the Minister for Development to lay on the table the numbers and names of applicants for loans ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" I regret I am unable to do so as there is a difference of opinion with regard to its desirability. "

Mr. S. MUTTAYYA MUDALIYAR :—" I wish to know how many applications have been received. "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" I want notice. "

Mr. S. MUTTAYYA MUDALIYAR :—" The question is already there. "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" The answer that could be given is also there already. "

Mr. S. MUTTAYYA MUDALIYAR :—" Will the hon. the Minister be pleased to state whether the Board formed in December had no opportunity of functioning itself till the end of March ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" It is not completely formed. "

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Will the application be placed before the Board of Industries now that it is constituted ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" They will be forwarded as soon as it fully constituted. "

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I know when it is likely to be completely constituted. "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" Replies as to consent have not yet been received from some members who have been communicated with. "

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Is it left to them, Sir, to determine the date also ? "

Mr. S. MUTTAYYA MUDALIYAR :—" Is not the grant of 8 lakhs liable to lapse if the Board does not meet before March end ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" Of course. "

Mr. S. MUTTAYYA MUDALIYAR :—" Is it likely that it will be restored ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" The Budget is under consideration. "

The sugar industry.

397 Q.—Mr. K. SARABHA REDDI: Will the hon. the Minister for Development be pleased to state—

(a) whether he is aware of the leaderette in the *Hindu*, dated 31st December 1923, on the prospects of the sugar industry;

(b) how many tons of refined sugar were imported last year into the Presidency;

(c) why a large quantity of refined sugar was imported in spite of great facilities for sugarcane production;

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(d) whether refined sugar cannot be produced from the sugarcane grown in the Kurnool district;

(e) whether the Government ever experimented;

(f) if so, with what results; and

(g) if the Government have not till now experimented, whether they will be pleased to do so now at least?

A.—(a) Yes.

(b) The total imports of refined sugar into this Presidency in 1922–23 were 20,788 tons, of which 9,474 tons were imported direct from foreign countries and 11,314 tons from other ports in India.

(c) to (g) The conditions essential to the successful establishment of a sugar refining industry in this country are stated in detail in the report of the Indian Sugar Committee to which the hon. Member is referred. Those conditions do not exist in the Kurnool district where, in 1921–22, the latest year for which figures are available, the total area under sugarcane was only 239 acres.

Mr. S. SATYAMURTI :—" In view of the importance of the sugar industry in this Presidency, may I ask the hon. the Minister for Development to consider the desirability of answering the questions (e), (f) and (g)? Some figures are given with regard to the conditions that are required but nothing is stated about any experiments that the Government themselves have made. "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" I shall make enquiries. "

Mr. A. RANGANATHA MUDALIYAR :—" What is the area that would justify the establishment of a sugar refining industry ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" Some 6,000 acres. "

Mr. A. RANGANATHA MUDALIYAR :—" Are there not other districts where there are compact areas of that extent ? "

Mr. V. C. VELLINGIRI GOUNDER :—" In view of the importance of the industry, if suitable soil is not to be found, will the Government be pleased to consider the desirability of trying the experiment on a smaller scale ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" The question will be considered. "

Mr. A. RANGANATHA MUDALIYAR :—" May I know, Sir, whether it is a fact that more than six thousand acres are under sugar-cane cultivation in the Bellary district ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" It is a fact. "

Veterinary.

Touring Veterinary Sub-Assistant Surgeons.

398 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Development be pleased to state—

(a) whether the Government are willing to appoint more touring Veterinary Sub-Assistant Surgeons and establish more Veterinary hospitals or dispensaries in Nellore district; and

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(b) if the Government are willing, how many in each case, in what localities of Nellore district and when?

A.—(a) & (b) It is proposed to post a touring Veterinary Assistant Surgeon to Gudur in 1924-25 and, if funds permit, to open a Veterinary dispensary at Kavali in 1925-26.

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"In view of the answer given in the latter part, may I ask the Minister for Development to be pleased to consider the desirability of starting it in as many centres as possible?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"I shall be quite prepared to do so to the extent to which present funds permit. But if more funds are available, I shall only be too glad to comply with the request."

Listed Posts.

12-30 p.m. 399 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Finance be pleased to state—

(a) the date from which the listed post of Settlement Secretary to the Board of Revenue was abolished;

(b) whether any other post has been listed in its stead for officers of the Madras Provincial Civil Service and, if so, what post and from what date; and

(c) whether the post of Secretary to the Government of India in the Law or any other department is included in the posts listed for the Madras Provincial Civil Service, and if so, from what date?

A.—(a) The post in question was abolished with effect from the 24th February 1922.

(b) The matter is under reference to the Government of India.

(c) No posts in the Government of India are listed for the Madras Civil Service.

Listed Posts.

400 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Finance be pleased to state whether orders have been received from the Secretary of State for India that there should be no reduction of the number of listed posts in the Presidency?

A.—The hon. Member apparently has in mind the Resolution of the Government of India, Home Department No. 2559, dated 1st December 1920, paragraph 9 of which runs as follows :—

"Promotion from the Provincial Service.—The Commission recommended some reduction in the number of 'listed' posts, but the Government of India have decided not to reduce the chances of promotion open to officers of the Provincial Service until they are in a position to appreciate more accurately than is possible at present the effect of the rules now framed regarding direct recruitment to the Indian Civil Service in India."

No further orders on the subject have been received.

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Public Services.

Rules framed for the appointment and control of officers in the Public Services.

401 Q.—Rao Bahadur T. A. RAMALINGA CHETTIYAR : Will the hon. the Member for Finance be pleased to state—

(1) whether any rules were framed for the appointment and control of officers of the Public Services in the pre-Reform days;

(2) if so, whether the Government will be pleased to lay a copy on the Table;

(3) if not, what was the procedure adopted in making appointments and who made them;

(4) whether any rules have been framed after the Reform Act was passed in 1919;

(5) whether the Government will be pleased to lay them on the table;

(6) whether any changes have been made in the rules or procedure within the last six months; and

(7) if there has been any change in the rules or the procedure followed, what is the reason for such change?

A.—The existing position of affairs has been explained at length in the answer to question No. 197. The position as it affected Members of Council prior to the Reforms was substantially the same as it is now. The Government do not propose to lay any papers upon the table.

Public Services Commission.

Evidence of the European Officers of the Indian Education Service before the Lee Commission.

402 Q.—Mr. S. SATYAMURTI : Will the hon. the Member for Finance and the hon. the Minister for Education be pleased to state whether his attention has been drawn to the Memorandum of Evidence submitted by the Association of European Officers of the Indian Education Service to the Lee Commission, and the enclosures thereto?

A.—Yes.

Mr. S. SATYAMURTI :—"May I ask the hon. the Minister for Education whether he has noted the fact given in evidence in the course of the proceedings of the Lee Commission that the European officers do not get sufficient or adequate protection from the Minister and, if so, if that is a fact?"

The hon. Rao Bahadur Sir A. P. PATRO :—"I do not know any such allegation was made, and, if the allegation was made, I say, the allegation is incorrect."

Stationery and Printing.

High cost of printing in certain Government Presses.

403 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Member for Finance be pleased to state—

(1) why the average cost of printing per page is so high as Rs. 6-7-3 at the Penitentiary Branch Press and Rs. 2-10-9 in the Ootacamund Branch Press while it is less than Rs. 1-14-0 in the Central and Mount Road Branch Presses;

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(2) why the cost of 1,000 impressions is Rs. 8-11-7 in the Ootacamund Branch Press while it is only As. 7-5 in the Penitentiary Branch Press; and

(3) the steps taken by the Government to reduce the printing and impression charges in presses where they are excessive?

A.—(1) & (2) It is hoped that the table appended will explain matters to the satisfaction of the hon. Member. Where the amount of setting and examining work is comparatively small, the cost of setting a page is comparatively large. Where a large number of impressions are taken from a single page, the cost of striking is relatively small. At the Penitentiary Press there are very few skilled compositors, and the bulk of the work done is in striking standardized forms in stereo or electro blocks or from typed matter kept standing for years together. Consequently there is a high average charge for setting and a low average charge for striking. At the Ootacamund Branch Press there is a small staff which is mainly concerned in setting matter at short notice, and the number of copies of the matter struck is comparatively small. Consequently the average cost of setting is fairly high and that of striking a page out of proportion to the cost for the Penitentiary.

(8) The Government do not admit that the printing or impression charges are excessive at any of the presses. They make a practice, however, of having as little setting work done at the Penitentiary Press as possible, while in the case of the Ootacamund Branch Press they keep only a small nucleus staff for the greater part of the year and add to it a temporary staff during the three months when the Government are stationed at Ootacamund.

TABLE.

Presses.	Outturn, 1922-23.		Cost, 1922-23.	
	Pages.	Impressions.	Rate per page.	Rate per 1,000 impressions.
Central Press	145,925	48,248,808	Rs. A. P. 1 18 9	Rs. A. P. 1 11 9
Mount Road Branch Press.	79,813	12,614,685	1 10 11	3 4 2
Penitentiary Branch Press.	1,308	53,898,603	6 7 3	0 7 5
Ootacamund Branch Press.	2,709	241,328	2 10 9	8 11 7
Total ..	229,755	115,001,424	* 1 18 9	* 1 3 9

*Average cost of the four presses.

Agency.

Punitive tax in the Fituri Agency.

404 Q.—Rao Bahadur C. V. S. NARASIMHA RAJU: Will the hon. the Home Member be pleased to state—

(1) the period during which punitive tax was collected in the Fituri area of the Agency, the amount collected and the effect it had;

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(2) whether the levy of punitive tax has been given up and the reasons for doing so;

(3) the number of persons belonging to the Intelligence Department who are working in the Fituri area and the results of their work;

(4) the number of European and Indian officers of the Police Department and Indian Civil Service officers working in the area;

(5) when the policy of prosecuting private individuals for not giving information about the movements of the rebels in the Fituri area was inaugurated, and whether the previous sanction of the Government was obtained for such an action;

(6) the number of persons that were prosecuted and the number of persons convicted up to date for not giving information of the movements of the rebels, or for supplying rations to the rebels;

(7) whether this procedure has had any effect on getting information about the rebels;

(8) whether it is a fact that the rebels whenever they entered a village placed sentinels and prevented villagers from getting out of the village for giving information to the outsiders;

(9) whether any persons that gave information to the Police regarding the rebels have been murdered or severely dealt with by the rebels;

(10) whether the Government want to continue the policy of prosecuting the villagers for not giving information regarding the movements of the rebels when there are officers belonging to the Intelligence Department and the Regular Police working in the area;

(11) when the rebellion is expected to be over; and

(12) the total expenditure incurred by the State up to date, from the beginning of the rebellion, and the number of rebels at present?

A.—(1) & (2) The police-tax in the Fituri area was collected for a period of six months which terminated on 24th September 1923. Government are not aware of the exact amount collected. It was, however, only a small sum, and as it appeared that the purpose of the tax was not understood by the villagers and its imposition was regarded as a hardship, the Government decided to make no further collection.

(3) The number of persons belonging to the Intelligence Department who are working in the Fituri area is as follows:—

One Deputy Superintendent.
Four Inspectors.
Twenty-two sub-inspectors.
Twenty head constables.
Forty constables.

It is impossible to describe the results of their work in general terms, but they have recorded a great deal of local information which has been and will be of use during the operations and should be in a position to supply the fighting forces with the earliest possible information of the movements of the rebels, provided that the inhabitants co-operate with them.

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- (4) Twenty-six British and Indian officers of the Police Department (including the officers on Intelligence duties), three officers of the Indian Civil Service and two Forest officers are working in the Fituri area.
- (5) After the withdrawal of the police-tax the local authorities were instructed to take active measures to bring to a sense of their responsibilities those individuals whose duty it was to co-operate with the Government in putting down the rebellion. In carrying out this policy it became necessary to prosecute individuals who were legally bound to give information about the movements of the rebels and who intentionally omitted to give such information. The sanction of Government was not required for such prosecutions.
- (6) Government have no information.
- (7) The Government believe that it has.
- (8) The Government have not heard of any such incident.
- (9) No persons have been murdered. Several persons have been severely dealt with by the rebels.
- (10) The operations of the Intelligence staff in the Fituri area are obviously handicapped by the wilful withholding of information, and Government see no reason why persons who are guilty of this breach of the law should be exempted from prosecution.
- (11) The Government cannot say.
- (12) Rupees 12,34,955 approximately.

The nucleus of the gang is probably about 100, but it is believed that it has local adherents who join it whenever it enters the neighbourhood of their villages.

Rao Bahadur C. V. S. NARASIMHA RAJU :—"With reference to clauses (i) and (ii) may I know whether any notification was issued for withdrawing this tax?"

The hon. Sir ARTHUR KNAPP :—"I think not."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"May I know the reasons why no collection was made since the 24th September 1923?"

The hon. Sir ARTHUR KNAPP :—"The reasons why no further collections were made are stated at the bottom of the page."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I want to know why the notification was not withdrawn even when the suspension began so early as 24th September."

The hon. Sir ARTHUR KNAPP :—"In answer to clause (i) it is stated that the tax terminated on the 24th September 1924. If the hon. Member wants any further accurate information I should like to have notice."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"My supplemental question is to know the reasons why Government did not issue any notification withdrawing the punitive tax even when the collection of it was suspended."

The hon. Sir ARTHUR KNAPP :—"I said I should have notice of that question. But I suggest that the inference is that the tax was only for six months."

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Rao Bahadur C. V. S. NARASIMHA RAJU :—"Regarding item 3 may I know whether this department has given information as to the movements of the rebels beforehand?"

The hon. Sir ARTHUR KNAPP :—"I find it a little difficult to answer this question. We do not profess to get information beforehand, but the staff is expected to find out what the gangs are doing. From that information inferences are drawn. I am not prepared to say whether any officer has given information in advance as to what a gang is going to do."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Does the Government know that this department's business is only to collect information?"

The hon. Sir ARTHUR KNAPP :—"No."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Will the Government call for information as to the nature of work of this department?"

The hon. Sir ARTHUR KNAPP :—"The Government are already in possession of the information. If any further information will serve any useful purpose it will be called for."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I only ask if the hon. Member is in a position to deny that the business of the officers of this department is to prosecute villagers for not giving information?"

The hon. Sir ARTHUR KNAPP :—"Only a few minutes ago the hon. Member pointed out that the collection of information was the only business of the department."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"The public is under the impression that Government introduced this department there to do the work of collecting information. But on the other hand the impression of the public is that they are only launching prosecutions on poor villagers."

The hon. Sir ARTHUR KNAPP :—"My hon. Friend's information is quite incorrect. If he wants further information he will find it from the report received to-day about an officer who went to a village for the purpose of obtaining information when he was seized and fired upon and he has since died. He had not proceeded there to prosecute any one but had gone there for getting information. It is not a fact that the only work these officers are doing is to manage prosecutions."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Will the Government be pleased to call for information as to the discontent that is created in the minds of the villagers on account of the prosecutions and the convictions effected against these villagers?"

The hon. Sir ARTHUR KNAPP :—"Does the hon. Member mean the discontent in the minds of the people prosecuted? Or the discontent in the minds of the people in general? I can quite imagine that every one who did not give information may have some feeling of discontent at the prospect of being prosecuted."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"But the idea is that there is general discontent at the efforts made by Government to obtain information. That is the unfortunate state of affairs now prevailing."

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Mr. S. SATYAMURTI:—"In view of the fact that a sum of Rs. 12 lakhs and odd has been already spent, and the Government are evidently feeling difficulties, will the Government consider other methods besides mere prosecutions, for putting down this rebellion, and whether they will also investigate the causes behind the rebellion, in a broad and statesmanlike way, or will they merely employ the police and the magistracy for the purpose?"

The hon. Sir ARTHUR KNAPP:—"The causes have been investigated in a broad and statesmanlike way. As regards the other methods of putting an end to this very unfortunate state of affairs, I shall be grateful to my hon. Friend opposite if he will suggest any other method. The only other method that I have heard named is the one suggested last year and that is that I should proceed to the Agency where the persons concerned are and interview and garland the leader of the fituri and come to a settlement. I am afraid I was not willing to undertake that task."

Mr. S. SATYAMURTI:—"I did not say so."

The hon. the PRESIDENT:—"The hon. the Home Member did not say that Mr. Satyamurti said so."

The hon. Sir ARTHUR KNAPP:—"A distinguished Member of this House who is not a Member now made that suggestion. I should be very grateful to the hon. Member opposite or any other hon. Member who will put forward any practical suggestion to solve what we all admit is a very unfortunate state of affairs."

Mr. S. SATYAMURTI:—"Is it not a fact that a whole District cannot get disaffected without some cause?"

The hon. Sir ARTHUR KNAPP:—"The cause if, Sir I am forced to say so, is undoubtedly to a very large extent the activities of a certain party which has been advocating non-co-operation with Government."

12-45 p.m. Mr. S. SATYAMURTI:—"What is the basis of that statement of the hon. Member that non-co-operation has something to do with the fituri?"

The hon. Sir ARTHUR KNAPP:—"My belief, Sir."

Mr. C. RAMALINGA REDDI:—"May I ask the hon. the Home Member whether, in connexion with one of the prosecutions relating to this fituri, evidence was not let in to show that the bad way in which the labourers were treated by certain supervising officers was one of the causes of the fituri, as also economic and other causes?"

The hon. Sir ARTHUR KNAPP:—"It is true that there were complaints regarding the treatment of labourers at the hands of certain officers. It is also true that there were complaints in connexion with podu cultivation. I think that in this connexion the Agency Commissioner examined the whole question and a deputy tahsildar has been asked for an explanation. I am not quite sure what happened. But these complaints had nothing to do with the leader of the fituri, Raju, who was neither oppressed by our officers nor has anything to do with podu cultivation, and I attribute his action to the political motives to which I have already alluded."

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Mr. C. RAMALINGA REDDI:—"May I ask, Sir, one more question? I believe my hon. Friend undertook last year to have an enquiry, as soon as the operations were over and a favourable opportunity presented itself, an impartial enquiry, into the causes of the fituri; and I believe some kind of investigation was made from what I have seen in the papers. What I would like to know, Sir, is whether in this preliminary enquiry any non-official member was associated and whether in any more formal and comprehensive enquiry that may be undertaken any non-official gentleman will also be associated."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, may I request the hon. Member (Mr. C. Ramalinga Reddi) first to put the question and then to make the speech? We are unable to understand if he makes both at the same time. So at least hereafter let him put the question first and then make the speech, so that we may understand what exactly the question is. He begins to talk loudly and gradually his voice becomes very low."

Mr. S. SATYAMURTI:—"Does the hon. the Home Member know that non-violence is the cardinal creed of non-co-operation and that therefore the Agency fituri can have no more to do with it than the hon. the Home Member?"

The hon. Sir ARTHUR KNAPP:—"I am aware, Sir, that non-violence is said to be the cardinal creed of non-co-operation, and I also think I have heard of cases where the disciples of that creed have not kept to the fundamental principle." (Hear, hear.)

Mr. C. RAMALINGA REDDI:—"May I have an answer, Sir, to my question whether non-officials will be associated in any such enquiry as was promised?"

The hon. Sir ARTHUR KNAPP:—"With reference to that, I do not think that a public enquiry was ever premised. An enquiry was made by the Agency Commissioner some time ago and he sent a report. I am not now able to say whether that report was laid on the Table. At the present moment, I cannot say that I am contemplating any further enquiry. But when the time comes and when any enquiry is to be held, I shall certainly consider the hon. Member's suggestion."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"May I know, Sir, how much of the amount given in the answer was granted by the House and how much was sanctioned by His Excellency the Governor?"

The hon. Sir ARTHUR KNAPP:—"I cannot give the actual figures but a large sum was authorized by His Excellency the Governor."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"In addition to this sum, is there any amount yet to be sanctioned by the House or authorized by His Excellency the Governor?"

The hon. Sir ARTHUR KNAPP:—"I think that that money is sufficient. I am not quite sure whether it includes the expenditure on the Assam Police, as I cannot say on what date this answer was prepared."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Does the hon. the Home Member propose to come with any demand on this account for expenditure during the current year?"

The hon. Sir ARTHUR KNAPP:—"At present, I do not see any likelihood of that. But if my hon. Friend is anxious to have an opportunity of

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I am discussing the whole matter, he will have that opportunity at the Budget time when a demand will be made on this account for the next year."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Is there anything for the current year?"

The hon. Sir ARTHUR KNAPP :—"No likelihood."

Arms and Explosives.

Licences for fire-arms in South Arcot.

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

(1) the number of applications received in 1923 by the District Magistrate of South Arcot for (a) grant or (b) renewal of licences for guns and revolvers; and

(2) the number of applications ordered and refused under each head?

A.—The information is furnished below :—

				Grants.	Renewals.
Guns—					
Applications received	...	...	...	646	1,689
Do. ordered	...	...	...	72	1,629
Do. refused	...	...	...	386	60
Do. pending	...	...	...	189	...
Revolvers—					
Applications received	...	...	...	28	78
Do. ordered	...	...	...	4	68
Do. refused	...	...	...	11	5
Do. pending	...	...	...	8	...

Forests.

Reserve forests in the Tillaivilagam village.

406 Q.—**Mr. C. MARUTHAVANAM PILLAI** : Will the hon. the Home Member be pleased to state—

(a) whether there is a reserve forest in Tillaivilagam village of Tiruturaipundi taluk;

(b) what is the extent of the forest;

(c) whether the forest was some time ago transferred to the Revenue Department;

(d) whether it is a fact that under the Revenue Department the said forest is undergoing deterioration, as the result whereof the rainfall of the surrounding area has been adversely affected; and

(e) whether the Revenue Department has recently received a mahasar from the inhabitants of the surrounding villages and, if so, what steps are contemplated thereupon and when they will be given effect to?

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A.—(a) to (c) A block 320 acres in extent in Tillaivilagam village, Tiruturaipundi taluk, Tanjore district, was reserved in 1888 and disforested in 1896.

(d) & (e) The Government have no information, but do not consider that the condition of such a small area would be likely to affect the rainfall of the surrounding tract.

Forest cases in Kallakurichi.

407 Q.—**Mr. R. SRINIVASA AYYANGAR** : Will the hon. the Home Member and the hon. the Member for Revenue be pleased to state the number of forest cases instituted in 1921, 1922 and 1923 in the Court of the Stationary Sub-Magistrate, Kallakurichi, in South Arcot district?

A.—The number of forest cases instituted is as follows :—

1921	1,382
1922	1,446
1923	1,569

Extent of disafforestation in the Kurnool district.

408 Q.—**Rao Bahadur C. VENKATARANGA REDDI** : Will the hon. the Home Member be pleased to state—

(a) the names and extent of reserve forests in the Kurnool district that have been disafforested during the official year;

(b) the names and extent of reserve forests which have been recommended for disafforestation;

(c) the extent of cultivable land in the disafforested reserves;

(d) whether any such land has been assigned on patta to depressed classes and, if so, the extent of such land?

A.—(a) The names and extent of reserve forests in the Kurnool district disforested during the current official year are given below :—

Name of reserve.	Area in acres.
Gani reserve (portion)...	588
Jaladurgam reserve (portions)...	1,256
Peddapaya reserve (portion)...	28
Devagudipad reserve (portion)...	20
Tellulakonda Extension II (portions)...	240
Leapally Extension I (portion)...	176

(b) No recommendation is now pending with Government.

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

Tanks in disuse in the forest areas of the Kurnool district.

409 Q.—**Mr. K. SARABHA REDDI** : Will the hon. the Home Member be pleased to state—

(1) whether the Government have undertaken to investigate the possibilities of restoring the tanks now in disuse in the forest areas of the Kurnool district; and

(2) whether the Government propose to depute an officer to make an inventory of all such tanks and to frame schemes for their restoration?

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(1) The Chief Conservator of Forests, under general instructions from Government, has already done so.

(2) No such deputation is necessary as under orders, recently issued by the Chief Conservator of Forests, the local District Forest Officer has been instructed to prepare a list of suitable works which should be undertaken when funds permit.

Railways.

Levy of railway cess by the Salem district board.

10. — **RAJ. SAKIB S. BILAPPA CHETTIYAR:** Will the hon. the Home Member and the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that the Salem district board has levied cess under section 78 (b) (1) of the Local Boards Act of 1920;

(b) whether it is a fact that the income from such cess has been earmarked by the district board for railway purposes;

(c) whether it is a fact that the Salem district board has sanctioned a scheme for opening railway communication from Salem to Rasipur and that this scheme is pending final orders from Government;

(d) whether it is a fact that the Government have now passed an order to utilize the amount referred to in clause (a) above for wiping off the deficit of Rs. 1,23,218, of the taluk boards;

(e) whether it is a fact that the deficits of the taluk boards of many other districts were wiped off by Government by compassionate grants;

(f) if so, why the Salem district board alone was asked to wipe off the deficits of taluk boards from funds levied under section 78 (b) (1) of the Local Boards Act instead of from Government grant; and

(g) under what provision of the Local Boards Act the Government have issued such orders?

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

(c) The hon. Member is referred to the answer to clauses (d) and (e) of question No. 226.

(d) Yes. The sum of Rs. 1,23,218 represents only a portion of the income raised under section 78 (b) (1).

(e) & (f) Where the district boards had surplus funds, they were asked to make contributions to taluk boards to wipe off their deficits. Where the surplus funds of the district boards were inadequate for the purpose they were supplemented by compassionate grants from Government equal to the difference between the deficits and the surplus funds of the district boards. Where the district boards themselves had deficits, e.g., Anantapur and Bellary, the deficits of both the district and taluk boards were met by compassionate grants from Government. Many district boards, besides Salem, were asked to make contributions towards the deficits of taluk boards. As already explained, this was done because they had sufficient surplus funds. The attention of the hon. Member is in this connexion invited to G.O. No. 2178 L. & M. dated the 3rd October 1928, placed on the Editors' Table.

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(g) Section 78 (b) (1) of the Madras Local Boards Act, 1920, permits the levy of the additional cess for district board purposes and the income from it therefore forms part of its general revenues. The district board may earmark the whole or a portion of this income for railway purposes if it chooses, provided it is able to meet its expenditure on services from its revenue under other heads. But there is no statutory obligation on it to reserve this income for railway purposes and it would not be illegal to utilize it for other purposes if and when necessity arises. The circumstances of the current year are special and it is necessary that the taluk boards should be enabled to wipe off their deficits in view of the introduction of the banking system from 1st December 1923. The Government have afforded relief to district and taluk boards in several directions in the current year mainly with the object of facilitating the introduction of this system. The district board is financially in a position to help the taluk boards at this juncture. It was therefore requested to wipe off the deficits of the taluk boards. The contribution to the taluk boards for this purpose can be made under rule 4 (3) of schedule V of the Madras Local Boards Act, 1920, as they have the sanction of Government.

Mr. T. ADINARAYANA CHETTIYAR:—“May I know, Sir, whether the district board of Salem was consulted in the matter and whether they protested against the action of the Government and pointed out that the matter was illegal?”

The hon. the RAJA OF PANAGAL:—“They were not able to meet the deficit of the taluk boards and hence the advice.”

Mr. T. ADINARAYANA CHETTIYAR:—“But my question is, Sir, whether they were first consulted about it.”

The hon. the RAJA OF PANAGAL:—“I have already stated, Sir, that the district board was asked to wipe off the deficits and it could not do it otherwise than by utilizing a portion of the collections for discharging the debts of taluk boards.”

Mr. T. ADINARAYANA CHETTIYAR:—“Is it an order of the Government in the first instance or was the district board first consulted in the matter?”

The hon. the RAJA OF PANAGAL:—“The district board was asked to wipe off the deficits and it had no other funds to do so. The collections were made under section 78 (b) and the section authorizes the use of the amount so collected for the general expenditure.”

Mr. V. C. VELLINGERI GOUNDER:—“Will the Government be pleased to take steps to modify the section 78 (b) in view of the fact that funds raised for an important project should not be diverted to other purposes? For, ordinary common sense will say that the tax-payer will not at all come to a conclusion that such a diversion of funds could be allowed.”

Mr. C. V. VENKATARAMANA AYYANGAR:—“I want to ask whether this was done only in the case of Salem or whether the Government have adopted the policy of asking several district boards to wipe off the deficits of all the taluk boards, primarily out of the railway funds?”

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The hon. the RAJA OF PANAGAL :—"Wherever the district boards have funds at their disposal, they are asked to pay off such deficits but where they have no such funds, the Government give helps in the shape of compassionate grants."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Are not the railway funds primarily intended for railway construction? Is it now the policy to utilize such railway funds for wiping off deficits of taluk boards?"

The hon. the RAJA OF PANAGAL :—"There is difference between these things. The funds which were accumulated before the passing of the new Act are on a different basis. They were earmarked for purposes of railways. But after the introduction of the new Act, any collections made are collections for general purposes. Thus in this case it is permissible under section 78 of the new Act."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Are not the taluk board funds separate from district board funds? To what category do railway funds belong?"

The hon. the RAJA OF PANAGAL :—"They are not railway funds. I have already stated that the funds collected under section 78 are not railway funds but are funds collected for general purposes."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Do they form part of the district board or taluk board funds?"

The hon. the RAJA OF PANAGAL :—"They belong to the district board."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Then, how is the Government justified in diverting a portion of the district board funds for purposes which are binding on the taluk boards?"

The hon. the RAJA OF PANAGAL :—"Sir, I have already answered that question."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"No answer has been given so far as I am aware."

The hon. the RAJA OF PANAGAL :—"I said, Sir, that whenever the taluk boards were in deficit, the district boards are asked to wipe off those deficits."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Is there any legal liability on the district boards to do so?"

(No answer.)

Rao Sahib S. ELLAPPA CHETTIYAR :—"When additional cess is levied under section 78 (b), should it not be used for district board purposes alone?"

The hon. the RAJA OF PANAGAL :—"It cannot be said that the purposes of the taluk board are altogether different from those of the district board. In fact, taluk boards are included in the district board."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"But are not the purposes of the taluk board and district board distinctly differentiated in the Act itself?"

The hon. the RAJA OF PANAGAL :—"That is true; but the taluk boards are included in the district boards."

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Rao Sahib S. ELLAPPA CHETTIYAR :—"Under rule 4 of schedule 5, is it not necessary for the district board to come to the Government and obtain the sanction of the Government; or do the Government themselves say that that amount should be utilized for wiping off the deficits of the taluk boards?"

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

Mr. S. SATYAMURTI :—"With reference to clause (g), somewhere about the middle of it, it is stated in the answer that 'the circumstances of the current year are special and it is necessary that the taluk boards should be enabled to wipe off their deficits' and so on. May I know, Sir, what those special circumstances are?"

The hon. the RAJA OF PANAGAL :—"We wanted to place the finances of these local bodies on a firm footing and wherever it is found necessary that the Government should give compassionate grants, they have given."

Mr. S. SATYAMURTI :—"Am I to understand, Sir, that it is the special circumstance of the Madras Government this year that they want to put the local boards on a firm footing?"

The hon. the RAJA OF PANAGAL :—"Yes."

Mr. T. ADINARAYANA CHETTIYAR :—"May I know, Sir, whether the district board has pointed out to the Government the illegality of their action?"

The hon. the RAJA OF PANAGAL :—"I do not admit that it is illegal."

Mr. V. C. VELLINGIRI GOUNDER :—"My point has not been answered, Sir. Will the hon. the Minister be pleased to consider the desirability of modifying these statutory provisions so that such a procedure will not hereafter be repeated?"

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"In view of one of the answers given by the hon. the Minister that the district boards should wipe off the deficit of the taluk boards, may I ask him to point out any provision of law making them obligatory to do so?"

The hon. the RAJA OF PANAGAL :—"I have already stated that the taluk board is within the jurisdiction of the district board. As such, it is necessary that the district boards should come to the succour of the taluk boards."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"So is the district board under the jurisdiction of the province?"

The hon. the RAJA OF PANAGAL :—"Exactly; that is the reason why the Government are giving compassionate grants."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Is it the idea of the Government to ask the district boards to supply funds to the unions also because the unions are within the jurisdiction of the district boards?"

(No answer)

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Mr. A. RANGANATHA MUDALIYAR :—" Have the Government taken legal opinion that they are not civilly liable for the diversion of these funds?"

Mr. V. C. VELLINGIRI GOUNDER :—" My question has not yet been answered, Sir."

The hon. the PRESIDENT :—" As regards the question put by the hon. Member, Mr. Vellingiri Gounder, I presume that it was not answered because it was a suggestion for action."

Mr. V. C. VELLINGIRI GOUNDER :—" My point was whether the hon. the Minister would consider the desirability of modifying the section."

The hon. the PRESIDENT :—" A question in that form is a suggestion for action."

Civil Justice.

Appointment of non-gazetted officers to the Provincial Judicial Service.

411 Q.—Mr. J. D. SAMUEL : Will the hon. the Law Member be pleased to state if his attention was drawn to a Resolution of the 3rd Provincial Conference of non-gazetted officers held in 1921 praying that one-third of the vacancies in the Provincial Judicial Service may be reserved for duly qualified non-gazetted Officers in the Judicial department?

A.—The Resolution has since been perused but such recruitment is prohibited under the orders of the Government of India.

Mr. J. D. SAMUEL :—" Will the Government consider the prayer of the non-gazetted officers?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I shall consider it."

Irrigation.

Water-rate for the lands irrigated by the Periyar river.

412 Q.—Mr. A. CHIDAMBARA NADAR : Will the hon. the Law Member be pleased to state—

(1) whether it is a fact that the water-rate for the lands irrigated by the Periyar river in the Madura district is going to be doubled;

(2) whether any Government Order has been issued with regard to the matter; and

(3) if so, what the reason is for enhancing the assessment?

A.—(1) & (2) No. The hon. Member is referred to notifications published at page 1142, Part I of *Fort St. George Gazette*, dated 9th October 1923, and page 1397, Part I of *Fort St. George Gazette*, dated 11th December 1923. These notifications refer to a small area of about 1,300 acres of land in Cumbum valley recently included in Periyar water-rate area.

(3) Higher rates than the ordinary Periyar rates were fixed owing to the need for limiting further irrigation and the very high value of water in this area.

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Mr. A. CHIDAMBARA NADAR :—" With reference to the answer to clause (3) of my question, does the Government consider that the enhancement of a higher rate is the only way of limiting further irrigation, and if they think so, does it not amount to penalising the people who are entitled to get a supply of water?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Because they thought that it was not penalising."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" With reference to the answer given by the hon. Member in charge, will he be pleased to state whether the levy of high rates fixed, owing to the alleged need for limiting further irrigation and the very high value of water in this area, is authorized by the terms of the Act VII of 1865?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" It is not prohibited by it."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" Will the hon. Member be pleased to state whether he is sure if the object of the Act, as disclosed in the preamble, is not entirely inconsistent with any such power?"

(No answer.)

The Chief Engineer for Irrigation.

413 Q.—Mr. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Law Member and the hon. the Minister for Education and Public Works be pleased to state—

(a) whether Diwan Bahadur A. V. Ramalinga Ayyar, late Chief Engineer for Irrigation, looked after the work of special projects in addition to his general work till his retirement;

(b) whether it is a fact that he was appointed as a Special Officer after his retirement when another officer was appointed as Chief Engineer;

(c) whether there was any special reason as to why Mr. Ramalinga Ayyar should have been appointed as a Special Officer instead of his services being extended;

(d) whether it is a fact that now also a separate Special Officer has been appointed to look after two special schemes in addition to the permanent Chief Engineer for Irrigation;

(e) what the special reason was that necessitated two highly paid officers to look after the work which was done by one officer before;

(f) whether the present Special Officer is duly qualified and whether he possesses the necessary training to be in charge of the irrigation schemes and, if so, what were the schemes in which he has worked before;

(g) whether the Special Officer has been appointed for any fixed period and, if so, what that period is?

A.—(a) No.

(b) Yes.

(c) Yes. He retired under the ordinary rule regarding age limit and the intention was that he should devote his whole attention to the Cauvery-Mettur and the Sangameswaram Project Schemes during his special duty.

(d), (f) & (g) No special officer has been appointed.

(e) The work was not done by one officer before—vide clause (a) above.

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Mr. C. V. VENKATARAMANA AYYANGAR :—" With reference to the answer given to clause (c) of this question, is not the Chief Engineer expected to look after any special projects in the absence of a Special Officer ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" If the hon. Member were aware of the magnitude and importance of the work that had to be done in connexion with these two schemes he would not have put this question."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I repeat my question. The hon. Member has not answered my question. What I want to know is : is it not the duty of the Chief Engineer, in the absence of any Special Officer, to look after any special projects ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Yes."

Irrigation projects in the Kurnool district.

414 Q.—Rao Bahadur C. VENKATARAMANA REDDI : Will the hon. the Law Member be pleased to state—

(a) the names of irrigation projects in the Kurnool district that have been completely investigated and are ready for execution ;

(b) the names of projects that are still under investigation ;

(c) the probable time for completing the said investigation ;

(d) the names of the projects which will be taken up for execution in the course of this and the next official year respectively ?

A.—(a), (b), (c) & (d) The Member is referred to the information given on pages 14 and 15 of Mr. Morgan's report on Irrigation Projects. Since the report was written, the Tippyayapalem Project has been sanctioned, and will be commenced in 1924-25, if funds permit.

The Thokapalli project.

415 Q.—Mr. K. SARABHA REDDI : Will the hon. the Law Member be pleased to state whether any preliminary steps have been taken in respect of the Thokapalli project ?

A.—The Member is referred to page 15 of Mr. F. E. Morgan's Report on Irrigation Projects which has been placed on Editors' Table. The scheme has since been held in abeyance till the Irrigation Bill is passed into law as a water-rate of Rs. 20 for first crop and Rs. 10 for second crop has to be levied to make the project productive. There is no need for a protection work in the tract commanded by the project.

Motor Vehicles Act.

Income and expenditure under the Motor Vehicles and Hackney Carriages Acts.

416 Q.—Mr. SAMI VENKATACHALAM CHETTIYAR : Will the hon. the Law Member be pleased to state—

(1) what is the amount derived annually under different heads both under the Motor Vehicles Act and the Hackney Carriages Act ;

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(2) what is the total annual cost of the manufacture of badges and other incidental charges ;

(3) what is the total annual cost of the staff maintained to carry out the provisions of the Acts ; and

(4) whether any rules have been framed under this Act ?

A.—For the year 1922-1923 the figures were as follows :—

(1) Income under Motor Vehicles Act—Rs. 48,147. Income under Hackney Carriages Act—Rs. 21,679.

(2) Cost of badges—Rs. 5,401.

(3) Cost of staff—Rs. 48,898. This figure cannot however be taken as a correct average as the staff was strengthened considerably on 1st January 1923.

(4) Rules under the Indian Motor Vehicles Act, 1914, have been framed and revised rules were published in Law Department Notification No. 209, pages 327 to 335 in Part I of the *Fort St. George Gazette*, dated the 20th March 1923. The Madras Hackney Carriage Act, 1911, contains no provision for rule-making, but different sets of by-laws under section 50 of the Act have been issued for different areas to which the Act has been extended.

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Is the staff common to carry out the provisions of both the Acts ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I believe so."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" What is the proportion of cost that is debited to the working of the Hackney Carriages Act ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I shall supply the information."

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I ask whether the administration of the Hackney Carriages Act does not result in a loss ? "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I think so."

Police.

The staff of the Criminal Intelligence Department.

417 Q.—Mr. S. SATYAMURTHI : Will the hon. the Law Member be pleased to state—

(a) what are the duties performed by the special branch of the Criminal Intelligence Department ;

(b) the staff employed in this department, i.e., their names, qualifications and pay and the duties performed by each member of the staff ;

(c) the duties of the Personal Assistant to the Deputy Inspector-General of Police (Railways and Criminal Intelligence Department) and his pay ;

(d) the reasons why only European clerks are employed in the special branch ; and

(e) whether those European clerks are given, besides their pay, house-rent allowance and special pay, and if so, how much ?

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A.—(a) & (d) The Government must decline to answer questions relating to the organization and duties of the Special Branch as to do so would be to the detriment of the public interest.

(b) The information is given in the annexed statement.*

(c) The Personal Assistant is in general charge of the Criminal Investigation Branch and the Finger Print Bureau but the details of his work cannot be given. His pay is that of Superintendent of Police plus a duty allowance of Rs. 200 per mensem.

(e) No special pay is given to the clerks, but houses are rented for them subject to a maximum of Rs. 60 per mensem to the head clerk and Rs. 50 per mensem to each of the other clerks.

Mr. S. SATYAMURTI :—“ With reference to the answers given to clauses (a) and (d), may I request the hon. the Law Member to state whether the Government can give us any detailed reasons, apart from the vague answer ‘that the Government must decline to answer questions relating to the organization . . . ?’ ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ In the very nature of things, I cannot give any further answer.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“ May I say, Sir, that it is one of the duties of hon. Members on the Government Benches to answer ? ”

Mr. S. SATYAMURTI :—“ Is it a fact that the officers in this Department are all non-Indians ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ That is a fact.”

Mr. S. SATYAMURTI :—“ May I know the reason why they are non-Indians ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ So they are.”

Mr. S. SATYAMURTI :—“ May I know, with reference to the answer given in clause (e), why they should be given special allowance subject to a maximum of Rs. 60 ? I know what the nature of their duty is.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ I must decline to answer that.”

Constitution of districts, divisions and taluks.

Statement showing number of village officers affected by the regrouping of villages.

418 Q.—Diwan Bahadur P. KESAVA PILLAI : Will the hon. the Member for Revenue be pleased to furnish—

(i) a statement showing the total number of village officers and of menials before the grouping of the villages was ordered, and their number after the grouping so far completed for each district; and

(ii) a statement containing the number of persons whose services have been dispensed with, in consequence of the grouping, in each district under the following heads :—

- | | |
|--------------------------|------------------------|
| (1) Village magistrates. | (5) Vettis. |
| (2) Village monigars. | (6) Nirgantis. |
| (3) Karnams. | (7) Ghaut talaiyaris ? |
| (4) Talaiyaris. | |

* Printed as Appendix VI on page 449 infra.

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A.—The Government are not in possession of the full details asked for.

The civil budget estimate for the year 1920–21 gives the number of village officers and menials on duty on 1st April 1920, i.e., before the reduction of establishment was ordered. The statement on page 165 of the Retrenchment Committee's report, which has been placed on the table of the House, gives the reductions ordered by the Board up to 20th September 1923.

A statement giving the above details is appended.*

Village grouping in the Malabar district.

419 Q.—Diwan Bahadur M. KRISHNAN NAYAR : Will the hon. the Member for Revenue be pleased to lay on the table a statement containing the following particulars :—

(a) the number of amsams in the Malabar district, both before and after their recent grouping ;

(b) the number of adhikaries, menons and kolkarans whose services were dispensed with in consequence of the grouping ;

(c) the number of villages, both before and after their recent grouping, in all the other districts of the Presidency taken together ; and

(d) the total number of village officers and menials in the districts mentioned in question (c) above whose services were dispensed with in consequence of regrouping ?

A.—The hon. Member's attention is invited to the answer to question No. 418.

Village grouping in the Kurnool district.

420 Q.—Mr. K. SARABHA REDDI : Will the hon. the Member for Revenue be pleased—

(i) to state whether the clubbing of villages has been completed in the Kurnool district ; if so, to inform the House how many village redds, karnams and servants were thrown out of employment ; and

(ii) to lay on the table figures showing the retrenchment in expenditure caused thereby ?

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

Regrouping of villages in Malabar.

421 Q.—Mr. K. PRABHAKARAN TAMPAN : Will the hon. the Member for Revenue be pleased to state—

(a) whether the Government have ordered the regrouping of villages in all the taluks in Malabar ; if so, to furnish in a tabular form a statement showing the number of villages in each taluk both before and after the regrouping, the number of village headmen and karnams and other servants whose service will be dispensed with and the savings that may be effected thereby ;

* Printed as Appendix VII on page 449 infra.

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(b) whether effect has already been given to the proposal; if so, in what taluks;

(c) whether for the selection and discharge of village servants consequent on such regrouping Government have issued any definite instructions or rules for the guidance of the district authorities; if so, what they are; and

(d) whether the proposals of the district authorities for such regrouping and the selection of village servants are submitted for final approval to the Board of Revenue?

A.—(a) & (b) The revision of village establishments has been undertaken throughout the Presidency under the orders of Government. The Government are not in possession of the details asked for.

(c) No instructions were issued in addition to the rules already in the Standing Orders of the Board of Revenue.

(d) Proposals for regrouping require the approval of the Board of Revenue. The selection of village servants rests with the Revenue Divisional Officer.

Mr. K. PRABHAKARAN TAMPAN :—“ Will the Government be pleased to call for details ? ”

The hon. the RAJA OF KOLLENGODE :—“ Yes.”

Famine.

Famine conditions in the Kurnool district.

422 Q.—Rao Bahadur C. VENKATARANGA REDDI: Will the hon. the Member for Revenue be pleased to state—

(a) whether there has been a complete failure of the north-east monsoon in the Kurnool district;

(b) whether famine conditions prevail in (1) the black cotton soil villages and some red soil villages of the Pattikonda taluk, (2) the Owk division of the Koilkuntla taluk and (3) in a few villages of the Kurnool and Dhone taluks;

(c) whether some villages which were affected last year have been affected this year also;

(d) if so, the names of such villages; and

(e) what steps the Government have taken or propose to take to alleviate distress in the affected villages?

A.—(a) No.

(b) & (d) From the Collector's report received, the Government learn that rainfall has been very short and outturn poor in parts of Maddikera village.

(c) The economic history of this village for four years past is reported to be unfavourable.

(e) The suspension of kists is under consideration.

Rao Bahadur C. VENKATARANGA REDDI :—“ With reference to the answers given to clauses (b) and (d) of my question, will the hon. the Revenue Member be pleased to state whether the Government have received any petitions from the ryots of villages referred to in clause (b) ? ”

The hon. the RAJA OF KOLLENGODE :—“ The information will be supplied.”

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Rao Bahadur C. VENKATARANGA REDDI :—“ May I ask the hon. Member whether he will consider those petitions when received ? ”

The hon. the RAJA OF KOLLENGODE :—“ Yes.”

Rao Bahadur C. VENKATARANGA REDDI :—“ May I ask the hon. Member to state whether he will take some action on the Famine Committee Report ? ”

The hon. the RAJA OF KOLLENGODE :—“ Action will be taken when it is found necessary.”

Rao Bahadur C. VENKATARANGA REDDI :—“ Have reports been received from the Collector of Kurnool as regards any other villages ? ”

The hon. the RAJA OF KOLLENGODE :—“ Some reports have been received.”

Rao Bahadur C. VENKATARANGA REDDI :—“ Will he be pleased to lay them on the table ? ”

The hon. the RAJA OF KOLLENGODE :—“ No objection.”

Rao Bahadur C. VENKATARANGA REDDI :—“ With reference to the answer given in clause (e), will the suspension of kist apply to all villages in the Kurnool district ? ”

The hon. the RAJA OF KOLLENGODE :—“ I want notice.”

Land Revenue.

Backyard cultivation in Tanjore and Trichinopoly districts.

423 Q.—Mr. L. C. GURUSWAMI: Will the hon. the Member for Revenue be pleased—

(1) to lay on the table all the orders and the instructions of the Board of Revenue relating to backyard cultivation in Tanjore, Trichinopoly and other deltaic districts; and

(2) to state whether it is a fact that waste nattam backyards above 25 cents in extent in Tanjore and Trichinopoly districts are penalised to the extent of rupee one under Act III of 1905?

A.—(1) & (2) The hon. Member is referred to the Press Communiqué, dated 23rd September 1916, and to G.O. No. 3075, Revenue, dated 27th August 1918, which was placed on Editors' Table.

Mr. M. R. SETURATNAM AYYAR :—“ With reference to the answer given to this question, will the hon. Member for Revenue be pleased to lay on the table the G.O. No. 3075, dated 27th August 1918, and the Press Communiqué, dated 23rd September 1916, which are very important at least to the Members coming from Tanjore and Trichinopoly ? ”

The hon. the RAJA OF KOLLENGODE :—“ They are in the Library.”

Mr. M. R. SETURATNAM AYYAR :—“ The Members have not got them.”

The hon. the RAJA OF KOLLENGODE :—“ They will see them in the library.”

Medical.

Principalship of the Medical College.

424 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether orders were actually issued by the Surgeon-General intimating to Colonel Chaudhuri, I.M.S., his appointment as the Principal of the Madras Medical College;

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(b) whether, subsequently, the appointment of Major Bradfield was gazetted; and

(c) whether Colonel Chaudhuri is one of the most distinguished officers of the Indian Medical Service and whether he is next in rank in seniority to the Surgeon-General?

A.—(a) & (b) The hon. Member is referred to the answer to question 425.

(c) The Government are not prepared to express an opinion on the statement in the first part of the question. The answer to the second part is in the negative.

Mr. S. SATYAMURTI :—" With reference to the answer given to clauses (a) and (b) of my question, will the hon. the Chief Minister be pleased to state whether the appointment of Major Bradfield was gazetted or not ? "

The hon. the RAJA OF PANAGAL :—" The appointment was gazetted. "

Mr. SAMI VENKATACHALAM CHETTIYAR :—" May I know when Major Bradfield was appointed as Principal of the Medical College ? "

The hon. the RAJA OF PANAGAL :—" When Colonel Elwes went on leave. "

Mr. SAMI VENKATACHALAM CHETTIYAR :—" I want the exact date. "

The hon. the RAJA OF PANAGAL :—" I am sorry I cannot give the date. "

Mr. SAMI VENKATACHALAM CHETTIYAR :—" At least the month, Sir ? "

(No answer.)

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Was it before the hon. the Chief Minister tendered his resignation as Minister of the last term ? "

The hon. the RAJA OF PANAGAL :—" I think the appointment was made on the 17th November. "

Mr. S. SATYAMURTI :—" Was the appointment made by the hon. the Chief Minister ? "

The hon. the RAJA OF PANAGAL :—" The appointment was made by the Government. "

Rao Sahib U. RAMA RAO :—" Is Mr. Chaudhuri senior to Mr. Bradfield or junior ? "

The hon. the RAJA OF PANAGAL :—" I would refer the hon. Member to the Quarterly Civil List. "

Rao Sahib U. RAMA RAO :—" Is there not any candidate who possesses superior qualifications to Major Bradfield ? "

The hon. the RAJA OF PANAGAL :—" I decline to answer that question. "

Mr. S. SATYAMURTI :—" The answer to clause (c) of my question is in the negative. Will the hon. the Chief Minister be pleased to state what the exact rank of Major Bradfield is ? "

The hon. the RAJA OF PANAGAL :—" Again I would refer my hon. Friend to the Quarterly Civil List. "

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Principalship of the Medical College.

425 Q.—Dr. U. RAMA RAO : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that Colonel Chaudhuri, I.M.S., was first selected for the Principalship of the Madras Medical College and that an order appointing him as Principal was actually communicated to him; and

(b) whether it is a fact that his appointment order was subsequently cancelled and that Major Bradfield, I.M.S., was appointed in his stead ?

A.—(a) The Government did not appoint Lieut.-Colonel Chaudhuri, I.M.S., as Principal, Medical College, Madras, but they understand that an order appointing him as Principal was issued by the Surgeon-General under a misapprehension.

(b) The unauthorized order issued by the Surgeon-General was cancelled by him.

Rao Sahib U. RAMA RAO :—" Was the appointment of Mr. Chaudhuri made with the sanction of the Governor ? "

The hon. the RAJA OF PANAGAL :—" I do not exactly catch what the hon. Member says. "

Mr. S. SATYAMURTI :—" As it is stated in the answer that the order was issued under a misapprehension, was the misapprehension due to any official or unofficial order ? "

The hon. the RAJA OF PANAGAL :—" It was not due to any orders issued by the Government. "

Mr. S. SATYAMURTI :—" May I know, with reference to the statement that the order of appointment was issued under a *misapprehension*, what is that misapprehension ? "

The hon. the RAJA OF PANAGAL :—" I did not know that the authority of the Government was required to correct a mistake due to misapprehension. "

Mr. S. SATYAMURTI :—" The hon. the Chief Minister says that the Surgeon-General did not know that the authority of the Government was required. Am I to understand that the misapprehension was that he did not know that the authority of the Government was required for issuing the order of appointment or was there any other misapprehension ? "

(No answer.)

Mr. S. SATYAMURTI :—" With reference to the answer to clause (b) of the question, that the order was cancelled by the Surgeon-General, may I ask whether the order was cancelled by himself or at the suggestion of His Excellency the Governor, and if so on what date ? "

The hon. the RAJA OF PANAGAL :—" When the Surgeon-General realized that the appointment was unauthorized, he cancelled it. "

Mr. S. SATYAMURTI :—" Did he realize voluntarily or at the suggestion of His Excellency the Governor ? "

(No answer.)

Mr. S. SATYAMURTI :—" Was the misapprehension due to the Chief Minister's resignation after the expiry of his term ? "

(No answer.)

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Principalship of the Medical College.

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

(1) whether it is a fact that in the first instance Colonel Chaudhuri, I.M.S., was appointed Acting Principal of the Madras Medical College;

(2) whether it is a fact that the said appointment was made after duly considering the claims and qualifications of Lieut.-Colonel Bradfield, I.M.S., and other officers for the said post; and

(3) whether it is a fact that after communicating the said appointment to Colonel Chaudhuri, I.M.S., an order was made cancelling the same and appointing Lieut.-Colonel Bradfield, I.M.S., for the said post and if so, to state the reasons therefor?

A.—(1), (2) & (3) The hon. Member is referred to the answer to question No. 425.

Ministry.*Support for the Ministry in the Council.*

427 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) whether his attention has been drawn to the fact that on every single division in the House since the No-Confidence motion he has had a minority of elected Members on his side; and

(b) whether he proposes to take any action thereon?

A.—(a) & (b) The Minister has not analysed the Division lists and so long as he secures a majority in the Council he sees no necessity for such analysis.

Mr. S. SATYAMURTI:—"With reference to the answer to this question, will the hon. the Chief Minister analyse the Division list?"

The hon. the RAJA OF PANAGAL:—"I do not think I need do that."

Mr. S. SATYAMURTI:—"He says there is no necessity to analyse because there is a majority. May I ask him what he means by a majority?"

The hon. the RAJA OF PANAGAL:—"Majority means majority. If the hon. Member has any doubt he is at liberty to consult an English dictionary" (Laughter and cheers.)

Rao Sahib P. V. GOPALAN:—"Does this question imply that the nominated members' votes are negligible and are of no importance?"

The hon. the RAJA OF PANAGAL:—"They are as important as those of any other Members." (Hear, hear.)

Education.*The Madras Educational Service.*

428 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education be pleased to state the number and names of the officers of the lower grades of the Subordinate Educational Service, Collegiate Branch, who have been promoted in the Madras Educational Service to places in the Inspectorate, since March 1923, and the reasons for so doing?

A.—There are no lower grades of the service referred to. This branch of the service is not divided into grades.

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Standard Telugu for instruction in schools and colleges.

429 Q.—Mr. SAMI VENKATACHALAM CHETTIYAR: Will the hon. the Minister for Education be pleased to state—

(a) whether the Government and the University have declined to recognize the 'Gramya' or what is called the 'Modern Telugu' as the standard for instruction in schools and colleges; if so, whether it is a fact that, notwithstanding their declared policy, the Telugu Board of Studies prescribed a book entitled 'Stories of Palnad Heroes' which is declared by the Telugu Pandits' Conference to have been written in that objectionable dialect; and

(b) whether it is a fact that the same book was disapproved by the Advisory Committee to Secondary School-Leaving Certificate Board on the ground stated above?

A.—(a) The answer to the first part of the question is in the affirmative. The Government notice from the University Calendar for 1923 that the book referred to has been prescribed for the Intermediate Examination of 1925. The Government are not aware that its dialect has been declared to be objectionable.

(b) The Government are not aware of the reasons of the Secondary School-Leaving Certificate Board for not selecting the book; but it is obvious that a book which has been prescribed for the Intermediate Examination is not fit for the Secondary School-Leaving Certificate Course.

Mr. SAMI VENKATACHALAM CHETTIYAR:—"I must invite attention of the hon. the Minister for Education to the answer given to clause (b) of my question which says "The Government are not aware of the reasons of the Secondary School-Leaving Certificate Board for not selecting the book, but it is obvious that a book which has been prescribed for the Intermediate Examination is not fit for the Secondary School-Leaving Certificate Course." Sir, may I ask whether the Secondary School Course Advisory Committee has proscribed the book for the Secondary School education on account of the fact that it is written in an objectionable style?"

(No answer.)

Free and compulsory elementary education.

430 Q.—Khan Bahadur HAJI ABD-UL-LAH HAJI QASIM SAHIB Bahadur: Will the hon. the Minister for Education be pleased to state—

(i) all the localities in the Presidency where free and compulsory elementary education is being given;

(ii) whether it is a fact that most of the local boards are not in a position to introduce free and compulsory elementary education on account of deficit budgets; and

(iii) the number of Arabic Mudrassahs now existing in this Presidency receiving State aid and what is the amount of State aid given to these institutions during each of the years 1921-22, 1922-23 and 1923-24?

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A.—(i) Sanction has been accorded to the introduction of free and compulsory elementary education within the areas under the jurisdiction of the following municipal councils:—

- (1) The Municipal Council, Vellore.
- (2) Do. Negapatam.
- (3) Do. Kumbakonam.
- (4) Do. Conjeeveram.
- (5) Do. Erode.
- (6) Do. Tellicherry.
- (7) Do. Tiruppur.
- (8) Do. Tinnevely.
- (9) Do. Chingleput.
- (10) Do. Masulipatam.
- (11) Do. Tanjore.
- (12) Do. Mayavaram.
- (13) Do. Coimbatore.*
- (14) Do. Cochin.
- (15) Do. Madura.†

Grants to the aided secondary schools.

431 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the Director of Public Instruction, Madras, has issued instructions to the District Educational Officers to the effect that no grants should in future be recommended for aided upper and lower secondary schools;

(b) whether the previous sanction of the hon. the Minister for Education was obtained before the issue of such a circular; and

(c) the circumstances which necessitated the adoption of such a step?

A.—(a) The instructions issued by the Director of Public Instruction had reference to grants for the medical inspection of pupils and for furniture and books for secondary schools.

(b) The answer is in the affirmative.

(c) The orders in respect of grants for medical inspection were necessitated by the fact that certain revised arrangements relating to such grants are under consideration; and those in respect of grants for furniture and books were issued on account of financial stringency.

Rao Sahib U. RAMA RAO:—“May I ask the hon. the Minister for Education with reference to the answer given in clause (c) as to what the revised arrangements for medical inspection are?”

The hon. the RAJA OF PANAGAL:—“Sir, we were advised by medical experts that the whole question would be placed in the hands of the Health Committee. Local bodies which were consulted did not like it and therefore it is under consideration as to what should be the agency for the inspection of the schools.”

* The Municipal Council, Coimbatore, has reported that it does not propose to give effect to the scheme for the present.

† The scheme will be given effect to from 1st April 1924.

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Rao Bahadur A. S. KRISHNA RAO PANTULU:—“With reference to the answer given in the latter part of clause (c) may I ask the hon. the Minister for Education whether he would be pleased to see that arrangements to restore those lapsed grants next year are made?”

The hon. Rao Bahadur Sir A. P. PATRO:—“It is not a question of lapsed grants at all. It is only a question of financial stringency as is given in the answer.”

Rao Bahadur A. S. KRISHNA RAO PANTULU:—“Will the hon. the Minister be pleased to restore them in the next year's budget?”

The hon. Rao Bahadur Sir A. P. PATRO:—“The administrative departments concerned will take the necessary steps.”

Presidents of Secondary Education Boards.

432 Q.—Mr. ABBAS ALI KHAN: Will the hon. the Minister for Education be pleased to state—

(1) how many of the Presidents of the newly constituted Secondary Education Boards are (1) Brahmans, (2) non-Brahmans, (3) Mussalmans, (4) Indian Christians, (5) Adi-Dravidas and other depressed classes; and

(2) how many of these were members of the past Legislative Council and what are their names and their educational attainments?

A.—(1) Presidents of District Secondary Education Boards—

Brahmans	...	...	...	...	...	5
Non-Brahman Hindus	...	...	...	...	...	16
Muhammadan	...	...	...	...	...	1
Indian Christians	...	...	...	...	...	2
Adi-Dravidas and other depressed classes	...	...	...	...	...	Nil.

(2) The following are the names of the Presidents of District Secondary Education Boards who were members of the past Legislative Council:—

- (1) M.R.Ry. Diwan Bahadur T. Balaji Rao Nayudu Garu, President, District Board, Kistna.
- (2) M.R.Ry. Rai Bahadur P. C. N. Ethirajulu Nayudu Garu, President, District Board, Guntur.
- (3) M.R.Ry. Rao Bahadur C. Venkataranga Reddi Garu, B.A., B.L., President, District Board, Kurnool.
- (4) M.R.Ry. P. Siva Rao Garu, B.A., B.L.
- (5) M.R.Ry. Diwan Bahadur P. Kesava Pillai Avargal, President, District Board, Anantapur.
- (6) M.R.Ry. Rao Bahadur T. M. Narasimha Achariyar Avargal, B.A., B.L., President, District Board, Cuddapah.
- (7) M.R.Ry. W. Vijayaraghava Mudaliyar Avargal, President, District Board, North Arcot.
- (8) M.R.Ry. B. Muniswami Nayudu Garu, B.A., B.L., President, District Board, Chittoor.
- (9) M.R.Ry. K. Sitarama Reddiyar Avargal, B.A., B.L. (till lately President, District Board, South Arcot).
- (10) Diwan Bahadur Sir T. Desika Achariyar Avargal, B.A., B.L., President, District Board, Trichinopoly.

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- (11) M.R.Ry. P. T. Rajan Avargal, B.A. (Oxon), Bar-at-Law.
 (12) M.R.Ry. Raja Rajeswara Sethupathi alias Muthuramalinga Sethupathi Avargal, Raja of Ramnad, President, District Board, Ramnad.
 (13) M.R.Ry. C. V. Venkataramana Ayyangar Avargal, B.A., B.L.
 (14) M.R.Ry. Rao Sahib S. Ellappa Chettiyar Avargal, Vice-President, District Board, Salem, and President in charge.
 (15) M.R.Ry. Rao Sahib E. C. M. Mascarenhas Avargal.
- The Government are not in possession of details of the educational qualifications of all the gentlemen.

Mr. S. SATYAMURTI:—"With reference to statement given in A (1) of the answer, will the hon. the Minister be pleased to state why there are no Adi-Dravida Presidents of the District Secondary Education Boards?"

The hon. Rao Bahadur Sir A. P. PATRO:—"No suitable persons were available."

Mr. S. SATYAMURTI:—"With reference to the answer now given are we to understand that among the Adi-Dravidas there are not men of sufficient common-sense, business instincts, and ability to discharge the duties of Presidents of District Secondary Education Boards? (Hear, hear, from the Opposition Benches.)"

Mr. R. VEERIAN:—"May I ask the hon. the Minister for Education as to why no member of the Adi-Dravida community or other member of the depressed classes was appointed or nominated as presidents of the newly constituted Secondary Education Boards either in Madras or in the mufassal?"

The hon. Rao Bahadur Sir A. P. PATRO:—"The question now asked will be remembered when the matter is next considered."

The hon. the PRESIDENT:—"I have to inform the House that question 197 which was put on the paper yesterday is not called to-day. For, the understanding was that supplementary questions were to be sent in to the Secretary before 5 p.m. yesterday. Since no supplementary questions were sent in the question is not called to-day."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, I was not sure that it would be answered to-day. In view of the fact that both the hon. the President and the Finance Member said that it would be better if further questions were put instead of supplementary questions, and also in view of the fact that the answers raised important issues I thought that fresh questions would be more satisfactory than mere supplementary questions which would probably elicit the answer from the Government Members that they would require consideration or they would require time."

The hon. the PRESIDENT:—"Quite right."

Mr. C. RAMALINGA REDDI:—"Sir, I also did not send my supplementary questions because in the first place their nature depends on the kind of answers we get. One answer will lead to another question and so on. If one is to table all supplementary questions in advance it will have to be by prophecy which power I do not possess. Secondly, in view of the great importance of the issues raised I thought the best course will not be by asking

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questions at all, but by moving an adjournment of the House or by definitely tabling a motion that the interpretation of the power and prestige of the Ministry as contained in that statement does not meet with the approval of this House and is inconsistent with the spirit of the Reforms Act. We feel very strongly on this subject. I also wanted to raise a point of order with reference to this. Sir, it will be remembered by you that last year the hon. the Law Member raised a point of order with reference to the resolution of my hon. Friend from Bellary to the effect that certain appointments should not be discussed inasmuch as they were vested in His Excellency. Your very distinguished predecessor gave a ruling on that matter. Now, Sir, we would like you to give a ruling whether this interpretation of the power and prestige of Ministers is a proper one under the Reforms Act. Since His Excellency is now the person who exercises real control over these appointments I ask you to give us a ruling whether it would be right on our part to criticise the conduct of His Excellency in all these matters."

The hon. the PRESIDENT:—"Do I understand the hon. Member to raise a point of order, now? Or does he intend to raise a point of order hereafter?"

Mr. C. RAMALINGA REDDI:—"Any way, Sir, I have brought it to your notice; probably I have not explained myself fully. Sir, if the hon. the Chief Minister is a responsible Minister, we should confine our criticism to him and to his colleagues; but if his part is only to advise His Excellency in the way in which anybody else may do and if the real power is elsewhere, we will in future not criticise him but criticise the persons in whom such power is vested. There has been already a ruling on this point. I think I may refer the matter to your kind consideration."

The hon. the PRESIDENT:—"This question must be considered in all its bearings. There will be no harm if the hon. Member devotes some further time to making up his mind as to what form his action will take. Any questions that are put by hon. Members will be considered in the ordinary way as to their admissibility."

Mr. C. RAMALINGA REDDI:—"With your permission, Sir, may I ask the hon. the Chief Minister whether he is satisfied with the position as defined in his answer? This can be answered without notice, Sir."

The hon. the PRESIDENT:—"It would be better if this question were not put."

Mr. S. SATYAMURTI:—"Sir, this question was postponed since some Members were not ready with supplementary questions. It would place those who are prepared with supplementary questions at a disadvantage. It was on the order paper; the answer has been given and I was unfortunately not here, yesterday. And therefore those who were not parties to any such arrangement should not be penalized by not allowing them to put supplementary questions to-day."

The hon. the PRESIDENT:—"I am under the impression that the whole House was a party to the arrangement (hear, hear). It was openly discussed and there is absolutely no harm, in deferring the supplementary questions. It is a matter of importance and hon. Members may frame separate questions and these will be answered by the hon. Members of Government so far as they are able to answer them."

Mr. S. SATYAMURTI:—"I was not here; I was not a party"

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The hon. Sir CHARLES TODHUNTER :—" Sir, though the hon. Member had about 43 questions on the paper yesterday he did not do the House the courtesy of attending the meeting. Is he now entitled to take advantage of that fact ? "

Mr. S. SATTAMURTI :—" I am sorry, Sir, I was not able to attend on account of an unfortunate domestic occurrence."

The hon. Sir CHARLES TODHUNTER :—" I express my regret, Sir ; I was not aware of the circumstance."

Mr. J. A. SALDANHA :—" Mr. President, Sir, with reference to the ruling you gave in connexion with the cross-fire opened by Mr. Ramaswami Mudaliyar, may I know whether this precedent can apply to other Members ? Can we ask an hon. Member to explain himself if we don't understand him well ? "

The hon. the PRESIDENT :—" Any hon. Member is entitled to ask for explanation of anything that is not clearly understood."

The House adjourned for lunch at 1-30 p.m.

APPENDIX I.

[Vide answer to question No. 295 asked by Rao Bahadur T. A. Ramalinga Chettiyar at the meeting of the Legislative Council held on the 8th February 1924, page 351 supra.]

Extract of letter from the Collector of Coimbatore, D. Dis. No. 6412/23-A-2, dated 17th January 1924.

5. *Representation of ryots.*—I received a deputation yesterday headed by the three local Members of the Legislative Council, Messrs. V. C. Vellingiri Goundar, C. V. Venkataramana Ayyangar and T. A. Ramalingam Chettiyar. A number of big ryots from Avanashi, Coimbatore, Dharapuram, Erode and Palladam taluks attended. The deputation suggested that free permits for grazing might be issued to ryots paying less than Rs. 50 assessment and also to tenants paying small rents ; also that free cutting of grass in forest reserves should be allowed, that penning licences should be issued freely and that the block system should be abolished where it continues. The latter suggestion appears to apply to Mettupalayam and Bolampatti forest ranges only, which are on the western side of the Avanashi and Coimbatore taluks respectively. They also suggest that the Railway Companies might be asked to allow special concession rates for the import of fodder. With regard to grazing concessions, I am taking necessary action and will adopt these suggestions as far as possible except with reference to the grant of free permits to wealthy ryots and tenants. I propose to see the result of the issue of free permits to ryots paying not more than Rs. 10 in the first instance. It must be remembered that in the present season the grazing capacity of the forest reserves is very limited.

The deputation also requested that where dry crops have largely failed or lands have been left waste, remission of dry assessment should be granted and that in other cases suspension of dry assessment should be ordered by me immediately with a view to subsequent remission where failure should be ascertained.

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The deputation referred to the following areas as being specially affected :—

Avanashi taluk (the area referred to at the beginning of paragraph 4 of this letter),

Perundurai division,

Kangayam division, and

Palladam and Tirupur firkas.

I have called for further reports from Tahsildars with regard to these areas. I am doubtful whether Kangayam division is seriously affected.

APPENDIX II.

[Vide answer to question No. 309 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 8th February 1924, page 360 supra.]

Presidents, District Boards, who stood for election to Legislative Council.

Diwan Bahadur P. Kesava Pillai	...	...	Anantapur.
Mr. W. Vijayaraghava Mudaliyar	...	...	North Arcot.
Mr. K. Sitarama Reddiyar	...	...	South Arcot.
Rao Bahadur M. Gopalaswami Mudaliyar	...	...	Bellary.
Mr. B. Muniswami Nayudu	...	...	Chittoor.
Rao Sahib C. S. Ratnasabapathi Mudaliyar	...	...	Coimbatore.
Rai Bahadur T. M. Narasimha Achariyar	...	...	Cuddapah.
Rai Sahib M. Venkataratnam Nayudu	...	...	Godavari.
Rao Bahadur P. C. Etirajulu Nayudu	...	...	Guntur.
Diwan Bahadur T. Balaji Rao Nayudu	...	...	Kistna.
Rao Bahadur C. Vonkataranga Reddi	...	...	Kurnool.
Mr. V. Madhava Raja	...	...	Malabar.
Rao Bahadur A. S. Krishna Rao	...	...	Nellore.
Diwan Bahadur T. N. Sivagnanam Pillai	...	...	Tinnevely.
Rao Bahadur C. V. S. Narasimha Raju	...	...	Vizagapatam.
The Raja of Ramnad	...	...	Ramnad.

APPENDIX III.

[Vide answer to question No. 331 asked by Rao Bahadur Cruz Fernandez at the meeting of the Legislative Council held on the 8th February 1924, page 372 supra.]

(1)

From Captain N. R. UBHAYA, Assistant Director of Public Health, to the Director of Public Health, Madras, Camp, Cuddalore N.T., dated 22nd January 1924.

With reference to the outbreak of plague in the town of Tuticorin, I have the honour to state that I inspected the town from 12th instant to 16th instant, and to submit the following report.

2. On 20th December 1923, the Civil Surgeon admitted a case of fever into the hospital. A bubo developed and the patient died on 23rd December 1923. A liver smear was sent by him on 24th December 1923 to the King Institute for examination, with the result that it was declared to be positive for plague and the result communicated by the Director, King Institute, by wire. Subsequent to this, the Civil Surgeon was able to trace two more

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indigenous cases in the Strawpottab. Simultaneously dead rats began to be found thrown out in a market area, and these also were found to be plague-infected by the King Institute. More fresh cases were reported and the District Collector declared the town to be plague-infected and ordered the closure of the private market to which infection was traced. Gradually the whole of the VIII Ward was infected. Later on, cases began to be discovered in the III and I Wards as well. The source of infection could be traced with some difficulty to Madura district and not to Colombo. It is to be noted that there is a heavy grain traffic between Madura and Tuticorin, and portions of Madura district are among the areas declared plague-infected.

3. As this is the first visitation of the disease in the town, a large number of the inhabitants did not believe in the existence of the epidemic. Consequently the Sub-Collector convened a public meeting, and proving beyond doubt the existence of plague to the incredulous and suggesting remedial measures to stamp out the epidemic, appealed for co-operation of the people. There is every reason to believe that people were not scrupulously notifying attacks and rat-falls to the authorities and were thus, though unconsciously, making the situation graver.

4. As regards the remedial measures, it is to be thankfully admitted that the Civil Surgeon, Dr. R. R. Williams, who had engaged himself in plague research work in Coimbatore district and who had handled epidemics of plague elsewhere, has been quite equal to the occasion from the very beginning of the outbreak here. If he had the co-operation he desired at the hands of the public it is quite possible that matters would have been much better.

Inoculation, which should stand foremost among all measures, is being done to suit the convenience of the people. So far the figure has reached to over 2,000. There is no doubt that more inoculations would have been done if people only had come forward. To serve as an incentive example the Sub-Collector and some other gentlemen have got themselves inoculated in public. Other influential gentlemen, it is hoped, would imitate them and help to make inoculation more popular, as so far there is no determined opposition on the part of the general public. What is wanted is only lead. The example of the popular M.R.Ry. Rao Bahadur Cruz Fernandez, M.L.C., who is also exerting himself to stamp out the epidemic in collecting scores of people in his own house and having them inoculated, might also very well be followed by many a leader of the various communities. The Civil Surgeon, besides doing the inoculation in the hospital himself and going over to private houses in special cases, is sending out his assistants wherever people are collected. European owners of large labour have lent their helping hand; it is hoped others would follow suit.

As wholesale evacuation of inhabited houses is neither possible nor very much desirable, people of infected houses—houses where rat-falls occur and also those where human cases occur—should be persuaded to evacuate the houses and the premises kept locked for a period of at least ten days (after the usual disinfection such as pouring kerosene oil on combustibles on the spot where the dead rat is found and by arranging articles and furniture in the house so as to afford neither shelter nor food to the rat population with a view to allow the lurking infected flea to die without allowing it to do further harm. Twenty blocks of five rooms each were under construction and are possibly ready by this time for occupation. The same procedure holds good in the case of shops as well. Just previous to the reoccupation of these infected

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premises, all articles kept there should be desiccated by exposure to the hot sun. In this connexion it is necessary to keep effective control on the carrying of articles to the camp. Articles of absolute necessity only should be allowed and only after they are exposed to the direct rays of the hot sun for at least four hours, lest the camp should get infected and its object defeated.

The Councils own about 22 dozens of rat traps. As many of them are out of order and some more seem to be needed, the number may be augmented. Rat baiting is also being done. Rat destruction should not be confined to the infected areas alone, but should be extended to beyond the affected zone in a systematic way. Cessation of human attacks should not lead to laxity of this measure, which, as a matter of fact, should be conducted in a varying measure throughout the year practically, and pushed on especially just before the epidemic season year after year. It should be widely made known to the public that dead rats should not be approached or handled in houses or shops, but that the fact should be notified forthwith to the authorities, who should arrange for the removal, etc., by a separate staff of inoculated coolies. Offering money to private people for producing dead rats is to be discontinued as the practice will only lead to unnecessary exposure to infection of the people who collect them for the sake of money.

Propaganda work is not the least important among the preventive measures to be adopted, especially among these people to whom plague is new. Although about 2,000 Tamil pamphlets have been distributed and five lectures delivered, there is yet more room for work to be done in this direction. The District Health Officer has kindly consented, at the request of the Civil Surgeon, to give magic lantern lectures regarding plague at various centres.

As plague is really a rat disease and only incidentally attacks the man, the control of rat traffic should be the aim in introducing preventive measures against spread; in other words, efficient control of grain traffic. All consignments of grain coming to or going out of Tuticorin should be exposed to the hot sun for an adequate length of time. For this the co-operation of the Railway and Shipping authorities is essential and should be sought for.

The Collector has been pleased to sanction the appointment of three special plague inspectors whose services should be utilized in scrutinizing the grain traffic in Tuticorin as well as in all other remedial measures. This fact has been already intimated to the Chairman.

All the work done by the executive in stamping out the disease would be of little avail in the absence of sincere co-operation from the people. This could be only achieved successfully if responsible and influential representatives of the different classes of people form into vigilance committees and be in touch with the executive. This point has been sufficiently emphasized during my stay at Tuticorin.

(2)

Letter from the Collector of Tinnevely, to the Director of Public Health, Madras, dated 16th January 1924.

[Plague—Tuticorin municipality—Outbreak—Preventive measures—Report under plague S.O. No. 14.]

The total number of attacks and deaths reported up to 13th January 1924 are 48 and 32 respectively. The following preventive measures are being taken to stamp out the epidemic.

1. Evacuation of the heavily infected block has been ordered and plague sheds provided in the site approved by the Medical and Health Officers.

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2. The private market and the two cart-stands situated in the infected locality have been closed and the grains in the shops in that locality have also been ordered to be exposed to the sun for not less than 6 hours.

3. The grains and bags going out of Tuticorin and coming into Tuticorin from other infected areas either by train or by road have been ordered to be exposed to the direct rays of the sun for not less than six hours.

4. Inoculation is in good progress and many people have been inoculated by the Sub-Assistant Surgeon specially posted for this duty. People are freely coming forward for inoculation.

5. Rat destruction is being attended to by the special plague inspector. Rat traps have been supplied by the municipality to the people living in and near the infected area. The municipality is also giving liberal rewards for rat destruction.

6. Leaflets on plague are being distributed and the propaganda work is actively carried on by the Municipal Health Officer and his staff.

7. To prevent the spread of plague to other parts of the district, the Chairmen of the Municipalities, the Presidents of Union Boards and the village officers of other villages have been instructed to see that the personal effects of persons and grains, etc., coming from the plague infected area are exposed to the sun for the given period before they are allowed to enter into the town or village.

APPENDIX IV.

[Vide answer to question No. 381 asked by the Raja of Ramnad at the meeting of the Legislative Council held on the 8th February 1924, page 397 supra.]

Serial number and name of building.	Rent at present paid for each building.	Value of the building.	Year of purchase.
<i>North Presidency Division.</i>			
1. Quarters of the Overseer, Government Press	Rs. 16½	Rs. 5,647	1906-07
2. Quarters of the Electrician, Government Press	12½	3,614	1906-07
3. Quarters of the Superintendent, Presidency Training School, Egmore.	11	1,885	1850
4. Quarters of the Workshop Assistant in European Training School.	8	2,332	Not known
5. Quarters for an Assistant Instructor, Manual Training ..	13½	4,731	Do.
6. Sub-Assistant Surgeon's quarters, Penitentiary, No. 1 ..	10	2,957	Do.
7. Do. do. No. 2 ..	9½	2,867	Do.
8. Sub-Assistant Surgeon's quarters, Lunatic Asylum ..	21	3,965	Do.
9. Quarters of the Superintendent, Old Leper hospital ..	45	10,168	Do.
10. Sub-Assistant Surgeon's quarters, new hospital, Rayapuram.	16	3,228	Do.
11. Sub-Assistant Surgeon's quarters, Sir Raja Ramaswami Mudaliyar's Lying-in hospital.	17	3,070	Do.
12. Quarters of the Surgeon, First district	80	26,311	1910
13. Sub-Assistant Surgeon's quarters, No. 1, Government Ophthalmic hospital.	21	4,202	Not known
Sub-Assistant Surgeon's quarters, No. 2, Government Ophthalmic hospital.	21	4,202	Do.
Sub-Assistant Surgeon's quarters, No. 3, Government Ophthalmic hospital.	13½	4,202	Do.

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Serial number and name of building.	Rent at present paid for each building.	Value of the building.	Year of purchase.
<i>North Presidency Division—cont.</i>			
Sub-Assistant Surgeon's quarters, No. 4, Government Ophthalmic hospital.	Rs. 11	Rs. 4,202	Not known
Sub-Assistant Surgeon's quarters No. 5, Government Ophthalmic hospital.	10½	4,202	Do.
14. Quarters of the Superintendent, Government Maternity hospital.	100	22,165	Do.
15. Sub-Assistant Surgeon's quarters, Government Maternity hospital.	12	2,282	Do.
16. Resident Medical Officer's quarters, new hospital, Rayapuram.	60	22,251	1918
17. Sub-Assistant Surgeon's quarters, new Leper hospital ..	25	6,188	1921
18. Quarters for an Assistant Superintendent, Lady Willingdon Medical School for Women.	21½	27,431	1921
19. Quarters for a Lady Assistant-Surgeon, Lady Willingdon Medical School for Women.	20	18,313	1921
20. Clerk's quarters, St. Mathias Church	6	785	Not known
<i>South Presidency Division.</i>			
21. Quarters of the Principal, old Engineering College, Chepauk, now occupied by the Principal, Presidency College, Madras.	145	14,058	Do.
22. Married Military Students' quarters attached to the old Engineering College, Chepauk, Block V.	21	4,216	Do.
Married Military Students' quarters attached to the old Engineering College, Chepauk, Block VI.	23	4,219	Do.
23. Vice-Principal's quarters, late Agricultural College, now occupied by the Manual Training Instructor, Teachers' College, Saidapet.	40	8,578	1904
24. New Engineering College, Guindy—			
(a) G.I. Professor's quarters	60	24,817	1920
(b) G.II. Do.	95	24,817	1920
(c) G.III. Do.	165	24,841	1920
(d) K.I. Married Military Students' quarters—Block I.	32	4,476	1920
Block II.		4,476	1920
(e) Do. do. Block III.	18	4,476	1920
(f) Do. do. Block VI.	12½	4,476	1920
(g) Do. do.	8½	2,596	1920
(h) Sub-Assistant Surgeon's quarters	45	10,197	Not known
25. Late Office of the Registrar of Co-operative Societies, Chepauk, now occupied by the Subdivisional Officer, Government House Subdivision.	16	6,531	1921
26. Quarters of the Assistant Superintendent, Victoria Caste and Gosha hospital.	38	7,485	1921
27. Quarters of the House Surgeon, Victoria Caste and Gosha hospital.			
28. Royapetta hospital—			
(a) Quarters of the Resident Medical Officer	35½	16,976	Not known
(b) Quarters of the Sub-Assistant Surgeon, No. 1 ..	10	20,053	Do.
Do. do. No. 2 ..	12½	2,152	Do.
29. Quarters of the Conservancy Sergeant, occupied by the Assistant Superintendent, Government Gardens.	363	75,644	1917
30. Brodie Cattle, Adyar	350	68,624	1917
31. "Grange," Adyar	200	36,978	1917
32. "Bridge House," Adyar	264	49,833	1917
33. "Adyar House," Adyar	132	17,551	1884
34. Wallajah Bagh Bungalow	10	1,581	Not known
35. Quarters of the Superintendent, Government Brickfields.	11½	3,396	1904
36. Quarters of the Veterinary Assistant, Veterinary hospital, Saidapet.			
37. Quarters of the Inspectress of Girls' Schools, Central Circle.	57½	19,778	1912
38. Eight additional quarters for nurses of Lady Amptill's Nurses Institute.	137	29,788	1915

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APPENDIX V.

[Vide answer to question No. 389 asked by Mr. T. Adinarayana Chettiyar at the meeting of the Legislative Council held on the 8th February 1924, page 404 supra.]

Statement showing the names of the Assistant Registrars of Co-operative Societies appointed during 1922 and 1923, their last appointments with their pay, qualification, caste and lien in Government service.

Name and caste.	Qualification.	Appointment last held.	Pay.	Permanent lien in Government service.
1. M.R.By. M. Giryappa (N.B.).	B.A.; Rev. (H); Account (L); Criminal (H).	Chief Inspector of Co-operative Societies.	RM. 88	Nil.
2. M.R.By. K. Rangaswami Nayudu (N.B.).	B.A. (for some time personal clerk to the Chief Minister; studied co-operation at his own expense in England).	Nil.	..	Nil.
3. M.R.By. K. Raman Nayar (N.B.).	B.A.; Deputy Collector's tests.	Head Clerk, Collector's Office, Coimbatore.	160	Revenue Department.
4. M.R.By. J. A. Peters (Indian Christian).	B.A., L.T.	Headmaster, Government Training School, Kurnool.	..	Educational Department.
5. M.R.By. K. Sivasubramanya Pillai (N.B.).	B.A.; Rev. (H); Account Test, Criminal (H); Survey Training under Land Records Tahsildar; Reading Mas. in Tamil (exempted).	Acting Deputy Tahsildar in Madura district.	150	Revenue Department.
6. M.R.By. Dharmaraja Daniel Souri (Indian Christian).	B. Litt. New Jersey, U.S.A. Has served in the U.S.A. Army. Employed for a time in the Educational Department of the Aroor Mission.	Telugu Translator to the Government of Jamaica.	..	Nil.
7. Md. Muhi-ud-din Sahib (Muhammadan).	Matriculate with Deputy Collector's tests and Compulsory Vernacular Examination.	Deputy Tahsildar, Ganjam district (acting).	150	Revenue Department.

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APPENDIX VI.

[Vide answer to question No. 417 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 8th February 1924, page 430 supra.]

Names, etc., of the staff of the Special Branch of the Criminal Investigation Department.

[Clause (b) of question No. 457.]

Designation.	Name.	Qualifications.	Pay.	Duties.
1. Head clerk ..	Mr. G. W. H. Inglis.	Army school certificate.	250-10-300 ^{RS} (270)	Please see answer to (a) & (d). Do.
2. Second clerk ..	Mr. F. J. C. Andrews.	European High school.	200-10-250 (220)	Do.
3. Third clerk ..	Mr. W. H. Hobday ..	Do.	150-8-180 (162)	Do.
4. Fourth clerk ..	Mr. G. S. Price ..	Shorthand and typewriting test.	125-5-150 (135)	Do.
5. Fifth clerk ..	Mr. M. Kerdall *	B.A.	125-5-150 (125)	Do.

* At present a Probationary Sub-Registrar.

APPENDIX VII.

[Vide answer to question No. 418 asked by Diwan Bahadur P. Kesava Pillai at the meeting of the Legislative Council held on the 8th February 1924, page 431 supra.]

	Number of officers on duty on 1st April 1920.	Number of officers ordered to be reduced up to 23rd September 1923.
<i>Ryotwari tracts—</i>		
Karnams	14,271	1,693
Assistant karnams	1,125	
Munsifs	16,271	2,101
Triune officers	7	
Monigars	1,051	894
Vettis	30,313	5,625
Nirgantis	2,123	1,035
Talaiyaris	23,175	4,965
<i>Proprietary areas—</i>		
Karnams	6,715	120
Assistant karnams	193	
Headmen	6,230	13
Triune officers	3,625	
Monigars	189	41
Vettis	1,225	6
Talaiyaris	11,110	90

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merits. But I am raising the point of order in the interests of the quick and regular despatch of business in this House. If my wishes have anything to do in this matter and if the non-official Members agree, non-official business may be taken to-morrow, and nothing will please me better, for there are many resolutions on the Agenda. If it is the opinion and wish of the House that we should go on with any official business to-day, and that we should sit to-morrow and dispose of the non-official business, there is no objection, subject to your ruling."

The hon. Mr. O. P. RAMASWAMI AYYAR :—" Mr. President, if I may say so, I have very great pleasure in agreeing with my hon. friend Mr. Satyamurti (hear, hear) in regard to this matter. Although during this particular Session we have not agreed very often, I am very pleased to be in agreement with him now. I think that the point of order he has raised is correct."

Diwan Bahadur M. KRISHNAN NAYAR :—" I want to know, Sir, if we can come to an arrangement in this sitting here, anticipating the sanction of His Excellency, as it is after all left to His Excellency to allot another day for the transaction of non-official business. Can we sit here to-morrow without the sanction of His Excellency for the transaction of non-official business? It is left to you, Sir, after hearing the hon. Members on the Government Front Bench to decide this matter."

The hon. Sir ARTHUR KNAPP :—" With all respect, may I say, Sir, that, now that a point of order has been raised, it would be more satisfactory to the Government Bench that you should give a ruling on the point? I do not think any question of arrangement comes in, as the hon. Member has raised a point of order."

Mr. S. SATYAMURTI :—" On the point raised by Mr. Krishnan Nayar, may I suggest, Sir, that it is the function of His Excellency the Governor to allot non-official days, but it is your function to say which shall be the non-official days. And if you take note of the time spent on questions and answers this morning and the official business to be done to-day and if you care to allot to-morrow as the non-official day, I do not think, subject to your ruling, that the Rules or Standing Orders will be against it. His Excellency has not stated to us that this day shall be the non-official day, and it is for you to fix that day."

The hon. the PRESIDENT :—" I am very much obliged to the several hon. Members for signifying to me their wishes in the matter, because I think that in any ruling given on a matter like this it would be best that I should have with me the general sentiment of the House. I understand the House wishes to reckon the day allotted for non-official business from the time at which the hon. Sir Arthur Knapp's motion will have left the hands of the House. It means that we shall sit for either a part or the greater part of the to-morrow. So far as I am concerned, I am quite willing to adjourn the business when we have come to the close of the debate to-day and go on to-morrow as long as it may be necessary to carry out that understanding."

The hon. Sir ARTHUR KNAPP :—" May I, Sir, again, with all respect, point out that the point raised is not that I am not in order in moving this grant, but that at the present moment non-official business should have precedence over other business, and I would ask you, with all respect, to give a ruling on that point of order."

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The hon. the PRESIDENT :—" I am quite clear that to-day non-official business would have precedence provided we were agreed as to its being the non-official day. But, perhaps, I ought to take the House back a little into past history in order to understand this particular issue. The House is aware that the arrangement about the days for non-official business in our Council is not exactly the same as that, for instance, in the Legislative Assembly. There certain days are appointed for non-official business, whereas here the understanding arrived at between His Excellency the Governor and my predecessor was that a certain number of days should be allotted for the session and that it should be within the discretion of the President to work up to that total, and he worked up to a total of six days. In fact we sat for non-official business, according to his reckoning, for a little over six days if not for quite seven days. On the same principle, I think it is open to me to work out this additional day and I would be justified in beginning the day somewhat later—as I said, as soon as the motion to be made by the hon. Sir Arthur Knapp has left the hands of the House. And so the question of precedence does not arise because the non-official business has not yet commenced."

The hon. Sir ARTHUR KNAPP :—" I do not wish to argue the matter further. Probably I am labouring under a slight misunderstanding. I understood the announcement made yesterday—I was not present then—was that to-day, Friday, had been assigned by His Excellency for non-official business, and it is on that ground that my hon. Friend's point of order was raised."

The hon. the PRESIDENT :—" I added 'provided that the Government business has come to an end by that time.'"

The hon. Sir ARTHUR KNAPP :—" I was not present then, Sir."

Demand for Grant I was then taken up.

The hon. Sir ARTHUR KNAPP :—" Sir, I beg to move

that the Government be granted an additional sum of Rs. 17,200 under Land Revenue Department for the grant of special pay to Deputy Collectors employed on settlement work and revision of adangals.

" This demand, Sir, is on all fours with the one which I had the honour to make the day before yesterday in this Council in connexion with the allowances to Survey Officers inasmuch as it represents a sum which was cut out of the Budget last March, but which the Government were anxious to bring again before the Council. They decided not to press it until they had the opinion of the Retrenchment Committee upon it. I do not think it will be necessary for me to explain in detail to this House the reasons why the Government regard the grant of these allowances as a matter of considerable administrative importance. I am quite aware that there are a certain number of hon. Members in this House who were not present at the meeting of March last when my predecessor, Sir Muhammad Habib-ul-lah, explained the whole position in very considerable detail. But at present I prefer to take my stand on the simple position that the Retrenchment Committee has, after the most careful and exhaustive enquiry, deliberately recommended the grant of these allowances under class 3, i.e., 'because of the arduous nature of the work.' As I said the other day, I do not for a moment suggest that this House is bound to accept the recommendations of the Retrenchment Committee as a whole, but I do say that from what we know of the manner in which they conducted their inquiry and the amount of

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labour they bestowed upon it, those recommendations are entitled to the greatest consideration, and on that ground I hope the House will see their way to accept this motion and pass the grant."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I was one of those who opposed, and opposed strenuously, the grant of these allowances to Deputy Collectors who are employed on settlement work in all the Budget discussions of 1921, 1922 and 1923. As the hon. the Home Member stated, certainly the recommendations of the Retrenchment Committee as such are not binding on this House, and I myself differ in many respects from the recommendations of that Committee. But with reference to this particular matter I think the House will do well to accept the recommendation of the Committee. The hon. Sir Habib-ul-ah stated in March that settlement work was a specially dangerous work. Of course, I cannot agree with him even now that it is exceptionally dangerous, but I think that it is certainly an arduous work. And seeing that the Indian Civil Service officers who are employed on this work are getting this allowance, let us not make a distinction between Deputy Collectors who are engaged on settlement work and the Indian Civil Service officers who are engaged on the same work and who are getting the allowance. Let us not allow it in the case of one class of officers and refuse it in the case of others. For these reasons, I think the House will be well advised in accepting the recommendation of the Retrenchment Committee and voting for the motion made by the hon. Sir Arthur Knapp."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I fear, Sir, I have to object to this Grant, because, when once we accede to this proposal, I think we shall again embark upon a policy which we have been objecting to. For some years we have been objecting to duty allowances and also to their conversion into special pay. I do not think any reasons have been advanced in defence of special pay different from the reasons urged last year at the time of the Budget discussion. I think this House will be justified only in standing by the position it had taken in March last on this question. I think there are no special reasons for reopening this matter and for sanctioning this amount at this stage. When once we accept this position, I am quite sure there will be hundreds of other cases with regard to which proposals will come forward for other kinds of duty allowances being converted into special pay. For these reasons I oppose this motion."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, this demand if it is introduced as a supplemental demand, is, I think, quite incorrect, because during the March session, the Budget for this year was put forward and in that Budget this item of duty allowance was by a vote of this House rejected, and His Excellency the Governor did not certify it. From that it means that no expenditure can be incurred as the Grant stands. Now, if I understand the nature of the Grant correctly it comes to this. We are not supplied this time with any explanatory notes as was the practice set up at the last sitting.

"It is a grant to revive an item of expenditure which was rejected by the House. Now, I would draw the attention of the House to Rule 32 of the Legislative Council Rules:

3 p.m.
(1) An estimate shall be presented to the Council for a supplementary or additional grant when—

(2) the amount voted in the Budget of a grant is found to be insufficient for the purpose of the current year."

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"The present demand cannot be made under this head; for this is not an item which was voted in the Budget. Government included the item in the Budget, but this House omitted it. So, the grant cannot be asked for under Sub-Rule (i). Sub-Rule (ii) says:

"(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."

"The grant is not due to a new service not contemplated in the Budget. It is an item which was contemplated in the Budget and rejected by this House. On the other hand it cannot be an extra expenditure on account of any items included in the Budget and voted for. Therefore, I submit, Sir, that this cannot come in the shape of a supplemental grant. If this is allowed, then the House, consistent with the previous proceedings in this Council, should reject it. I take objection to its appearing as a supplementary grant under Rule 31. I hope you will rule it out, Sir, on the ground of its not being a supplementary grant."

Mr. B. MUNISWAMI NAYUDU:—"I oppose this motion for a grant, because thereby the Council will be practically giving its assent to the general recommendations of the Retrenchment Committee on the question of allowances, as to which allowances have to be retained and what have not to be retained. Sir, no discussion has yet taken place in this House as to whether the Report of the Retrenchment Committee is to be adopted by this House either wholly or in part. No motion of that kind has yet come either from the side of the Government, or from that of the non-official members in this House, and any such motion would be relevant at the time of the Budget. The question is whether, when the Retrenchment Committee has recommended that certain allowances might be retained and that certain others need not be retained, and when my hon. Friend, Mr. Krishnan Nayar, said that he himself finds some of those recommendations not quite agreeable, we shall commit ourselves by accepting one part of it and thereby stultify ourselves when we come to discuss the general question as a whole. Before we are able to vote on this question, I may ask for information from the hon. the Home Member as to whether the Government accepted the Resolution of the House cutting down the Budget provision for special pay or whether they did not accept it, whether the particular officers for whom this allowance is now claimed were drawing the allowance from 1923. If they were not drawing that, and if the allowance that has been disallowed is now attempted to be restored and given to them in one lump sum, I submit there is no hurry about it. The whole question of allowances, whether they are to be continued or not, might well be postponed and better considered at the time when the Budget is presented for discussion. Because, on the question of a demand for Grant, if this House on the motion of any official or non-official Member should now consider the general policy of allowances and come to certain decisions, then it may be that during the Budget discussion some decision contrary to the one we may arrive at now might be come to, and I am sure the hon. the Home Member will then stand up and say 'you are now taking up a position inconsistent with the one you took up before'. For this reason, I would request the hon. the Home Member to see that, whatever may be the smallness of the amount involved in this matter, yet it involves a principle, and I would request the hon. the Home Member not to press this now, but to wait until the presentation of the Budget when we shall have a fuller opportunity for discussing what particular advice of the Retrenchment Committee we shall accept and what not."

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The hon. the PRESIDENT:—"I wish to know from the hon. Member, Mr. Narasimha Raju, under what provision he objects to this supplementary grant?"

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I object to the grant, Sir, under Rule 32 of the Legislative Council Rules (Volume I, page 165):

'32. (1) 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 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."

The hon. the PRESIDENT:—"Does the hon. Member mean that the whole of this grant was rejected? A portion of the grant was struck off by a vote of the House."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"My construction of the first clause is this. Here the word used is not 'Demand', but 'Grant'. We were supplied with the details of the Grant in the Budget. In the Budget as presented to this House there was an item of allowance to Settlement Officers, and that item was specifically omitted by a vote of this House."

The hon. the PRESIDENT:—"I understand that that was not a grant. We all know what is meant by a 'grant'. We speak of a particular vote—which is the expression used in the House of Commons—as a grant, and what was struck out in this House was an item in a grant. It seems to me that the grant that was voted was the grant that was asked for, less a certain item that was struck out. If so, and if the grant that was voted is not sufficient, I do not see why the Government should not ask for a certain amount of supplementary grant."

Mr. C. RAMALINGA REDDI:—"Can an identical item which was thrown out by the House be discussed again, Sir?"

The hon. the PRESIDENT:—"I was coming to that. What is the provision under which the identical item should not be discussed again? If hon. Members will refer to it, they will find under 'General Rules of Procedure' that:

'A motion must not raise a question substantially identical with one on which the Council has given a decision in the same Session.'

"Hon. Members will find corresponding provisions of a like tenor elsewhere."

Mr. E. W. LEGH:—"Mr. President, in answer to that I think we must admit that this item was one which was out by this House at the last Budget meeting. But surely, Sir, the interpretation to be put upon it is that this House at that time did not recognize the need for this allowance. Is there anything, Sir, to prevent the House at this time, now that we have come before it and asked for the provision from recognizing that there is need for it although they did not recognize it at the time the last Budget was passed? The House has heard one Member of the Finance Committee. There are other Members of the Finance Committee here who were present when this discussion took place. I would ask the House not to think that because they are accepting particular items, therefore they are asked to

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swallow the Report of the Retrenchment Committee as a whole. We are not asking that at all. We are asking the House to reconsider their decision with regard to this particular item which, we think, is a matter of some importance, because we have to get work from these officers and we have to treat them adequately. As regards the proposal to defer this item until the presentation of the Budget, of course it was quite open to the hon. the Home Member to have deferred it until the Budget time and then to have put it in the Budget when, perhaps, it might have escaped notice. But, personally, I do not like that sort of method. It is much better that we go to the House and face the question openly and ask the House if it would make the Grant."

The hon. Sir ARTHUR KNAPI:—"As a matter of personal explanation, Sir, I do not know whether I am right in thinking that the impression created by my hon. Friend's remarks may be that it was I who suggested such a method and that his own personal opinion was to the contrary. I did not suggest any such thing, Sir." (Laughter.)

Mr. E. W. LEGH:—"I did not mean to suggest any such thing, Sir. What I was saying was that it is much better that we should face the House and ask it to reconsider its decision than that we should put it in the Budget and attempt to get through it in the hope that the House will not notice it. Therefore it is that I would ask the House to consider the need for this Grant and accept it."

Mr. S. SATYAMURTI:—"Just one word, Sir, not on the merits of this Grant, but on the point raised by the hon. Member, Mr. Narasimha Raju. I think, Sir, that it is common ground now that this Grant was in the Budget of last year and was rejected by this House."

The hon. the PRESIDENT:—"This item was in the Grant."

Mr. S. SATYAMURTI:—"Yes, Sir, this item was in the Grant. My humble submission to you, Sir, and to this House is that there is no provision in the Rules of the Legislative Council, or in the Standing Orders, for an item which has been omitted by a vote of this House being restored again by the vote of the House. There are only two ways in which it can be done: either by His Excellency the Governor exercising the extraordinary powers conferred on him under the provisions of the Government of India Act, or by the Executive re-appropriating the money from one grant to another grant, leaving it to the Public Accounts Committee to bring it to the notice of the House later on and take the censure of the House if it thinks fit to give any. Subject to these extraordinary provisions I submit that Rule 32, which permits supplementary grants, Rule 31, which permits excess grants, and Rule 26, which deals with Demands for Grants, make this matter absolutely clear. You will see from the Agenda that this item comes under the heading 'Demand for Supplementary Grant for 1923-24.' If you will turn to the Rules you will find this:

'32 (1) 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 purposes of the current year.'

"Therefore, Sir, there must be some amount voted first, even Rs. 10; and if they want Rs. 1,000, then they can go to us and say: 'Give us now

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Rs. 990. When no amount at all is sanctioned, they cannot really come afterwards and ask for an excess or a supplementary grant. Then the second clause is this :

(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.

"A fortiori this Demand does not come under that clause. This is not a new service not contemplated in the Budget, but this is a service for which the House did not agree to make any provision. Therefore, this is not a demand for a supplementary grant as defined under Rule 32 of the Legislative Council Rules.

"Then, Sir, Rule 31 refers only to 'Excess Grants' where money has been spent in excess of the amount granted. That has not been done. If you will now turn to Rule 26, you will find this :

26. (1) A separate demand shall ordinarily be made in respect of the Grant proposed for each department of the Government, provided that the Finance Member may in his discretion include in one Demand Grants proposed for two or more departments, or make a Demand in respect of expenditure such as Famine Relief and Insurance and Interest, which cannot readily be classified under particular departments. Demands affecting reserved and transferred subjects shall, so far as may be possible, be kept distinct.

(2) Each Demand shall, contain, first, a statement of the total Grant proposed, and then a statement of the detailed estimate under each Grant divided into items."

"Therefore, this must have been presented either as a separate Demand for a Grant, or as a separate item under a major Grant. I do not know how it was proposed, but whatever it was, it was proposed either as a Demand for a Grant as a major head, or as a Demand for an item under a major head. In any case, it was rejected by the House. I therefore submit that except under the extraordinary powers vested in the Governor, or by the Executive re-appropriating the money and then coming to this House through the Public Accounts Committee, they cannot move for the Grant when no amount was voted in the Budget, or when no new service is contemplated and when the item was once rejected by the House. Therefore, I submit, Sir, that this Demand is wholly out of order."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"I want to draw your attention, Sir, and through you, the attention of the hon. the Law Member to the words :

"the amount voted in the Budget of a Grant is found to be insufficient for the purposes of the current year"

contained in Rule 32 (1) (i) of the Legislative Council Rules.

"Sir, my submission is this : my interpretation of the expression 'for the purposes of the current year' is that it includes the whole list of the Budget items. All the items that are mentioned there do indicate the purposes for which the Grant has to be spent. Every item of the Budget is indicated or denoted by the use of the words 'for the purposes of the current year.' Any item which was rejected by this House ceased to be a purpose for which the Grant was to be utilized. Here, when this House has rejected the duty allowance of the Settlement Officers, that purpose ceased to be one of the purposes of the Grant, and therefore it cannot under any pretext come under the first portion of the Rule and it cannot also come under the second portion because it is not a new item of a new purpose."

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Mr. C. V. VENKATARAMANA AYYANGAR :—"I want only to remind the House and the hon. the Home Member of the ruling given by the late President in this House, almost at the end of the Session in March last, and the hon. the Home Member himself withdrew after that ruling his repeated Demand for the Agency district. It was stated . . ."

The hon. Sir ARTHUR KNAPP :—"My impression is that it was then a question of discussing a matter twice in the same Session."

Mr. C. V. VENKATARAMANA AYYANGAR :—"But the effect of it will be the same (laughter). It was said that it did not matter whether it came in the same Session or in a subsequent Session. If at any time the Government wants to give effect to a Resolution of this House rejecting an item, then they cannot bring a Supplementary Grant whether it is in the same Session or in another Session. So far as that ruling goes, they are not entitled to bring any Supplementary Grant of the kind."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, Sir, I must confess that I have not been able to give as much time to the consideration of this question as its importance demands. But inasmuch as I have been called upon to advise you, Mr. President, on this matter, may I say this? According to the General Rules of Procedure under the Standing Orders, Standing Order 30 lays down that

"A motion must not raise a question substantially identical with one on which the Council has given a decision in the same Session."

"The implication of that rule is this : I take it that, albeit the Council has given a decision either adverse or otherwise on a subject in one Session, if the subject is brought forward in the next Session, then there is no limitation in regard to it. That is the general rule of procedure. The construction therefore that has to be placed upon this has to be governed by that general consideration, namely, that this is a separate Session, and the question that it was discussed, debated upon or decided in the last Session is therefore not a deciding factor in the ruling which will be given by the hon. the President.

"Leaving that out of account, the only other matter to be considered and decided is whether under Rule 32 there is anything inherently wrong or obnoxious in the mode of making this presentation of the Supplementary Demand. Now, an estimate has to be presented to the Council for a supplementary or additional Grant in certain cases. If we keep out of mind altogether the fact that the Council debated on the subject and arrived at a contrary decision formerly, if we dismiss that consideration from the mind, then the only one question we have to consider is, 'is it the amount voted in the Budget of a Grant and is that found insufficient for the purpose of the current year?' Now, it was a Grant—an item of a Grant is a different thing from a Grant—and throughout these rules that distinction has been preserved, and, if I may say so with respect to you, Sir, my present conclusion is that the tentative ruling that you have given is correct."

The hon. the PRESIDENT :—"It seems to me clear, that what the hon. the Law Member, who has interpreted these two rules with considerable lucidity, has stated is the correct interpretation. I do not think that we are debarred from considering this item merely because it was struck out in the last Budget Session. We are now in a new Session, and I suppose, for this

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purpose, we may also recollect that a new Council is dealing with the item. The hon. the Home Member may possibly derive from that fact additional support for getting the decision of the last Session revised."

The hon. Sir ARTHUR KNAPP :—" Mr. President, the opposition so far has proceeded entirely on grounds of principle. I take it therefore that I was right in presuming that it was not necessary for me to go into the details or to explain the reason why the Government first, and then the Retrenchment Committee, regarded the work of the Settlement Officers as particularly arduous, and why the Retrenchment Committee made this recommendation. The hon. Member, Mr. Krishna Rao, said perfectly rightly that no new reasons have been advanced over and above those advanced last year. He is perfectly correct. There are no new reasons to be advanced. The Settlement Officers' work is just as arduous and just as difficult now as it was last year when the Budget was before this House and when Mr. Habib-ul-lah Sahib argued the case of these unfortunate officers. I call them 'unfortunate' because when even the Retrenchment Committee has said that their work justified the allowance, it seems to be hard on them to say, on a point of principle, they should now be refused the allowance which they fully expected to get last year. I did not myself intend to make any reference to the certification by His Excellency the Governor. But the hon. Member opposite has made a reference to it. This being the case, I may be permitted to refer to the fact that His Excellency purposely mentioned that he had considered the question of certification and decided that instead of proceeding further with the consideration, it was more proper to leave the matter for the consideration of the Retrenchment Committee. Now that public announcement represents what I have just referred to as a sort of half promise, or more than half promise, that these Settlement Officers, if the Retrenchment Committee approved the allowance in their case, are going to get it. And, as I said, it will be particularly hard upon them if their claim having been admitted after the fullest possible investigation they are to be told that either because the Council last year were not in favour of it or on some technical ground, it is not possible for them to have what they have been long expecting.

"One other point which my hon. Friend, Mr. Muniswami Nayudu, made is that this matter may very well be left to be decided on the Budget, or rather the whole question of the acceptance or consideration of the Retrenchment Committee's proposal may be left to be dealt with in the Council then. While it may be reasonable to raise that question, it seems to me to be equally reasonable to ask why we should postpone compliance with the recommendation of the Retrenchment Committee. I trust that the House, putting aside any technical question or questions of order, will be agreed that the Settlement Officers having been found by the Retrenchment Committee to be deserving of that allowance, the Council might as well give them with good grace the allowance to which the Retrenchment Committee, a body consisting of representatives of this Council, have found them to be entitled."

Mr. A. RANGANATHA MUDALIYAR :—" I am sorry, Sir, that the hon. the Home Member has brought in some considerations which to my mind he need not have introduced in the debate. He has told us that he has made a promise in advance to these people, and he mentions that to force the Council,

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so to speak, into a compliance with his request. I wish he had not done so. But, at the same time, I have always been of the opinion, and I still continue to be of that opinion, that the Settlement Officers deserve a certain consideration for the nature of work they are doing. These officers are drawn from the cadre of Deputy Collectors, and any one who knows their work in detail would be able to say at once and without any hesitation that their work is certainly more difficult, more exacting, and, if I may say so, costing them more than is the case with the ordinary Deputy Collectors. These people have not the same conveniences and facilities for work as their brother officers have in the Revenue department, and I do think that, considering the nature of their work, they are entitled to the allowance for which the Supplementary Demand is made in this House. After all, while this House is helpless, so to speak, so far as members of the higher services are concerned, it so happens that it is very hard on the members of the Provincial Service. And they are not particularly a covetous lot. In the evidence they gave before the Public Services Commission, they have shown themselves to be Indians first and anything else afterwards. I think no discrimination should be made against them more particularly in view of the services which we cannot touch. Taking all these into consideration, I submit that these officers should be given the allowance for which this Supplementary Grant is asked."

Mr. R. VEERIAN :—" Before I begin, I may assure you, Sir, that I am not a pessimist. I am going to make only a short speech (laughter). But it will be very interesting (loud laughter), enthusiastic and full of sense ('hear, hear' and cheers). Sir, if I remember right, these Deputy Collectors are composed of Indians only. For Collectors and Sub-Collectors, who are all Indian Civil Service officers, we pay special allowance for such kind of work. I do not know, Sir, the reason why we should be against paying the special allowance to these Deputy Collectors who are deputed to look after special work. Therefore, Sir, I am in sympathy with this motion, and I strongly support it. I know that all my hon. Friends will come forward and support this motion. With these few remarks, I request the House to pass the Grant."

The motion was then put and carried, and the Grant was made.

IV

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

LEVY OF A FEE ON LANDS TO BE INCLUDED IN THE AYACUT REGISTERS.

In the absence in his seat of the hon. Member Mr. P. Peddiraju, the hon. Member Mr. J. D. SAMUEL, with the leave of the House, moved the following resolution :—

That this Council recommends to the Government that Notification No. 451, dated 9th December 1920, published in the 'Kistna District Gazette' for levying a fee on lands to be included in the ayacut registers should be cancelled.

In doing so he said :—" Mr. President, Sir, I thank this hon. House for their courtesy in allowing me to move this motion on behalf of the ryots of the Kistna district. It may be of some interest to the hon. Members of this House to know a little of the notification adverted to in the Resolution. It is this, and I shall give it very shortly.

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"The Kistna delta is a very important one and a large number of acres are cultivated under the Kistna anicut. It was found necessary by the Department of Public Works to arrange to fix the wet block, the block of lands that was considered wet and irrigable. While doing so, they found that there were a number of little bits of land here and there which had to be thrown out from the block, and therefore a number of lands which were cultivated wet were thrown out. Also in forming those blocks they found that they had to include certain number of fields which were not previously cultivated wet, but which, in order to form the block, was found necessary to include in the block. I suppose I made myself clear. In forming a block of, say about 200 acres, suppose there is a block of about 100 acres on one side and another block of about 50 acres on another side, there may be left in the middle a small block which is dry. Afterwards it may be found to be cultivable wet. In that way it was done to a large extent of about 30,000 or 40,000 acres. But there were other lands which the department found could not be cultivated dry. There were new blocks also formed and in including these new fields, there was an order passed and that order was published in the *Kistna District Gazette* on the date mentioned in the Resolution. I do not want to take the time of the House in reading out the full order, but I shall make a reference to certain portions of it.

First of all, it is said that these blocks, which had never been cultivated before, should pay a fee of Rs. 25 for the field to be included. If it had been cultivated for the past five years continuously, then they would be included on a payment of Rs. 12-8-0 only. Sometimes a block may extend over 200 acres or 150 acres and sometimes it may be only 20 or 30 acres. All the same, the whole block had to be considered, and if in any one of these blocks the man who owned a single field did not make the necessary repairs, raising or lowering the land to suit the level of the water, and do such other repairs, or pay the necessary fee, the whole block will be excluded at any time whenever they fail to do so. In paragraph 6 of the notification it is said: 'The parties concerned should hold themselves responsible for the payment of the conversion or the inclusion fee. The whole block will be excluded.' These are the important provisions, and I believe the House will agree with me that this notification cannot stand.

"Sir, the most important point is with regard to the money, the fee of Rs. 25 or Rs. 12-8-0. Let us take the Rs. 25 first. Now there is no rule of law which authorizes the Government or the Public Works Department to levy a fee of this kind. Never in the annals of the Kistna delta is any such fee ever known to have been levied. The Government have always been very kind, and I cannot understand why this is done now. Formerly, at the beginning of the anicut cultivation, inducements used to be offered to the ryots to go in for wet cultivation and, in order to make the cultivation more profitable, a consolidated rate was fixed which applied from the very beginning. I ask, Sir, if when we have come to have an Irrigation Bill, it is right that a levy of this sort should be continued any more in the poor Kistna district. I don't say the district of Kistna is poor, but, so far as these levies are concerned, the people are very unfortunate. The amount of Rs. 25 may appear to be small. Three years ago, when the matter came before this House, unfortunately it was considered a very small amount because it was said that by irrigation alone the value would immediately rise up to

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[Mr. J. D. Samuel]

Rs. 1,000 per acre. The hon. Members who had heard the debate on it in the Council would now see that it is not at all true. The best wet land in the Kistna is not worth more than Rs. 1,000 or Rs. 1,500. In Tanjore and other places it is even so high as Rs. 3,000 or Rs. 4,000 per acre. But these lands in the Kistna are near the sea and the officers who have been in the Kistna district know that these lands could not be cultivated dry at all and the only way of cultivating them was by immediately allowing the Kistna water to pass through them and that it would take a long time before the lands can be made useful. First of all, for some years they should have the water flowing on the land and then it would have to be well manured and many other things have got to be done before it can be sold; if anybody is prepared to sell it at all. The land there is valueless; but, in order to make it valuable, it would take a number of years and would involve a lot of trouble and a lot of expenditure. But all these years the poor man would have to be paying a regular assessment. This Rs. 25 is a fee to be paid to the Government, something like 'Nazrana' demanded by the zamindars, towards the inclusion of the land in the ayacut registers, and even the Bill that was introduced yesterday could not make it legal. It is not to be paid towards anything that was done for the land but for paying the officers and the Engineers that were employed in order to do all this duty. This hon. House knows that many engineers were working there and that many special officers were appointed for the purpose of regrouping these blocks. They have come to do this regrouping for all the other taluks and to say that the money might be used for paying them is something that I cannot understand. Is this any new thing for which you want money in order to pay expenses you have incurred? No. It is under the ayacut system and it pays the Government already at the rate of 21 per cent and the expenses could be met from that and there is no reason to ask for a special fund. I think there is no principle in it. The Engineers were employed for other purposes also and there is absolutely no reason, under the circumstances, to ask us to pay anything at all.

"Then again, the levy of Rs. 12-8-0 is bad and is levied on lands which were consecutively cultivated for five years. The word 'consecutively' makes it rather difficult. A bit of land is cultivated with drainage water or with irrigation water not meant for it. Then immediately a penalty, of twice or three times the cess or, as it was said yesterday, even twenty times may be levied. Therefore, a man who cultivated for the first year stops cultivation for fear of a higher penalty. He cultivates in the third year and keeps quiet the fourth year lest the penalty should go up in geometrical progression. I may also tell this House that there are certain lands now included which are fertile. But these are lands that are adjoining fertile lands and which extend to only about one acre, or 20 cents or 30 cents. Again it is objectionable that a whole block should be made responsible for the default of a single pattadar. That is rather hard. When there is a question of 100 acres and if one man does not pay, the whole block has to

suffer. It was never done before and why should we introduce it now? If a man whose land is in the middle does not raise a crop, then the whole block is to be excluded. If a man does not pay his regular water-tax, then the whole block is to be excluded. These are things which are real hardships to the ryots. When the hon. Sir Habib-ul-lah Sahib came to our district we represented the whole

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matter to him. Gentlemen of the House may not know the difficulties of the ryots there. People of the Tanjore district may have a very high opinion of our lands. Lands there may be worth more than Rs. 3,000 per acre. But most of these lands are low lands and are not worth more than Rs. 100 or Rs. 150 per acre. Most of these blocks are never cultivated as they are low lands and considered useless. In other countries they bring agricultural experts to make such lands cultivable. On the other hand, these lands are lying idle for so long and are useless. Under the circumstances the ryots must be encouraged to cultivate these lands. This is also one of the best ways for the Government to make some money out of these lands. When Sir Habib-ul-lah came to our district we told him the whole truth and he was prepared to do something to remedy the hardship. As a matter of fact these lands may not fetch Rs. 1,000 even after quarter of a century. Therefore, I have great pleasure in moving this. I hope this House will not consider this as a party question as it is a matter affecting the ryots of the Kistna district. It works very great hardship on the poor people there and it is admitted that at least a fourth of these blocks contains very poor soil. To ask a fee from such lands is not fair. I hope the House will be able to vote for this motion if necessary and I hope the hon. the Law Member will be pleased to accept it."

Rao Bahadur P. C. ETHIRAJULU NAYUDU seconded the motion.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, I have listened with considerable interest to what has fallen from my hon. Friend Mr. Samuel. Let me first of all explain the principles on which the system of blocks has been admitted. But before I proceed further with the actual discussion on the matter, let me assure my hon. Friend of two things. Firstly, I am alive to the inconvenience and the difficulty which he has pointed out with reference to the exclusion of what he calls large blocks on account of circumstances affecting small portions of them. If such cases there be I assure my hon. Friend that those cases will be adequately and satisfactorily dealt with because I recognise that this may be a legitimate point of complaint and as a grievance it has substance behind it. That is the first point.

"The second matter that I wish to place before this House for its consideration is this. When my hon. Friend Mr. Peddi Raju gave notice of this motion I requested him to meet me and he did me the honour to meet me in my chambers along with our Chief Engineer. He pointed out as one branch of his argument that the inclusion was incorrect or wrong among other grounds, viz., that the lands hardly suitable for wet cultivation had been included in the ayacuts. It was then suggested to him that if specific cases were brought forward to the notice of the Government in which lands unsuitable for wet cultivation had been so included, the question of their exclusion would be considered and dealt with satisfactorily. To this effect also the Chief Engineer wrote to Mr. Peddi Raju on the 17th of January but no reply has been received. These are the preliminary observations that I wish to make on this matter. The second is more of the nature of a criticism. So far as the first is concerned I have endeavoured to meet my hon. Friend Mr. Samuel half way with regard to a matter on which I recognise that a grievance does exist. Let me after having stated that elucidate the principle on which the whole of this system has been inaugurated. And let me in so doing quote the official records. The chief

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points for guidance were: lands surrounded by or connecting with wet areas should be selected; blocks should be enlarged so as to be made into compact and well-defined areas."

Dr. P. SUBBARAYAN:—"Is the House supplied with the document from which the hon. Member is reading?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It is part of the G.O. No. 2303, dated 29th December 1922. I believe it has been placed on the Editors' Table. Perhaps it was not. The Chief Engineer is away at Mysore."

Mr. P. PEDDIRAJU:—"It has not been placed."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I shall not refer to it. But I may say this. In G.O. No. 2361, the Government sanctioned Rs. 25 inclusion fee per acre in respect of all dry lands, subject to the exception that in the case of the eksal lands, lands irrigated on annual permits, it should be Rs. 12-8-0. When the question was discussed in 1919, it was pointed out that one of the modes of arrangement resorted to by ryots whose lands are being excluded from the ayacut is to sell the right to water to other ryots who wish their dry lands or eksal lands to be included in the ayacut. Ryots whose lands were likely to be included in the ayacut were willing to pay a small fee for the privilege as it was felt by the Government that their lands would undoubtedly be enhanced in value by many times the proposed fee. Sir Habib-ul-lah speaking on this matter on the 5th March 1921 said that the question was one of readjustment as to what might well go out of the scheme and what may claim to come under it. We have agreed to compensate for them so far as lands that can claim to come under it are concerned, but submitted that it was open to Government to provide for the compensation. In answer, therefore, to the question propounded by Mr. Samuel as to what the ultimate theory of this was, I wish to say it originated in the way I have sought to elucidate. Then Sir Muhammad toured in October 1921 in the Kistna district and a memorial, a copy of which is placed on the table, was also submitted to him. One of the suggestions made was that lands included were poor and useless and ought not to be charged any inclusion fee. It was then suggested that a general notice may be issued to ryots informing them that all cases of really poor lands which will be useless even as wet and which are not likely to rise in value after conversion into wet may be considered with reference to cancellation of inclusion because it is inadvisable to waste canal water over such lands with no benefit. Then a memorandum was submitted to Sir Habib-ul-lah stating that it was unprecedented and secondly that no recompense was derived. I have made an extract from that memorial. It was pointed out that ryots owning lands proposed for inclusion were encouraged to purchase water-rights attached to lands which were thrown out of the ayacut and it was proved that ryots purchased lands situate at the tail-end of the Narasapur canal at Rs. 60. It was further considered that those who had purchased water-rights from persons to whom compensation would otherwise have been due have a real grievance if they are placed on the same footing as those who have taken no steps to purchase water-rights. The whole question was considered after the return of Sir Muhammad from tour. And the Government arrived at the deliberate

LEVY OF A FEE ON LANDS TO BE INCLUDED IN THE AYACUT REGISTERS

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opinion that there was no ground for cancelling the levy of the fee except in the case of lands to which water-right has been transferred to excluded lands either by sale or exchange. That is the latest order on the subject. The order is dated 29th December 1922.

"These are the main details on this matter and I submit that having regard to the considerations which have been urged all that has been sought to be done is that the Government have taken the right as well as the duty of collecting from benefited ryots some portion of the enhanced value given to them by this arrangement with regard to the exclusion and the inclusion. As to particular cases of grievance, I have already given my undertaking and to that extent alone can I go at this moment."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Mr. President, I take it, Sir, that the Members of this House are aware of the circumstances involved in this hard case. My hon. Friend Mr. Samuel has pointed out the circumstances under which this tax has come to be levied. For, Sir, it is more than a tax. It is, as he called, a *nazarana*. A cess of Rs. 5, or whatever it is, has to be paid year after year after the proposed water is granted. The present proposal of the Government is that in addition to this Rs. 5 or whatever it is per acre, the Government want, in order that they might meet the expenses involved in this enterprise, that the ryots should pay a *nazarana* of Rs. 25 per acre. My submission is that it is both unjust and if the hon. Member would allow me to say, almost illegal. I say it is illegal because the only Act under which the Government could act, the only Act which allows any imposition of cess, is the Act VII of 1865, the Irrigation Cess Act. Under that Act, power is given only to levy a certain rate of cess. I can very well understand if the Government should say 'Government are now obliged to incur additional expenditure; the existing rate is not sufficient to meet that expenditure and they would raise the rate by 4 annas or 8 annas or a rupee per acre.' I respectfully submit therefore that the Government is not legally justified in asking for this extra amount."

"Now, Sir, with your permission, I will mention what these lands are. As has been pointed out, these lands are at the tail-end of the canals. Some of these are too low at present and are liable to submersion and therefore are classed as dry. Others are too high and the canal system will not avail them and they will have to take up water to these lands. The third class of lands is what are known as saline lands which require water to be let into them for a number of years and let out so that the saline matter is all taken away. The fourth class of lands are those which are at the very tail-end and it is impossible to bring them under cultivation. Every year they will have to wait until all the lands in the other regions are cultivated and every ryot knows that no cultivation could be of any use unless transplantation has been gone through a long period. Thus all these lands come under these classes. I would draw the attention of the hon. Member in charge of Irrigation to one Government Order which he will find in the records of the Government and which I believe was placed on the Editors' table—a Government Order which was the result of anxious consideration of the Government under circumstances which arose out of the war. When the war was in progress, this country, like other countries, recognized how small the produce of its land was. Attempts were made to induce people to increase the production."

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The hon. Mr. C. P. RAMASWAMI AYYAR:—"There is one matter which I want to mention, which is not exactly by way of personal explanation; but as the question of the illegality of this levy has been raised—I do not know whether it has been directly raised—may I say that the whole offer of the Government was read out in each village, according to the records in my possession and it was on their acceptance of the inclusion fee that the scheme was inaugurated?"

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"I thank the hon. Member; but I am dealing with another point."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Yes, I know; I am sorry I have interrupted him at the wrong stage."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"My argument is that there was a time within the last few years when Government endeavoured their best to see that the agricultural produce of this country was increased. As has been said, it was one of those points of wisdom which occur to mankind only under stress of business. During the war, England discovered that her agricultural produce was very small and communications flashed throughout the Empire to say that every part of the Empire should be interested in increasing its natural products, especially food products. Under that stress, this Government examined the conditions of this country and discovered that there were several millions of acres of land in this province not yet brought under cultivation; and in order to induce the people of this province to bring more land under cultivation, inducements were thrown out and one such inducement was that water would be allowed even through drainage channels for the purpose of irrigation. In fact, it was said that every facility would be afforded to the people of this country in order that they might increase the agricultural produce. Of course, it was a most just and natural course to be taken and we are thankful to the Government for that. Now, my point is that this cess is directly contrary to the principle involved in that decision of the Government. Because there they were trying to induce the people of this province to increase their produce but here they are putting a block in the way of their using the water. They say 'unless you pay Rs. 25, we do not allow the water to be taken.' I submit that that ought not to be the attitude of the Government. Every facility ought to be afforded to the people in order that the production might be increased. Of course, it will be a commonplace latitude to say that increased production means economically more wealth. But when it is seen that after all the water that is given to us is only to be used towards the tail-end of the lands, on lands on which much capital has to be invested before the ryot can take full advantage of the water, I should respectfully submit that Government ought not to impose this tax. It is not only in this connexion that this inducement is thrown out. This ayacut was constructed about 40 years ago. At that time people were not willing to take water for these lands, because after all certain lands were better off as dry lands than when they were cultivated lands. As most of the hon. Members are aware, wet cultivation is fit only for paddy crops, whereas if cotton, chillies, saffron and such other dry crops are raised, they would certainly fetch a much higher price in ordinary times. But still people thought that there would be a certainty of their crop if it was paddy and if water was available."

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Consequently many of the people utilized the water and allowed lands to be irrigated and they paid the cess. At that time when people were hesitating, the Revenue Department, the Irrigation Department, and in fact the whole agency of the Government were busy inducing the people to take the water for their lands in order that the land might yield more produce and consequently the revenue might be increased. Now, Sir, after most of the land had been taken up under this inducement, to say now that we are no longer to be allowed that kind of treatment and water should be paid for, not in the shape of annual cess, but in the shape of an addition of a certain amount of nazarana, is quite unjust.

"I beg to draw the attention of the hon. Member for Irrigation to one other important circumstance and it is this: at the time of the last settlement about the year 1900, a scheme was published in which the principles of the resettlement were given. After the settlement was over, the Government issued also another Government Order in which they said that during that settlement they would class as wet, not only lands which had been registered as wet, but also lands which received water continuously for five years previous to the settlement and that they would consolidate the land-tax with the water-cess and call it a consolidated water-rate. In fact, all the lands registered as wet are of that class. They did not stop there. They added another clause to the effect that thereafter also if for any five years any land received water, they would be very glad to register that land also as wet land. Now, what do we find? There are lands which would come under this rule which have been irrigated for five or ten or even twenty years receiving water no doubt on application, registered, no doubt as dry lands, because they were not registered as wet at the last settlement but which still pay the same rate as the wet lands pay. To say now that those lands should pay 12½ rupees more in the first year, I do not see what justification there is. It is stated that certain engagements have been entered into, that at the time when this proposal was made certain ryots were prepared to exclude their lands because they were also given the privilege of selling their rights to other ryots. Other ryots purchased, no doubt, these rights and were prepared to pay as much as was demanded. But such people were only few in number. We can very well understand that if this right is asked for Rs. 40 or 50, no ryot would sell it. Ask any of the ryots who have got lands in these particular regions to sell their rights even for Rs. 500, I am sure he will not sell it. For my part, if you can take my word, I would not sell my water right even for Rs. 500. If the water right is taken away, my lands will not be worth even Rs. 40, lands which are now worth more than Rs. 1,000 per acre. If the water right is taken, the lands will be practically useless. When such lands are surrounded by lands which are irrigated by water, they will be useless for any kind of cultivation. Dry crops cannot be grown; wet crops will not grow because you have no water. Therefore the lands must lie waste. Under these circumstances, may I ask whether it is just that because certain persons were prepared to sell their rights for Rs. 50 or 60—the number of these people is very small—whether it is just that all the people should be taxed?"

"There is another point which I would like to mention. It may be that in introducing this system the Government may happen to spend some money. But the Government should keep in mind that at the time when the ayacut was constructed, money was borrowed at the rate of 8 or 4 per cent.

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"To-day, Sir, as it has been pointed out by my hon. Friend to my right, the income from water-cess alone collected in the Kistna district, whether it is from the Kistna delta or Godavari delta, is bringing not less than 20 per cent on the total capital invested on these lands. It will be remembered that originally the tax stood at Rs. 4, and to-day it stands at Rs. 5. One question which has been put to us is: 'Why should you spend the money that has been collected from other districts for the sake of this district; if you do not collect the money you spend for this district from this district, you will have to meet this expenditure every year from the general revenues; why for the benefit of the people of Kistna district should any amount of money be spent from the general revenues?' The answer to this is very simple, namely, that there is no other district in the whole Presidency which pays as much revenue as the Kistna district to-day, and I wonder whether there is any district in the whole of India which pays as much revenue as the Kistna district, whether it be land revenue or water-cess or abkari revenue."

Mr. S. MUTTAYYA MUDALIYAR:—"Will the hon. Member kindly give us figures so that we may know what they are?"

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Is there any trouble with the Tanjore district because my hon. Friend seems to object when I say that Kistna district pays the largest revenue?"

Mr. S. MUTTAYYA MUDALIYAR:—"I am not concerned with the Tanjore district at present. I wish to know as a matter of information."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"I shall be glad to supply any figures which my hon. Friend requires. I am perfectly certain, I am open to correction if I am wrong, that the total revenue from the Kistna district is the largest in the whole of the Presidency. If you take either land revenue, abkari revenue or the opium revenue, you will find that Kistna district pays the largest amount in the whole of the Presidency. I suppose it is recognized on all hands that the duty which the Government have to discharge is to see that the revenues of the whole Province are pooled together and the finances are spent for the benefit of the whole Province. In order therefore to improve this small ayacut (which after all be it remembered is not great, but only a part and parcel of the existing system) to say that they will take away the supply of water to some lands which are being irrigated under this system at present, that they will allow water to some lands which have been classed as dry, that the latter could only be done by spending some more money, and that therefore the ryots should pay some more premium is, I think, very hard indeed."

"May I hope, Sir, that the hon. Member for Irrigation, who we all know is so very anxious to extend new irrigation works in this Presidency, will give full advantages to the existing ones. For, after all, as things stand at present, you can revise the water-rate and the ryots will refuse to take the supply of water with the result that you will lose the revenues that you are likely to get. On the other hand if you will include these lands in the wet register there will be a consolidated wet rate and the ryots will be bound to pay whether they cultivate the lands or not. If, on the other hand, you include some lands as special and impose a condition that the ryots should not have water on certain occasions, it means so much loss to the Government,

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Therefore, in the interests of the Government making their revenue increase year after year, in the interests of the people who are so very anxious to get water for their lands, and in the interests of increased production and national wealth, I appeal to the hon. Member in charge not to collect this very small amount from the people who will feel it a great hardship indeed. There have been land-tax on most of the lands. I have been myself paying land-tax for the 50 acres of land which I own. No water is supplied to these lands. I have been paying for the last 16 years and the amount comes to about Rs. 50, without getting a pie of income from these lands in the hope that a day might come when the Public Works Department might extend their irrigation system even to my lands. Let me not be understood to say that I am personally interested in this question and that therefore I am pleading so very hard for this question. I am pleading on behalf of the people whom I know personally, and their hearts will be cheered if they know that we are bringing water to their lands.

"I know they are undergoing difficulties, although a few of the ryots may be rich. There are thousands of ryots owning 3 acres and 4 acres of lands which are absolutely useless at present and which can be made into what you call the garden—shall I say, garden of golden crops, because when the crops ripe to full they are not green as they used to be in their earlier days but they will be golden crop—and may I say that the hon. Member in charge will ever be remembered as one who has supplied water to the lands of these poor ryots, if he will not prevent the supply of water by imposing this additional burden."

Mr. P. PEDDIRAJU:—"I owe an apology to the House for not having been able to move the motion myself. Sir, I may be permitted to add a few words to what has been said by hon. Friend, Mr. Reddi Nayudu. According to the Settlement Government Order it has been definitely laid down that all lands which have been continuously irrigated for five years shall be classed as wet. Sir, I may be permitted to read that Government Order:

"The Government consider that the decision arrived at by the Committee should be extended to deltaic lands . . . wet cultivation in the settled areas cannot be excluded but will be assessed at the proper consolidated rate. If the dry land should become in the opinion of the Collector unfit for cultivation will be transferred from dry to wet."

"I submit, Sir, that Government is entirely wrong in issuing this notification for levying a tax of Rs. 12-8-0 on lands which have been continuously irrigated for the last five years. With regard to the lands which have not been continuously irrigated for five years, I submit there are large areas, which though they have not been cultivated for five years, are lands adjoining the Koller lake. The extent of these lands is about 36,000 acres. These lands are excluded from wet; the only reason assigned by the Settlement department being that these lands are liable to submersion and that they are not constantly irrigated, and they are sometimes shifted from land to land and it is not possible to class them as wet as the ryots cannot cultivate them at any time they like.

"Sir, I submit that of these 36,000 acres of lands on which Government is now seeking to impose a penalty of Rs. 25, there are many lands which are not cultivated year after year. Though of all the 36,000 acres only 20,000 or 28,000 acres will be cultivated every year, all of them are marked as wet.

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This is what the Government say 'as cultivation in this source is shifting;' that is the reason why they are not included as consolidated wet. Now Government come forward and say 'we will consider them as consolidated wet and levy Rs. 25 because you have not cultivated these lands for five years continuously though they were cultivated for a good number of years.'

"Sir, of these 65,000 acres, more than 80 per cent have been under wet cultivation and if my hon. Friends want figures, I may say that the wet area in Gōdāvari Western Delta is 383,000 acres and so long ago as 1911 the area irrigated was 411,000 acres, and in 1913 and 1914 the area irrigated was 415,800 and odd, the present ayacut is fixed at 416,500 acres of which 1,500 acres, waste and dry lands, were assigned to the depressed classes and ex-military officers. The rest are lands which have been cultivated ever since 1911, if not before. Under the circumstances I may submit that it may not be possible for the ryots to cultivate continuously. The reason for non-cultivation of certain lands is that Government have not been able to supply water, or the season might have been bad, or excessive rain might have prevented the ryots from cultivating the lands near Koller lake.

"I may also submit that the question of inclusion of these lands came up before Mr. Turing who was Collector. His proposals were to localize the wet area and not to impose any penalty. The District Association waited on him in deputation and he gave out a promise that there need not be any fear and that he would try his best to include as many lands as possible and that there would not be any chance of imposing any penalty. I may also submit that a deputation of the people of our district also waited on His Excellency Lord Willingdon in 1918 when he promised to the ryots that no such levy would be imposed but that the Government would only limit the ayacut. This promise was broken and soon after within two years Mr. Turing submitted his report to the Government that his idea was not to exclude any lands.

"Mr. Turing also reported to Government that if year after year we were measuring and re-measuring it would increase the cost and increase the work of the lower officers. The lower officers must get some relief and their work must be made lighter.

"Again it is also said that if the accepted principles of Revenue Administration are to be followed and if water must be supplied it will be limited only to the wet lands. This is Mr. Turing's proposal. Unfortunately, in view of the proposal a special staff was appointed and then this notification came. My hon. Friend the Law Member said that people have agreed to pay these fees. I am informed that all the ryots did not agree to pay Rs. 25 or Rs. 12½. My hon. Friend Mr. Samuel has some lands which are now to be brought under wet cultivation and he agreed to pay Rs. 6-4-0 per acre and not Rs. 25. There are several other instances. I understand that the Collector has recommended a levy of Rs. 6-4-0 on such lands. But somehow Government have come to the conclusion that levy of twenty-five rupees may be imposed on all lands which were not irrigated continuously for five years.

"Then there is another and more important question. All our friends are under the impression that the notification meant only the levy of fees,

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But the conditions attached to the notification are very serious. They impose a joint and several liability on all persons who have got lands in the same block. Joint and several liability is a very difficult thing. I do not know how the Government has imposed this and how it is going to punish many for the fault of one. If a single ryot fails to bring his field under wet cultivation, the Government will convert the wet lands into dry lands. This is the rule that was enunciated in the notification.

"The only principle on which this levy is sought to be collected and which was also raised by Sir Muhammad Habib-ul-lah at the time was that compensation should be paid to those lands which are excluded from wet ayacuts. Such lands would probably extend in area to hundred or hundred and ten acres. These lands will not be excluded since they are small in area, and water will be supplied to them. So, I submit there is no need for paying compensation for excluded lands. Again it is contended that the money must come from the lands which are naturally included. With regard to the cost of remodelling channels, the Collector asked Government to earmark the money collected for the improvement of the delta in the Kistna district. Government have not given any promise and they say that the money is their due. Assuming that the Government get ten lakhs and then if this money is not set apart for the improvement of the delta, there is no basis for the Government to collect this revenue.

"One main reason given last time was the cost of the special staff."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I did not stress it."

Mr. P. PEDDIRAJU:—"One thing alone I will say, Sir. The special staff was appointed for the extension of irrigation in the Godavari and Kistna deltas. They spent about a lakh of rupees and sent plans and estimates which were thrown into the waste-paper basket and now again another special staff is appointed at a cost of Rs. 50,000, thus adding to the liability of the people.

"It is laid down that certain lands alone should be given water for dry crops and garden crops. There is one taluk, Harpanahalli taluk, the whole area of which is growing garden crops. There will also be rotation of crops. There is another taluk, Kadri, which alone contains ten thousand acres; and they are planting all kinds of vegetables such as brinjals, chillies, etc. If Government is going to supply only 1,300 acres with water, what will become of this taluk? This notification which imposes such liability is very hard.

"Another thing is that the people won't raise garden crops unless Government compels them. Government charges Rs. 25 and levies water-cess. It will be impossible to raise garden crops every year. When there are such difficulties in the way of garden crops the ryots will convert their land into wet land by paying enhanced water-cess. Garden crops sometimes pay Rs. 2-8-0 and sometimes Rs. 10. I do not know whether they are to be charged Rs. 5 on the average or Rs. 2-8-0 or Rs. 10 as the season permits. Supposing he does not cultivate I do not know whether the Government is going to collect water-cess or not.

"These are some of the difficulties which are expected by the ryots when the notification was published. It is very hard to administer. I ask the hon. the Law Member to consider all these and cancel the notification."

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[Mr. P. Peddiraju]

"One other point is that in one taluk of Narasapur 75 per cent of the lands is under patch irrigation. They are such small bits as 6 cents, 10 cents, 1 acre 30 cents, and utmost 2 acres. In such cases the notification would work to the detriment of the people. With these few words I support the Resolution."

Mr. P. L. MOORE:—"Sir, as an old Collector of Kistna it is a great pleasure to me to have to hear the speeches of three of my Kistna friends. Unfortunately it is now my duty to endeavour to controvert their arguments. My hon. Friend, Mr. Samuel, stated that many of the lands which are being included are lands of poor quality and absolutely useless except for wet cultivation. That is perfectly true not of all the lands but of many of the lands. Unfortunately he did not, I think, see the real result of his arguments. If Government are presenting water to render land valuable which is at present without value, in my opinion that particular land is benefited proportionately more than any other land receiving water for the first time.

"The next point he made was the strenuous nature of the conditions of inclusion. As I pointed out yesterday in another connexion conditions drawn up to suit all cases must be strenuous things. What matters really is the way in which those conditions are worked. Now in the case of the conditions on inclusion Government propose to include a certain block, say, 100 acres in extent. In the centre of that block a certain ryot owns a small plot of half an acre. All the other ryots gladly accept the water. On the other hand he says: 'No, thank you, I do not want water' knowing perfectly well that he will wake up one morning and find his land entirely surrounded by water and that he will get it anyhow. It is obvious that Government had to make a condition that when a block is included all lands in the block must come in. I cannot say exactly how these conditions will be worked, because it is over three years since I had any detailed knowledge of the district. But I do not mind betting, although I am not in the habit of betting, that there has probably not been a single case in which the block has had to be excluded because one or more ryots would not accept the conditions.

"Then we come to the argument of Sir K. V. Reddi Nayudu. He has given it as his opinion that the inclusion fee may be described as illegal. I can only say that it was never contended that it was legal in the sense of being provided for by a Statute. The view I took of it as Collector and the view which, I believe, the Government have always taken of it, is that it is an offer made and accepted, thus becoming a contract. It is in fact a betterment fee."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Sir, I have to make a personal explanation. What I was thinking of when I said that was that the Government have no legal claim to collect a fee. They have only a right to levy a water-cess. My argument was based on the decision of the Privy Council on the first Indian appeal which laid down the rule that it is a national system of irrigation that the Government in this country have been working and that that system imposed upon the Government the liability to extend irrigation. And, in doing so, the power they have got is only the one that is given under the Act. The duty of extending irrigation is upon them and the only charge they can make is to impose a water-cess. How can they come in and say that the Government, like any other man, have entered into

[Sir. K. Venkatarreddi Nayudu] [8th February 1924]

a contract? My point was that it is not a question of contract. It is the legal obligation of the State to extend the irrigation system in the country and in doing so, they are bound by the Statutes."

Mr. P. PEDDIRAJU:—"May I also point out that by the originally constructed scheme it was intended to irrigate a million acres? That was the original proposal and much capital expenditure has been incurred on that score."

Mr. P. L. MOORE:—"With regard to the question whether Kistna is a rich or poor district, I really do not think I need take up the time of the House. I can only say that if, in my opinion, the average ryot in the wet taluks of Kistna were asked to change his lot to that of the ryot in any other district, there is no doubt whatever what his answer would be."

"Then, Sir, a great deal has been made of the fact that it was not fair to justify the levy of the inclusion fee by the moneys spent on the special staff and on the re-modelling of the channels. I quite admit that that is so. When I discussed the matter with the ryots in the Kistna district, I did not mention these facts as the justification for the fee, but merely mentioned them as facts which go to show them generally as to how matters stand and to show them that Government have been spending a lot of money on the district and that in their opinion this fee which they are charging for the inestimable benefit of the delta water is a perfectly reasonable fee. The real justification of the charge is the fact that it is not only the right of the Government but it is also their duty to the other districts of the Presidency that when they have incurred enormous expenditure on such a project as the Kistna anicut and irrigation works, a reasonable return is made on their money. That is the position of the Government. They must look into the thing not from the point of view only of the district benefited, but of the whole Presidency."

"The hon. the Law Member has made a promise that if instances are brought to the notice of Government in which the inclusion of a small portion of land is inequitable, he will see that the case is gone into on its merits. I have already made a bet and now I am prepared to make a prophecy. My prophecy is that in hardly any case, probably in no case at all, will it be necessary for him to carry out this promise by the exclusion of the land which Government have at present proposed to include. I think the Kistna ryot is too well aware of the value of the delta water to allow his land to go without it when he can get it. What struck me very forcibly in Kistna was the amount of trouble and labour that a ryot was prepared to undergo readily and willingly in order to make his land fit for receiving the water whether by altering the level or otherwise."

Mr. K. SARVARAYUDU:—"I do not know why this inclusion fee is proposed to be levied and on what basis it is so proposed. It is true that the Government have incurred out of State funds the expenditure necessary for the construction of the project. But they are getting a profit of 20 to 25 per cent on the capital invested. If they want anything for their localisation operations they should spend out of the above savings. The notification says that compensation has to be paid to persons whose lands have been excluded from the wet ayacut. There is no necessity for paying them any compensation

8th February 1924] [Mr. K. Sarvarayudu]

at all since their lands are high level lands and do not command the irrigation sources. Even granting that they should be paid compensation, what justification is there for asking the persons whose lands have been included in the ayacut, but who are not benefited by the exclusion of others' lands, to pay this nazarana? In other cases of a similar kind, viz., in the special staff employed for the Chinchinada channel and Razoor channel although special staff was employed, the ryots were not saddled with the cost of all. They are collecting water-cess on the strength of a legislative enactment for the purpose, but, for the levy of this inclusion fee there is no legislative sanction. It is only an executive order which is not strictly binding on the people. Therefore it is highly illegal on the part of the Government to levy this fee by means of this notification. Therefore I am going to support this Resolution for the cancellation of the abovementioned notification."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, there are, as I have said already, two points to which I shall pay particular attention and strive to remove those grievances. As to the others, I do not propose to go in detail over the whole subject except by saying that the fee in question is a betterment fee and must be dealt with as a betterment fee and nothing else. It is also a matter of actual contract in any event."

The motion was then put and declared carried.

The House then adjourned at 4-57 p.m. to meet again at 11 a.m. the next day.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX VIII.

[Vide page 450 supra.]

(1)

Proceedings of the Fifteenth meeting of the Finance Committee.
1923-24, dated 29th January 1924.

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).
Rai Bahadur Sir K. VENKATAREDDI NAYUDU, Kt., M.L.C.
T. M. NARASIMHACHARLU Garu, M.L.C.
M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.
A. RAMASWAMI MUDALIYAR Avargal, M.L.C.
Dr. P. SUBBARAYAN, M.L.C.
JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.
R. W. DAVIES, Esq., I.C.S., M.L.C.

The first proposal taken up for discussion was "Grants-in-aid and subsidies" under "Education—Non-European".

Mr. R. Littlehales, the Director of Public Instruction, was present.

[8th February 1924]

I. Grants-in-aid--Direct grants to institutions under private management—

	Demand for 1924-25.
	RS.
(i) Building grants	4,18,200
(ii) Hostel	1,20,000
Total ..	5,38,200

The Committee recommended that a sum of Rs. 3,00,000 be entered in Part I and Rs. 1,32,000 in Part II and placed the latter in class II.

(iii) Equipment grants—

	RS.
Demand for 1924-25	1,82,500

The Committee recommended the entry of Rs. 60,000 in Part I and of Rs. 25,000 in Part II under class II.

(iv) (a) Special grants for excess fee collections in secondary schools—

	RS.
Demand for 1924-25	40,000

The Committee recommended that no provision need be made.

(b) Special grant of Rs. 1,00,000 to managers of secondary schools to raise the salaries of teachers in those schools.

The Committee recommended that the grant of one lakh be continued provisionally in 1924-25 in Part I.

II. Contribution to District Educational Councils for payment of grants to elementary schools under private management—

	Demand for 1924-25.
	RS.
(v) (a) Building grants	1,00,000
(b) Furniture	15,000
Total ..	1,15,000

The Committee recommended the entry of a sum of Rs. 50,000 under Building grants and of Rs. 10,000 under Furniture grants in Part I.

III. Subsidies to local bodies—

(vi) (a) Subsidies to local bodies for secondary school buildings—

	RS.
Demand for 1924-25	3,88,000

The Committee recommended the entry of a sum of Rs. 1,50,000 in Part I.

(b) Subsidies for elementary school buildings—

	RS.
Demand for 1924-25	2,00,000

[8th February 1924]

The Committee recommended the entry of a sum of Rs. 1,00,000 in Part I.

(c) (i) Subsidies to schools which are to be newly admitted to the net cost system—

	RS.
Demand for 1924-25	48,200

The Committee recommended the entry of Rs. 19,000 in Part I, and Rs. 29,000 in Part II under class II.

(ii) Grant of fee remissions up to a limit of 10 per cent of the fee income of the school—

	RS.
Demand for 1924-25	34,335

The scheme was not recommended for acceptance pending an enquiry into educational finance.

(d) Subsidies to local bodies for equipment of secondary schools.

	RS.
Demand for 1924-25	24,000

The Committee recommended the entry of a sum of Rs. 10,000 in Part I and of Rs. 5,000 in Part II under class II.

(e) Subsidies to local bodies for the development of public libraries—

	RS.
Demand for 1924-25	20,000

The Committee were of the opinion that no provision should be made in 1924-25.

2. Provision in the budget for certification of private schools under the Madras Children Act—

	Demand for 1924-25.
	RS.
Recurring	17,000
Non-recurring	3,000
Total ..	20,000

The proposal was placed in class III.

3. Boarding grants to Indian Orphanages—

	RS.
Demand for 1924-25	93,700

The proposal was placed in class II.

The Committee recommended that a grant of Rs. 30,000 be provided.

4. Deputation of untrained graduates in the Education Department for L.T. training—

	RS.
Cost in 1924-25	8,400

The Committee placed the scheme in class II.

[8th February 1924]

5. Building and equipment grants for European schools.

	Cost in 1924-25.
	RS.
Building grants	92,600
Equipment	10,000

The Committee recommended a sum of Rs. 75,000 under Building grant and Rs. 8,000 under Equipment grant to be entered in Part I.

6. Improvements to the water-supply of the Queen Mary's College.

Total cost, 1924-25	RS. 22,350
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The proposal was recommended for acceptance.

7. Equipment grant for industrial schools.

Cost in 1924-25	RS. 24,250
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The Committee recommended the allotment of a sum of Rs. 15,000 for 1924-25 and placed the scheme in class II.

8. Labour Department—

Mr. G. F. Paddison, Commissioner of Labour, was present.

The Committee recommended the following expenditure under the head of Part II schemes.—

(i) Extension of activities in districts in which the department is already at work—

	RS.
(a) Wells	75,000
(b) Schools	60,000
(c) Pathways	25,000
(d) Co-operative credit	10,400
(e) Grants to societies	3,100

Total .. 1,73,500

The above expenditure was placed in class II.

(ii) Extension of the activities of the department to new districts—

(a) Madras Paracheris—

	RS.
(1) Staff	5,000
(2) Other expenditure	25,000

Total .. 30,000

The above expenditure was placed in class II.

8th February 1924]

(b) Extension to the districts of Cuddapah, Nellore and North Arcot—

	RS.
Schools	45,000
Staff, Contingencies and Travelling allowance.	34,000
Wells	25,000
Pathways	10,000
Co-operative credit	3,000

Total .. 1,17,000

The above expenditure was placed in class III.

(iii) Increase in the number of scholarships for depressed classes—

Cost in 1924-25	RS. 340
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The proposal was not recommended for acceptance.

(iv) Reclamation of Kallars in the districts of Madura and Ramnad—

Cost in 1924-25	RS. 27,434½
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The Committee placed the scheme in class II.

(v) Reclamation of the Vaduvarpatti Koravas in the Ramnad district—

	Cost in 1924-25.
	RS.
Recurring	7,705
Non-recurring	2,600

The proposal was placed in class III.

(vi) Reclamation of Kallars in the Tanjore district—Opening of special elementary schools for boys and girls—

	Cost in 1924-25.
	RS.
Recurring	9,800
Non recurring	7,000

Expenditure up to half the amount was placed in class II and half in class III.

9. After consideration, in consultation with the Director of Public Instruction, of the demands for educational grants, the Committee came to the conclusion that the principles on which grants are distributed are so varying and complex that the whole system of Government subsidies to educational institutions should be revised and clarified, and suggested that an immediate enquiry should be undertaken to secure that end.

FORT ST. GEORGE,
4th February 1924.

C. G. TODHUNTER.

[8th February 1924]

(2)

*Proceedings of the Sixteenth meeting of the Finance Committee,
1923-24, dated 30th January 1924.*

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

Rai Bahadur Sir K. VENKATAREDDI NAYUDU, Kt., M.L.C.

T. M. NARASIMHACHARLU Garu, M.L.C.

M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.

A. RAMASWAMI MUDALIYAR Avargal, M.L.C.

Dr. P. SUBBARAYAN, M.L.C.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.

R. W. DAVIES, Esq., I.C.S., M.L.C.

Mr. F. ARMITAGE, Inspector-General of Police, was present.

41. Civil Works—Police Buildings—

(i) The Committee were informed that the following provision would be made in Part I of the budget:—

	RS.
Works in progress	1,08,000
Minor works	98,000
Works in charge of Civil Officers	30,000

Total .. 2,26,000

(ii) With regard to provision for new works, the Committee made the following recommendations:—

Name of the place. (1)	Projects and works. (2)	Estimated total cost. (3)	Demand for 1924-25. (4)
<i>A.—Schemes placed in class II.</i>			
1. Malappuram ..	Buildings for Special Police.	80,000	80,000 *
2. Madras ..	D. Division quarters ..	1,40,000	30,000 *
3. Do. ..	A-1 and A-2 lines ..	1,61,000	30,000 *
4. Do. ..	Harbour Police quarters.	80,500	30,000 *
5. Valparai ..	Quarters	22,000	10,000
6. Kudala ..	Do.	14,260	10,000
7. Madras ..	D-3 Station cattle-pound.	1,500	1,500
8. Muchukota ..	Quarters	11,500	5,000
9. Aruppukottai ..	Do.	36,600	10,000
10. Kasibugga ..	Huts	6,940	4,000
11. Cocanada ..	Town Police quarters ..	22,000	15,000
12. Vizagapatam ..	Quarters	40,600	7,000
13. Bandi Atmakur ..	Station house and quarters.	17,800	5,000
14. Vellore ..	Station house and huts—Town Police.	30,440	10,000

* Loans.

8th February 1924]

Name of the place. (1)	Projects and works. (2)	Estimated total cost. (3)	Demand for 1924-25. (4)
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B.—Schemes placed in class III.

		RS.	RS.
1. Vizianagram ..	Special Police buildings.	2,25,000	15,000 *
2. Dindigul ..	Quarters	56,080	10,000 *
3. Kondapalle ..	Station house and quarters.	25,500	10,000
4. Tsallapalli ..	Quarters	27,400	5,000
5. Bugada ..	Do.	10,000	5,000
6. Tiruttani ..	Lines	18,600	5,000
7. Puttur ..	Huts	17,490	5,000
8. Tirurangadi ..	Quarters	20,800	5,000
9. Belluguppa ..	Do.	10,100	5,000
10. Cuddalore, O.T. ..	Do.	27,000	10,000
11. Arkonam ..	Do.	25,000	5,000
12. Mandarasa ..	Do.	18,500	5,000
13. Nellikuppam ..	Do.	12,650	10,000
14. Salar ..	Station and quarters ..	19,100	5,000
15. Kadayanallur ..	Quarters	8,490	4,000
16. Thogamalai ..	Do.	13,600	5,000
17. Lalgudi ..	Do.	14,955	5,000

(iii) The following items were omitted—

1. Tarasing ..	Station house and quarters.	22,400	5,000
2. Periyakulam ..	Lines	..	5,000
3. Mangalore ..	Quarters for District Superintendent of Police.	..	10,000
4. Vishnukanochi ..	Station house and quarters.	48,800	10,000
5. Waltair ..	Quarters for Deputy Inspector-General of Police.	65,500	15,000
6. Vellore ..	Quarters for Police Probationers.	27,000	10,000
7. Satyavedu ..	Huts	..	5,000
8. St. Thomas' Mount.	Quarters for town and Reserve.	2,32,600	10,000

2. Scale of pay of the Headmaster, Penukonda Board High School, and the stage at which he should start—

	RS.
Demand for 1924-25	850

The scheme was placed before the Committee who recommended that the salary of the Headmaster of the Penukonda Board High School should be fixed at Rs. 150— $\frac{1}{2}$ —200, the present incumbent to receive a starting pay of Rs. 150 in that scale, and no personal allowance.

* Loans.

[8th February 1924]

3. Bifurcation of Kistna district—

(i) 22. *General Administration*—

Cost in 1924-25	.. .. .	RS.
		1,13,803

(ii) 26. *Police*—

Cost in 1924-25	.. .. .	RS.
		10,857

The proposals were placed in class II.

FORT ST. GEORGE,
4th February 1924.

C. G. TODHUNTER.

(3)

*Proceedings of the Seventeenth meeting of the Finance Committee,
1923-24, dated 31st January 1924.*

PRESENT:

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).
Rai Bahadur Sir K. VENKATAREDDI NAYUDU, *Kt.*, M.L.C.
" T. M. NARASIMHACHARIU Garu, M.L.C.
M.R.Ry. A. RANGANATHA MUDALIYAR Avargal, M.L.C.
" A. RAMASWAMI MUDALIYAR Avargal, M.L.C.
Dr. P. SUBBARAYAN, M.L.C.
JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.
R. W. DAVIES, Esq., I.C.S., M.L.C.

*Grants to local bodies.*32. *Medical*—

(i) Grants to local bodies for medical buildings—

Demand for 1924-25	.. .. .	RS.
		1,70,605

The Committee recommended the following grants:—

Rupees 50,000 in Part I.
Rupees 25,000 in Part II, class II.
Rupees 25,000 in Part II, class III.

(ii) Prepayment of grants to medical institutions—

Demand for 1924-25	.. .. .	RS.
		1,63,000

The Committee placed the scheme in class II.

(iii) Provincialization of District Medical Libraries—

Demand for 1924-25	.. .. .	RS.
		25,000

The proposal was placed in class III.

8th February 1924]

2. 33. *Public Health*—

(i) Appointment of a Health Officer in Coonoor Municipality—

Demand for 1924-25	.. .. .	RS.
		3,710

The scheme was placed in class III.

(ii) Appointment of a Health Officer for the Bezwada Municipality—

Demand for 1924-25	.. .. .	RS.
		825

The Committee placed the scheme in class II.

*Grants to local bodies for roads and bridges.*3. 41. *Civil Works*—

(1) Works in progress.

The Committee recommended that the full sum required for works in progress, viz., Rs. 1,93,446, should be provided in Part I, to be met from loans.

(2) New works—

(a) Panampuzha bridge.

The Committee recommended the sanction, under class II, of a loan of Rs. 1,00,000 for the purpose.

(b) Reconstruction of the Teppakadu bridge.

The Committee recommended that a grant of Rs. 10,000 should be provided and placed in class I.

(c) (i) Purchase of the Feroke and Kallayi bridges.

(ii) Re-girdering of the Hagari bridge.

The Committee had already accepted these proposals, but did not recommend that provision should be made in the year 1924-25 as it is unlikely that any disbursement will be required in that year.

(d) Monsoon damages to the Nadgani ghat, Vayitri road and Gudalur-Mysore road. Rs. 49,893.

The Committee recommended provision for the expenditure under class I.

(e) Gudalur-Mysore Frontier road. Demand Rs. 32,000.

The Committee placed the scheme in class III.

4. 45. *Superannuation allowances*—

District Board Engineers—Provident Fund.

The proposal was recommended.

5. 47. *Miscellaneous*—

(i) Compassionate grants. Demand Rs. 2.50 lakhs.

The Committee considered that, in view of the anticipated retrenchment in expenditure of many of the local bodies concerned, it would be sufficient to make a provision of Rs. 1,25,000 in Part I of the budget for 1924-25.

(ii) Grant for improving the premises of the Munro Choultry at Gooty. Demand in 1924-25 Rs. 850.

The proposal was placed in class I.

[8th February 1924]

6. 60-A. *Civil Works—Grants for Water-supply and Drainage schemes—*
 (a) Water-supply and Drainage schemes—

	Provision in 1924-25.
Grant	RS.
Loans	4,00,000
	4,00,000

The Committee placed the schemes in class I, to be met out of loans.

(b) Extension of protected water-supply to the Labour Depot,
 Berhampur—

	Provision in 1924-25.
Grant	RS.
Loans	5,000
	5,000

The proposal was placed in class I, to be financed from loans.

7. 37. *Miscellaneous—*

Criminal Tribes—Aziznagar Settlement, South Arcot district—Open-
 ing of a nursery—

	Cost in 1924-25.
Recurring	RS.
Non-recurring	360
	240

The Committee placed the scheme in class II.

8. 41. *Civil Works—*

Construction of motor garages and coach houses for the offices located
 in the Old Engineering College Buildings at Chepauk—

Provision in 1924-25	RS.
.. .. .	15,000

The proposal was placed in class III.

Supplementary grants.

9. Additional grants—Rs 1,14,358—Grant VII—Irrigation—

(1) 15. Other Revenue expenditure financed from ordinary
 revenues—

A. Irrigation Works—

	RS.
(a) Tinnevely division, Maintenance and Repairs ..	20,000
(b) Trichinopoly division do. ..	10,000
(c) Madura division do. ..	8,200

8th February 1924]

RS.

B. Navigation, Embankment, etc., works—

(d) Cauvery division—Maintenance and Repairs .. 11,800

Total works .. 50,000

Establishment and tools and plant .. 19,730

Total .. 69,730

(2) XIII. Works for which capital accounts are kept—

Working expenses—

(i) Srivaikuntam anicut system, Maintenance and Repairs. 15,000

(ii) Marudur anicut system, Maintenance and Repairs. 5,000

(iii) Cauvery delta system, Maintenance and Repairs. 12,000

Total works .. 32,000

Establishment and tools and plant .. 12,628

Total .. 44,628

The Committee recommended that a supplementary demand be moved.

10. *Provision for expansion of Elementary education—*

After consideration of the note prepared by the Education Department with regard to expenditure on elementary education and of Mr. Moir's note on the same subject, the Committee made the following recommendation:—

“The Committee advocate the institution of a survey on the lines suggested by Mr. Moir, but would recommend that some provision be made for an early advance, and would urge that assistance be given to Boards which have levied the cess wholly or partially but are yet unable to open schools in all villages with a population of 500 and over. They would also urge that due consideration be given to the relative importance of the expenditure on elementary education and other branches of education. They would urge that, if possible, schemes for the expenditure of a sum of 2 lakhs on the lines above indicated be devised before the budget is completed.”

FORT ST. GEORGE,
 4th February 1924.

C. G. TODHUNTER

[8th February 1924]

(4)

*Proceedings of the Eighteenth meeting of the Finance Committee,
1923-24, dated 4th February 1924.*

P R E S E N T :

The hon. Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).

Rai Bahadur Sir K. VENKATAREDDI NAYUDU, Kt., M.L.C.

„ T. M. NARASIMHACHARLU Garu, M.L.C.

M.R.Ry. A. RANGANATHA MUDALIYAR AVARGAL, M.L.C.

Dr. P. SUBBARAYAN, M.L.C.

JANAB MUHAMMAD YAHYA ALI SAHIB Bahadur, M.L.C.

R. W. DAVIES, Esq., I.C.S., M.L.C.

The Committee examined Part I of the Budget under the following heads:—

- (1) 7. Stamps.
- (2) 14. Interest on works for which capital accounts are kept.
- (3) 15-A. Other Revenue expenditure financed from ordinary revenues—Civil.
- (4) 19. Interest on ordinary debt.
- (5) 27. Ports and Pilotage.
- (6) 30. Scientific, etc., Departments.
- (7) 33. Public Health.
- (8) 41. Civil Works (Grants-in-aid).
- (9) 43. Famine Relief and Insurance.
- (10) 45. Superannuation allowances and pensions.
- (11) 47. Miscellaneous.
- (12) 51. Contributions to Central Government.
- (13) 52. Miscellaneous adjustments.
- (14) 60. Civil Works.
- (15) 60-A. Civil Works.

2. Re-organization of the superior staff of the Local Self-Government Department.

The proposal was recommended for acceptance.

3. Assistant Industrial Engineers—Confirmation.
The proposal was recommended for acceptance.

FORT ST. GEORGE,
4th February 1924.

C. G. TODHUNTER.

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, 9th February 1924.

The House met at 11 o'clock, the hon. the President (Diwan Bahadur L. D. SWAMIKANNU PILLAI AVARGAL, C.I.E., I.S.O.) in the Chair.

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 and answers shall be arranged in order of subjects.

The Secretary shall call the name of each interpellator in the order in which the names are printed, 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.]

The Text-Book Committee.

433 Q.—Mr. ABBAS ALI KHAN: Will the hon. the Minister for Education be pleased to state—

(a) whether the constitution of the Text-Book Committee was recently altered so as to vest the nominations with the Minister for Education;

(b) whether any members were appointed to the Committee by the Minister, and, if so, how many of them are Brahmans, non-Brahmans, Mussalmans, Indian Christians and Adi-Dravidas; and

(c) how many of these are from Telugu districts and more especially from the district of Ganjam?

A.—(a) Under the old rules the power to appoint members of the Text-Book Committee vested in the Government; it was delegated to the Director of Public Instruction in 1908. Under G.O. No. 546, Law (Education), dated 11th April 1923, published on page 391 of Part I-B of the *Fort St. George Gazette*, dated 24th April 1923, the nomination of members to the Committee will hereafter be made by the Director subject to the approval of Government.

(b) & (c) The answer to the first part of clause (b) is in the negative.

Co-operative Credit Societies.

Co-operative Credit Societies for depressed classes in Malabar.

434 Q.—Mr. R. VEERIAN: Will the hon. the Minister for Development be pleased to state—

(a) the number of Co-operative Credit Societies for the depressed classes in the Malabar district; and

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(b) whether the Malabar Adi-Dravida Jana Sabha sent representations to the hon. Minister to appoint a special Inspector for organizing and supervising Co-operative Credit Societies and Stores for the depressed classes; if so, what steps were taken in the matter?

- A.—(a) The Government have no information but will call for it.
(b) No such representation has been received.

Non-gazetted services.

Allowances granted to non-gazetted subordinate servants in the Wynad taluk.

435 Q.—Diwan Bahadur M. KRISHNAN NAYAR: Will the hon. the Member for Finance be pleased to state—

(a) whether the Government were granting from 1885 an allowance equal to 50 per cent of pay subject to a maximum of Rs. 50 to all non-gazetted subordinate servants employed in the Wynad taluk of the district of Malabar;

(b) whether the Government have discontinued this allowance entirely in the case of subordinates who are natives of, or domiciled in, Wynad and reduced it considerably in cases of other subordinates, with effect from 1st September 1923;

(c) whether the Government have received any memorial on the subject from the subordinate officers concerned;

(d) whether, having regard to the unhealthiness of the locality, the high cost of living, want of facilities for educating children and the necessity for warm clothing, the Government will be pleased to restore the 50 per cent allowance; and

(e) whether the Revenue Divisional Officer and the District Forest Officer of Wynad who are gazetted officers are even now allowed to draw monthly allowances of Rs. 150 and 100 respectively?

A.—(a) An allowance of 50 per cent of pay subject to a maximum of Rs. 50 per mensem was granted in some cases; in others a lower rate was adopted.

(b) The allowance has been discontinued in the case of officers and subordinates who are natives of or domiciled in the Wynad. With effect from 1st September 1923 a revised scale of allowances applicable to the Wynad and other unhealthy localities has been introduced on the recommendation of the Retrenchment Committee. The effect of this has been to increase the payment in some cases, to reduce it in others.

(c) Certain subordinate officers in the Registration Department have submitted memorials.

(d) No. The Government consider the scale of allowances adequate.

(e) Orders are under issue revising these allowances.

Mr. S. SATYAMURTI:—“May I ask the hon. the Home Member with reference to the answer to clause (d) of this question, whether the Government consider the scale of allowances adequate after any inquiry made after the question was received, or whether it is a mere expression of opinion of the Government after the memorial of the persons concerned?”

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The hon. Sir CHARLES TODHUNTER:—“This is the result, Sir, of the scrutiny of the matter by the Retrenchment Committee and the Government.”

Mr. S. SATYAMURTI:—“With regard to the answer to clause (e) of this question, may I know whether the orders issued to revise these allowances are for the purpose of cutting them down?”

The hon. Sir CHARLES TODHUNTER:—“The answer is in the affirmative.”

Law and Order in Malabar.

Mappillas confined in the Rajahmundry Jail.

436 Q.—Mr. K. UPPI SAHIB: Will the hon. the Home Member be pleased to state why the ration given to Mappillas, confined in Rajahmundry Jail without being charged before or tried by a Court of Law, has been curtailed?

A.—The rations of the prisoners in question have not been curtailed. Instead of granting them allowances under the Madras State Prisoners Regulation the Government are providing them with diet appropriate to their status in life.

The hon. Sir ARTHUR KNAPP:—“Sir, with your permission I should like to be allowed to make a few remarks about the answer to this Question, because, on going through the papers, I am not quite certain that the positive statement made in the first line of the answer is altogether justified, that is to say that the information justifies an answer in that form. The fact is that last June the Inspector-General of Prisons made a reference asking what scale of diet should be allowed to the Mappilla prisoners in the Rajahmundry Jail. We told him that they should be given as a general rule rice diet provided for ordinary convicts but that he should, however, see that those whose status warranted it should be given a diet appropriate to their position in life. We do not know at the present moment what scale of diet they are being given. Under those circumstances, perhaps I should better qualify my positive assertion that the rations of the prisoners have not been curtailed. I should therefore prefer to prefix to the first sentence of the answer already given: ‘So far as the Government are aware’.”

Mr. S. SATYAMURTI:—“Sir, apart from the question of rations which the hon. the Home Member has answered, I should like to know who are these prisoners detained in the Rajahmundry Jail, without being charged before, or tried by a Court of Law, and how many of these prisoners are detained in Rajahmundry.”

The hon. Sir ARTHUR KNAPP:—“Sir, the prisoners are detained under the Madras State Regulation of 1819 and on the last occasion when I saw the papers connected with them, I think the number was about 70.”

Mr. S. SATYAMURTI:—“If they are detained under the State Regulation referred to, will the Government be pleased to state why they are not giving them the allowance they are entitled to under the Regulation?”

The hon. Sir ARTHUR KNAPP:—“Because the Government are giving them their food in lieu of their allowance.”

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Mr. S. SATYAMURTI:—"Does it mean that the Regulation gives the Government the power to depart from it in any case they choose?"

The hon. Sir ARTHUR KNAPP:—"The interpretation which the Government have placed on the Regulation is that it is open to give the allowance required to provide for the maintenance of these prisoners or to give rations instead of the allowance."

Mr. S. SATYAMURTI:—"In regard to that interpretation, have the Government taken legal opinion?"

The hon. Sir ARTHUR KNAPP:—"I think not."

Mr. S. SATYAMURTI:—"If so, will the Government now take legal opinion as to whether under that Regulation it is open to the Government to change or modify the provision in that Regulation?"

The hon. Sir ARTHUR KNAPP:—"I will consider that question, Sir."

Railways.

Railway communication between Mysore and South Kanara.

487 Q.—Khan Bahadur HAJI ABD-UL-LA HAJI QASIM: Will the hon. the Home Member be pleased to state whether railway communication between Mysore State and South Kanara is likely to be opened, or whether it is under contemplation and if so, in what stage the proposals are?

A.—The subject is under the control of the Government of India, and the Government are unable to make any statement on the subject.

Railway line from Salem to Rasipuram.

488 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Home Member be pleased to state—

(a) whether it is a fact that there is a proposal before Government to open a railway line from Salem to Rasipuram in preference to the already sanctioned and matured scheme of opening a railway line from Salem to Attur; and

(b) whether in view of the prevailing acute distress in the Salem district, the Government contemplate the possibility of giving preference to the Salem-Attur line as a famine relief measure over the Salem-Rasipur line?

A.—The hon. Member is referred to the answer to question No. 226.

Virudupatti-Tenkasi railway line.

489 Q.—Mr. A. CHIDAMBARA NADAR: Will the hon. the Home Member be pleased to state whether the scheme of Virudupatti-Tenkasi railway line is going to be put into effect in the near future?

A.—The hon. Member is referred to the answer to question No. 227.

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Police.

Punishments in the Police department in the Bellary district.

440 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member be pleased to state—

(a) whether the percentage of punishments in the Police department in the Bellary district in the year 1922 was the highest in the Presidency—(77.2 per cent against 37.8)—more than double the percentage for the previous year;

(b) whether this was due to the undue severity of the present Superintendent of Police;

(c) whether it is a fact that the increments in the case of 14 out of 45 Sub-Inspectors of Police in the district have been stopped by the present Superintendent and, if so, for what reason;

(d) how many transfers of Inspectors and Sub-Inspectors the present Superintendent has recommended or effected in the Bellary district in the course of the year 1923 and at what expense to the Government and on what grounds;

(e) whether he will call for statistics of such cases and satisfy himself whether they were strictly on public grounds; and

(f) what the percentage of punishments in the department is in the year 1923?

A.—(a) The attention of the hon. Member is invited to paragraph 3 of the Administration report of the Inspector-General of Police and the statements appended thereto.

(b) The Government have no reason to believe that the police administration of the Bellary district has been unduly severe.

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

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

Mr. P. SIVA RAO:—"With reference to the answer to clauses (c), (d) and (f), will the Government be pleased to call for the information?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Yes."

Mr. P. SIVA RAO:—"Do the Government really believe that this very high percentage of punishments is really necessary for the maintenance of discipline in the district of Bellary? Have they satisfied themselves that it is so necessary?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do not think I can be said to have convinced myself, because until the question was put by the hon. Member, I did not scrutinize the allegations. They will be scrutinized."

Mr. C. V. VENKATARAMANA AYYANGAR:—"With reference to clause (b) of the answer, I request the hon. the Law Member to say how far the administration is severe. It is said in the answer that the administration is not unduly severe, and it means they admit that it is severe."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am afraid I cannot go into the question of adjectives just now."

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Mr. S. SATYAMURTI :—" Sir, I am at a disadvantage, because the answer given is not loud enough to be heard here. But I want to know whether with reference to clause (e) of the answer in which it is stated that the Government do not propose to take any such action, and also with reference to the answers to clauses (c), (d) and (f) in which the Government say they have no information—seeing that there are very serious allegations made in those cases—I want to know whether the Government do not consider it necessary to call for the information and satisfy themselves whether all these punishments were strictly on public grounds, especially in view of the fact that these allegations have been made by an hon. Member of this House and on the floor of this House. I am perfectly willing to take it from the hon. the Law Member now that the punishments were inflicted on public grounds; but I suggest that the allegation is that they are not on public grounds, and the Government owe it to themselves and to this House to order an inquiry and to see whether they are inflicted on public grounds or not."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, I do not think that just now I can say one way or the other, whether they were on public grounds or not. When allegations of this character are made by responsible public men like the hon. Member, Mr. Siva Rao, hon. Members of this House may take it from me that so long as I hold the portfolio which I have the honour to hold, I shall look into the matter carefully" (hear, hear).

Mr. S. SATYAMURTI :—" May I take it that the Government will now call for the information and satisfy themselves on this matter?"

(No answer.)

Separation of Executive and Judicial functions.

441 Q.—Mr. P. SIVA RAO: Will the hon. the Law Member be pleased to state whether the Government have considered the report made by the committee for the separation of judicial and executive functions and if so, what action has been taken thereon?

A.—The hon. Member is referred to the answer to the question No. 820 (a).

Mr. S. SATYAMURTI :—" Sir, the answer to this question refers me to the answer to question No. 8. I have the report of the proceedings of 12th December 1923 in my hand. A question was asked by my hon. Friend Mr. C. V. Venkataramana Ayyangar, on the same matter, and I asked a supplementary question thereon, and in answer thereto, I was told by the hon. the Law Member as follows :—" I have just revised the draft order and it is probably in the press now". To-day is the 9th February, and may I ask the hon. the Law Member whether it is still in the press?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I am afraid the hon. Member has not noticed another answer that I gave to the effect that there are two alternative solutions. I made myself responsible for one solution. The other alternative was also put forward and in answer to a question the other day, I said that the Government had not come to a conclusion as to which of those solutions should be adopted. As soon as it is decided, the papers will be published."

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Mr. S. SATYAMURTI :—" I am sorry I have to correct the hon. the Law Member and I shall read from the proceedings. My supplementary question was 'May I ask the hon. the Law Member whether instead of the vague phrase "as soon as possible" he can give us an approximate idea of the time when he hopes to place a statement of the Government's views thereon on the table?' The answer of the hon. the Law Member was 'I have just revised the draft order and it is probably in the press now'. I am now simply asking in reference to Mr. Siva Rao's question as to when we may expect the views of Government on the report of the Committee for the separation of judicial and executive functions?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I cannot give the exact date."

Education.

Opening of a new Secondary School by the Cuddapah municipality.

442 Q.—Mr. ABDUL HYE SAHIB: Will the hon. the Minister for Education be pleased to state—

(a) whether it has been resolved by the Municipal Council, Cuddapah, to open a secondary school for boys at Cuddapah on the analogy of those existing in Guntur, Kurnool and Trichinopoly, provided that the net cost is borne from the provincial funds;

(b) if so, whether the Government propose to accept the resolution of the Municipal Council in view of the large Muhammadan population existing in Cuddapah?

A.—(a) No such resolution, if passed, has been communicated to Government.

(b) Does not arise.

Appointments in the Indian Educational Service.

443 Q.—Mr. ABBAS ALI KHAN: Will the hon. the Minister for Education be pleased to state—

(a) how many appointments to the Indian Educational Service were made by direct recruitment since he first assumed charge; and

(b) of these how many are (i) Brahmans, (ii) non-Brahmans, (iii) Indian Christians, (iv) Mussalmans, (v) Adi-Dravidas and other depressed classes, and of these how many are Andhras?

A.—(a) Three in the men's branch and three in the women's.

(b) In the men's branch were recruited one Kayastha Bengali, one Indian Christian and one non-Brahman Malayalee. The three women are Europeans.

Subordinate Educational Service.

444 Q.—Mr. K. PRABHAKARAN TAMPAN: Will the hon. the Minister for Education be pleased to state—

(a) whether it is a fact that the initial salary of the Secondary Assistants' cadre in the Subordinate Educational Service which was sanctioned in 1921 has not yet been given effect to;

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(b) whether there is any chance of the schemes being given effect to in the immediate future; and

(c) whether there is any other branch in the Educational department from which the revised scale of pay is still withheld; if not, whether there are any special reasons for delaying that of the school assistants alone?

A.—(a) No;

(b) The question does not arise;

(c) No. The latter part of the question does not arise.

Mr. K. PRABHAKARAN TAMPAN :—“ May I ask when effect was given to the scheme of giving the initial salary of the secondary assistants' cadre, with reference to clause (a) of the question ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ The answer is given there, Sir.”

Recommendations of the Madras Education Committee.

445 Q.—Mr. P. SIVA RAO: Will the hon. the Minister for Education be pleased to state whether the recommendations of the Madras Education Committee have been considered by the Government and, if so, what action has been taken thereon?

A.—The report of the Education Committee is under consideration.

Mr. S. SATYAMURTI :—“ May I ask the hon. the Minister for Education to say approximately when he hopes to be in a position to pass orders on the Report of the Education Committee ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ Orders were passed on the Report, but on account of the financial liabilities involved, they are now under the consideration of the Finance Department.”

Mr. P. SIVA RAO :—“ When are final orders likely to be passed ? ”

The hon. Rao Bahadur Sir A. P. PATRO :—“ I am not able to say when they may be passed, Sir.”

Elementary Education.

446 Q.—Mr. P. SIVA RAO: Will the hon. the Minister for Education be pleased to state whether he has formulated any scheme for the expansion of elementary education and, if so, whether it has received the sanction of the Government and when he proposes to bring it into effect?

A.—The attention of the hon. Member is drawn to the answer to question No. 366.

Industries.

The slaughter of bovine cattle in the Presidency.

447 Q.—Mr. S. R. Y. ANKINEDU PRASAD Bahadur: Will the hon. the Minister for Development be pleased to furnish information as to the exact number (or, in the absence of exact number, a fairly accurate number) of bovine cattle classified according to their kinds that are annually slaughtered in this Province for food and hides?

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A.—So far as information is available, the number of cattle slaughtered during the quinquennium ending with 1921-22 was as shown below :—

	Bulls.	Cows.	Calves.
Municipal areas ...	78,131	143,313	11,429
Local Board areas ...	(No information.)	90,637	13,509
Total ...	78,131	233,950	24,938

These figures must be regarded as approximate only. No information is available as to the precise purpose for which the cattle were slaughtered.

Mr. S. SATYAMURTI :—“ With reference to the staggering figures 78,000, 233,000, 24,000, etc., of cattle slaughtered in 1921-22, may I ask the hon. the Minister for Development whether he proposes to see that the law is altered, if necessary, with regard to permitting municipalities and local boards to prohibit slaughter of useful cattle in their areas ? ”

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—“ It is a very difficult matter, Sir, and I require notice of the question.”

II

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

STOPPING THE FURTHER AMALGAMATION OF VILLAGES.

Diwan Bahadur P. KESAVA PILLAI :—“ Sir, I have waited and hoped and I have been given this opportunity of moving this Resolution for which I thank the House and for which at least the non-official side of it should be grateful to you, Sir, and to His Excellency. I gave notice of a Resolution in two parts, of which one was this :

‘ That this Council recommends to the Government that further grouping of villages may be forthwith stopped.’

“ The other Resolution was :

‘ That this Council recommends to the Government that in the interests of the convenience of the people and of the efficiency of the service, the grouping of villages already carried out may be modified so as to increase the number of village officers and menials with a special care to preserve their hereditary rights.’

“ But the ballot box has only given me one part of it, that is, the first portion, and I have much pleasure in moving it.

“ It is not a party question. You, Sir, will see that a number of hon. Members of this House belonging to all parties have given notice of motions more or less of a similar nature agreeing with me, and at the same time adding something more. So, there will be no difficulty at all for me in getting this Resolution passed by this House. The only difficulty will be on the side of the Government. They will say : ‘ We have no money ; these are hard times ; we had better cut down a certain number of hands so that the other people might be given more pay’. Sir, the non-official Members of this House are more or less responsible for agitating for increase of pay to the village officers and menials. So long ago as the 4th of February 1912 I moved a Resolution in this House for increased pay to the village

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karnams. The Government did not at that time want to give them increase of pay. The hon. Sir John Atkinson who was then in charge of the department said that the karnams were getting perquisites and so they should be content with the pay they had. Again, Sir, in the year 1914 another Resolution was moved by my hon. Friend Mr. Krishna Rao for travelling allowance to village officers, and I seconded that Resolution. There was a good deal of discussion then, but nothing was done. Again, on the 2nd February 1915, there was a Resolution for the revision of the pay of the village servants. The Government, in consideration of all these Resolutions and agitations of the village officers, were obliged to give them more pay, but, at the same time, they could not easily find ways and means to pay it. So, they wanted to reduce the number of village officers and the menials in the village service, and make up the amount required to pay them Rs. 15 and Rs. 8 per month respectively. In reply to a question of mine No. 418, the Government have furnished me with a table showing the village munsifs, karnams and vettis removed from the village establishment. A perusal of that statement will show that the reduction after all has not resulted in any very large amount of saving, but it has created a large amount of discontent, and at the same time caused a good deal of trouble and inconvenience to the village people. I do not know when the pay of the village servants was originally fixed, but from that time if we calculate, we will find that the revenue has been going up by leaps and bounds on account of the settlements and re-settlements, and the work also, especially of the karnams, has been very much increased. In consideration of the increased cost of living, the other services (the superior as well as the subordinate) have been given increased salaries and allowances, but these people were not given. That was the argument we urged why the village officers and menials should be given a more reasonable pay. Unfortunately, the Government get nervous and concerned whenever we ask for increase of pay for these loyal and useful servants. They say 'we have no money, and so we will remove a certain number of people and retain only a certain number of other people and pay them more.' But I am sorry to say that if only the hon. Members of this House, or even if the village officers themselves, had known that such a policy of reducing the number of village officers and servants would be pursued by making these grouping of villages, I do not think we or they would have agitated for any increase of pay. We were not aware of it. This Council is not a party to this grouping policy. This grouping policy has produced many evils in the mufassal and I wonder if the Government Members are not aware of them. I should be sorry if they are ignorant of the evils that have arisen out of this grouping policy. Not only has it caused annoyance and inconvenience to the people, but it has resulted also in any number of serious consequences. I am afraid there has been a good deal of corruption. No doubt exceptions there have been, but it is rather a notorious affair that the village officers, and even their menials, are scrambling for these appointments, staking their all."

The hon. Sir CHARLES TODHUNTER :—"Why?"

Diwan Bahadur P. KESAVA PILLAI :—"Why, because they have been enjoying the privileges of these village offices for a century and a half, or even two centuries in some of the families. When they are deprived of these, they feel very much wronged, and so, in order not to lose these

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appointments which have been in their families for such a long time—I know for instance these appointments have been continued in some families even from the time of the Nawabs of the Carnatic—the descendants of such families feel distressed that they in their time should lose them. So, they would go to the length of paying anything to the men who are likely to help them in order to enable them to keep these appointments in their families. The Act provides that the bribe-taker and the bribe-giver will both be punished, and so they will not come forward to give information. With all that, it is well known that even in high quarters—I am very sorry to say that, but there are exceptions always—there are too many temptations held out in order to see that recommendations are taken and pressures are brought forward upon officers. In the village itself there is such a scramble that people run into debts in order to pay one man or the other. All these things have been going on in the mufassal since the grouping policy has been introduced. As I have already pointed out, we are not responsible for the grouping policy. It is the Government that has been responsible for it. It is the Board, which is a part of the Government, that has been responsible for it. And then, no doubt we are asking for more pay, but without giving something out of what you have been taking from the lands in ever increasing amounts, you want to cut down the number. Sir, we know we are always talking of the iniquitous impost of 348 lakhs which the Government of India is taking away from us. We are fighting to get it reduced, and our valiant Leader of the House has been fighting for it; and when they get it reduced, they ought to pay, that is, a big morsel out of it, to the village service. We are paying 348 lakhs, whereas Lord Meston said that we ought to pay only 167 lakhs. Somehow or other we have to pay it to the Government of India, but we do not pay well our village servants who are directly responsible for collecting that money and for keeping peace and order in the villages. You do not spend sufficiently out of it on our irrigation works. You stinted in your own expenditure and allowed it to be squandered by the Government of India. No other province is paying such a large amount as the Madras province, and why because you pay your servants so low that they thought that they could put their hands into your pocket and take as much as possible. I blame the Government for it.

"I do not want to stand in the way of so many hon. Members in this House who are anxious to say a word or two on this important subject. To save these poor village officers from trouble and shame, especially those who have held these offices hereditarily for a very long time, and also to save your own officers—I mean many of them—from temptations, I would beg of you to put a stop to this policy. It is very necessary in the interest of morality and in the interest of public peace. You cannot ignore the discontent in the village side. It is more or less widespread and has reached all over the Presidency, and you cannot say we do not mind these village people. All of them are people who have something at stake in this land. The Government are losing the services of very many influential people. There are a large number of them who should not be allowed to nurse discontent. It is neither a good policy nor a just course to persist in.

"The other day, when the Viceroy came, it was the village officers who were asked to guard the railway line all over. The *talaiyaris* were asked to go and guard the line at the rate of one man

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for every four miles. It was because all your police cannot do it. And when the talaiyaris were sent up, the villages had to suffer. However, that was done.

"There was one suggestion made to me yesterday by two representatives of the Village Officers' Association to meet the financial difficulties with regard to paying these village officers. That was to stop jamabandi travelling allowances. It is stated that the *karnams* and *reddis* are to be paid Rs. 15 and Rs. 10, respectively, to attend the *jamabandi* and to answer the calls of the Revenue officers. But they do not get the money. As a matter of fact, this Rs. 15 or Rs. 10 gets into some other hands on the way."

Mr. R. SRINIVASA AYYANGAR :—"It is not Rs. 15 and Rs. 10, but Rs. 10 and Rs. 5."

Diwan Bahadur P. KESAVA PILLAI :—"I beg your pardon; I stand corrected. This money never reaches them. A large amount can be scraped together by stopping this allowance. For God's sake, therefore, do not reduce their number. If the Government would give satisfaction to the village officers who have been loyal to them from father to son, it is much better than the hon. the Finance Member finds some other means of paying them, than by reducing the number of village officers and menials. If he liked, he could cut down the allowances given to the higher officers and pay these poor people. That is a difficult task I know."

The hon. Sir CHARLES TODHUNTER :—"May I ask the hon. Member whether he has any idea how the allowances paid to the higher officers compare with the increase of pay given to the village officers? They ask for Rs. 1½ crores, while the allowances paid to the higher officers would come to about Rs. 1½ lakhs."

Diwan Bahadur P. KESAVA PILLAI :—"I was speaking not of the higher officers only. I mean all the officers. I hope they will not claim higher pay. Now they have claimed higher pay before the Lee Commission. But these village people have not the means to come and tell you how miserable they are when deprived of their hereditary offices, and what difficulty they feel on their low pay. You know, Sir, their difficulties in making supplies to the officers. These people are content provided they are given their posts on the hereditary basis. They are even willing to forego their pay provided you do not pursue a policy which has not the sanction of this House, the policy of grouping the villages and depriving the villages of the facilities they had had all along."

"What about the poor *vettis* and *talaiyaris* who are sent away in such large numbers? The policemen cannot guard the villages. The *talaiyari* was the village policeman, and if there are only two men where there were six or seven, they can hardly do their work satisfactorily. The village *karnam* and the village *reddi* are unable to look over a larger area with a less number of *vettis* and *talaiyaris*. Where there were eight or nine, you have reduced the number to two or three for paying Rs. 8 to each instead of Rs. 4. I would beg of you to take this matter into your serious consideration from a political point of view also. This is a matter of grave importance, and to cut down the number of village officers by such a large number and to deprive the villages of their facilities will lead to difficulty."

"With these few words, I move my Resolution."

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Rao Bahadur C. NATESA MUDALIYAR :—"I second the Resolution, Sir. I have myself given notice of a similar motion."

"From time immemorial each of our villages has been a self-governing and self-contained unit with a village headman as the hereditary head. He was not there for any pecuniary advantage but for social prestige. Now, to deprive him of that position means not only insulting him but also putting the whole family to which he belongs to indignity—a family which has earned the hereditary right to supply one of its members as village headman. This grouping destroys the village individuality; and the village ceases to be a unit."

"Now, there is meaning in it and it is quite logical when an hon. Member asked yesterday whether there are villages without village musifs. While the hon. the Revenue Member is attempting to deprive the villagers of this proud privilege, how can the hon. the Law Member expect the villagers to do *kudimaramath* work? Sir, I am not only for dropping this regrouping immediately, but I am also for separating the regrouped villages into their original units and restoring the various village officers. The mistake lies in thinking that the village headman is a mere revenue subordinate. He is not only that, but he is the social head of the village too."

Mr. B. MUNISWAMI NAYUDU :—"I beg to move an amendment to the Resolution, viz. :—

After the word 'villages' in line 2 insert the words 'both in ryotwari and zamindari areas', and

add at the end the following :—
'and that proposals, if any, for abolishing or not paying emoluments to any of the village officers in zamindari villages be dropped.'

"My first amendment is to give effect to the object of the Resolution moved by my hon. Friend Mr. Kesava Pillai in regard to the grouping of villages not only in ryotwari villages but also in zamindari villages."

"In moving my second amendment, I have in view the recommendation made by the Retrenchment Committee, that about Rs. 6 lakhs might be saved if only the office of the village headman is done away with in zamindari villages. I refer to page 203 of the Report of the Retrenchment Committee, Volume I, where it is stated :

'According to the principles and in the scheme of permanent settlement there was no place for a village headman in permanently-settled estates.'

Then at page 204 you find the provision under the head 'Proprietary Estates Village Service' in the Budget at present, i.e.,—

	RS.
6,521 headmen	6,44,936
180 monigars	2,284

so that it is proposed to save Rs. 6 lakhs and odd by doing away with the headmen and the *monigars*. While retaining the other village officers as the *karnams* and the *talaiyaris*, it is proposed to do away with only the village headmen. I really do not see how the village headman is not necessary for a zamindari village while he is necessary for a village in Government area. It is said that the proprietor or the zamindar is responsible for maintaining the village headman and not the Government. As to that, I may point out that these village officers in proprietary estates were at first holding and enjoying

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certain emoluments and *inams* as remuneration for their service. In 1894, the Government by Act II of 1894 took away from the proprietors the power to control, appoint and punish these village servants. The proprietors were relegated to the position of mere recommendatory agencies when vacancies occurred in the posts of headmen, and they had to make their recommendation within three months. Otherwise their right would be lost and the Revenue Divisional Officer would make the appointment. It is also expressly enacted that all those *inams* should be enfranchised, and quit-rent levied and that the Government should constitute a separate fund for paying the village servants. It is also clearly indicated that after the Proprietary Estates Village Service Act came into force, from that day onwards, the village officers were prohibited from taking their usual *mamool* or emoluments, so that as between the zamindars and the village officers, the obligation of the zamindars towards the village officers had been taken away by Act II of 1894, and the liability for the same had been assumed by the Government. Is it now open to the Government to say that they will not maintain these village officers?

"I gave notice of a Resolution in this House that the pay of the village officers in zamindari areas also should be enhanced, after the pay of the village servants in ryotwari areas had been increased by a Resolution of this House. But the Government, while raising their pay, issued a Government Order giving only about half the pay given to the village headmen in ryotwari tracts, that is, they increased it from Rs. 4 or 5 to Rs. 8, and in the case of *talaiyaris* from Rs. 4 to 6. Even these small mercies, the Retrenchment Committee is seeking to take away. I submit, Sir, that it would be dangerous to do so after first having deprived the *monigars* and the other headmen of their *inams* and that it would be unjust to say that you will not pay them although the Government is unable to restore them their old *inams* because the pattas are no longer in their names. So, it is not open to the Government now to say that they will not continue to pay them after assuming the responsibilities under the provisions of the Proprietary Estates Village Service Act. I submit that, while the House is anxious to secure the rights of the headmen in ryotwari areas, they should say the same with respect to their colleagues in the proprietary areas, and see that while the village headmen are considered absolutely necessary in the ryotwari areas, they are also absolutely necessary for zamindari areas.

"I hope this House will agree that the proposal for abolishing the emoluments of village headmen in zamindari areas is not given effect to.

"With regard to the original proposition, I submit, Sir, that ever since the grouping began, though no doubt under the statutory authority of the Board of Revenue, there has been any amount of discontent among the village officers. When we were asked large amounts for the purpose of providing money for these village officers, we passed the taxation Bills; but now the Government say that they will cut down the number of officers because they have raised their pay from Rs. 8 to Rs. 15. The result is that the Government save all that they get by the taxation Bills. At this stage, I may point out that, even before the Reforms, the increases of pay were given effect to so far as the *karnams* and *talaiyaris* in Government villages were concerned. The pay of the *karnam* was raised from Rs. 8 to Rs. 15 and that of the *talaiyari* from Rs. 4 to Rs. 8. It is only the pay of the village headmen

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that was not raised, and after the Reforms this House resolved that it should be raised to Rs. 15 and that Resolution was given effect to. At the same time also the pay of the village officers in the proprietary estates was raised.

"The total cost of this was Rs. 34 lakhs. When the Court Fees (Amendment) Act and the Stamp (Amendment) Act were introduced, after the first reading and after the Select Committee stage were passed it was suggested to this House by my hon. Friend from Guntur, Mr. Venkatasubba Rao, that an amendment to the Court Fees (Amendment) Bill by inserting the word 'temporary' before the word 'Amendment' should be made with the object of making the Amendment Bill a temporary measure because it was then said that there was a deficit and that the Amending Bill was introduced for the purpose of meeting it. Since it was required only for meeting a contingency, the hon. Member, Mr. Venkatasubba Rao, urged that this should only be temporary. I then rose and appealed to the House that if the hon. the Revenue Member (then Mr. Habib-ul-lah Sahib) would only give an assurance that he would give effect to the increase of salaries which was then being advocated by the Council and he would give effect to the raising of the salaries of the village headmen which cost about Rs. 34,000, then we would have no objection to make the Amending Bill a permanent measure. I would invite the attention of this hon. House to the proceedings in that connexion reported at page 2748 of the Council Proceedings, Volume VI. After moving for the insertion of the word 'temporary' before the word 'Amendment', and after various speakers had spoken, I got up and said (page 2756):

"Sir, on principle I am in sympathy with the amendment. The only thing that can influence me to oppose it is a promise by the Government that the pay of the village officers will be enhanced. If the Government are prepared to promise that, I should think that this Council will be prepared to oppose the amendment. If the pay of the village officers is enhanced, it will mean a recurring expenditure of 34 lakhs to the Government and it will be proper that by this Bill at any rate the enhanced pay that will have to be paid by the Government shall be secured."

"That is what I said on that occasion. The hon. the Revenue Member then rose up and said:

"If I intervene at all at this stage, which indeed I had not the least intention to do, I do so merely because the hon. Member from Chittoor, my Friend, Mr. Muniswami Nayudu, has expressed his opinion that he would not oppose this amendment on a contingent condition, viz., if the Government were willing to allot the necessary money for the grant of increased salary to the village officials, in which case he said he would give his support whole-heartedly to this and the following measure."

The 'following measure' was the Stamp Act (Amendment) Bill. And then he passed on to state:

"But, however, Sir, I, to whom a personal appeal has been made by my hon. Friend, Mr. Muniswami Nayudu, will be quite willing to bring forward a supplementary demand before this House for such amount as may be considered necessary to pay these village officers the extra sum, if, Sir, with your permission, I could lay it before the House and if the House would unanimously vote in favour of that amount."

I submit, Sir, that, having regard to these proceedings of the House, there was definitely an assurance given to the Council that this recurring expenditure of an excess of 34 lakhs would be, if sanctioned by the Council, incurred by the Government to pay these officers. Having thus taken a vote to obtain very much more than these 34 lakhs, if the Government now say that they are going to cut down expenditure in this direction, I will only say that they have no right to do anything of the sort.

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"As I suggested, if the Retrenchment Committee recommends this saving even on the ground of economy, I would say that, if it is, as contended, absolutely necessary to have a certain amount of European element for the good Government of the country, this village establishment is a more necessary one. This is a minimum requirement and any Government should keep up the minimum unit that is essential, as otherwise any amount of disorder and chaos would be produced and the old traditions of the village establishments are likely to be shattered. I need not refer to the heartburning of the officers—I mean of the village officers who are now being removed—and the never-ending factions that are inevitable and which would naturally take some ten years more to subside. I, therefore, strongly urge that orders issued in this respect should not be given effect to.

"It may be asked 'is it good to give effect to these recommendations, because, if the motion is carried, a large amount of additional expenditure must have to be incurred?' In answer I shall only refer to the answer given to an interpellation by the hon. Member, Mr. Kesava Pillai. At page 16 of the list of questions and answers, dated 8th February 1924, we find an appendix No. II, and the total number of officers on duty on 1st April 1920 and the number of officers ordered to be reduced up to 23rd September 1923 are found there. There, Sir, we find that there were 14,271 karnams and 1,125 assistant karnams on the 1st April 1920. In the next column we find that the number has been reduced by 1,693. Omitting the assistant karnams, the total number of karnams reduced is only 500 while, so far as the village headmen are concerned, the reduction will be seen to be four times as large as the karnams. Is there any justification for four times of the number of headmen to go? This regrouping indeed causes a great hardship to many men. There is the question of the village monigar and the rest. I submit that in this Resolution we want that this regrouping should not be given effect to. If the village officers are restored, the additional cost would be only 8 lakhs of rupees, and not 18 lakhs. I only bring this to the notice of the House so that hon. Members may not be led away by thinking that there is a very large saving and that it should not be foregone by the restoration to service of men removed. The cost of the headmen will come to about 1 lakh of rupees, the cost of the karnams about 3.8 lakhs, and that of the *talaiyaris* about 4.2 lakhs so that the total comes to about 8 lakhs. If the suggestion of my hon. Friend, Mr. Kesava Pillai, that the *jamabandi* allowance may be given up, is accepted, then the net cost will only be 6 lakhs of rupees extra. I ask, Sir, whether, in order to save an expenditure of 6 lakhs of rupees, it is necessary that such a huge retrenchment in the staff should be made incidentally causing heart-burning to so many people. I move this amendment to the Resolution and hope that the House will see its way to give its support to it."

Rao Bahadur K. KRISHNASWAMI NAYUDU:—"I second it."

The hon. the PRESIDENT:—"Before proceeding further, I should like to know whether there was reference in the hon. Mr. Muniswami Nayudu's speech to the retrenchment already effected."

Mr. B. MUNISWAMI NAYUDU:—"That was also a part of my argument though it may not be quite relevant on the original motion."

The hon. the PRESIDENT:—"I am much obliged to the hon. Member. In the first place the question now is whether the House should proceed to

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consider the amendment by itself and vote upon it, or whether the hon. the Mover of this motion will accept the amendment and allow the motion as amended to be proceeded with."

Diwan Bahadur P. KESAVA PILLAI:—"So far as I can judge the scope of the amendment, I am afraid the second part of it is rather inappropriate. I would accept the first part of it, and with regard to the second part I suggest that the hon. Member, Mr. Muniswami Nayudu, may bring a separate Resolution if he pleases and not tag it here."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know, Sir, if you are dealing with it as a point of order?"

The hon. the PRESIDENT:—"It is very difficult, while discussing the amendment, to omit all discussions on 'the proposals, if any, for abolishing or not paying emoluments to any of the village officers in zamindari villages be dropped'."

Mr. B. MUNISWAMI NAYUDU:—"Sir, the amendment refers only to the Retrenchment Committee Report. I moved it simply because this is a proposal which is embodied in the Report—viz., that the village headmen need not be paid in proprietary estates."

The hon. the PRESIDENT:—"It is not therefore the grouping of villages that is referred to in the amendment. I think the subject of the amendment is distinct from that of the motion and cannot be tacked on to it. I should like to hear the hon. Member explain it to me, but at first sight I do think it cannot be tacked on to the motion."

Mr. B. MUNISWAMI NAYUDU:—"Sir, it would be relevant in this way. While the motion of my hon. Friend, Mr. Kesava Pillai, contemplates two villages being put together, my amendment contemplates two offices being taken away to be replaced by one. However, I have no objection if you put the second part as a separate motion."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am very sorry, Mr. President, that I did not quite catch the point."

The hon. the PRESIDENT:—"The point is whether an amendment that proposals for abolishing or not paying emoluments be dropped is admissible under the Standing Orders as an amendment to the proposition that this Council recommends to the Government that the further grouping of villages may be forthwith dropped. My point was that, as I understood Mr. Muniswami Nayudu, this clause dealing with proposals for abolishing or not paying emoluments would not be a question of grouping although he contends that it is a sort of regrouping because it reduces the number of village officers. If my construction is right, I should not admit the amendment."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"If the words 'both in ryotwari and zamindari areas' are included in the Resolution of Mr. Kesava Pillai, to that extent it would be a relevant and pertinent amendment. If the second is added, it is relevant only to a hypothetical case in respect of a part of the matter. It has really no reference to the motion as it has been moved by the hon. Member for Anantapur and I submit, Mr. President, that it will not be really in order."

The hon. the PRESIDENT:—"Standing Order 56 says: 'An amendment must be relevant to, and within the scope of, the subject matter of the

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clause or motion to which it relates.' I have no doubt at all that the amendment does not fall within the scope of the subject matter of the motion to which it relates, viz., the grouping of villages. The recommendation of the Retrenchment Committee is a matter outside the grouping of villages as understood by all hon. Members who have given notices of the motion. Therefore that amendment is out of order.

"Perhaps we may dispose of the question of the remaining amendments so that the hon. Members who have given notices may not be under a wrong impression. The Standing Order from which I have been just quoting says in the 6th clause:

'In respect of any Motion or any Bill under consideration, the President may select the new clauses or amendments to be proposed, and may, if he thinks fit, call upon any Member who has given notice of an amendment to give such explanation of the object of the amendment as may enable him to form a judgment on it.'

"We have now transformed the original proposition before the House into an amended proposition embodying an amendment accepted by the hon. Mover of the original proposition. I will now call upon Mr. Ramaswami Mudaliyar to justify the insertion as a second step of his amendment."

Mr. A. RAMASWAMI MUDALIYAR:—"I submit my amendment is relevant to the motion even as amended. The Resolution is that this Council recommends to the Government that grouping of villages may be forthwith stopped. The insertion of the words 'both in ryotwari and zamindari areas' by Mr. Muniswami Nayudu does not really go beyond the limits of my Resolution. I add 'and the villages amalgamated during the last two years be divided . . . etc.' We are dealing with one fact, viz., the question of amalgamation of villages either in the past or future."

The hon. the PRESIDENT:—"We are dealing with the further grouping of villages."

Mr. A. RAMASWAMI MUDALIYAR:—"In the next page on the agenda hon. Members will find another Resolution tabled in the name of Mr. Ellappa Chettiyar covering the whole question. There is no question of divisibility."

The hon. the PRESIDENT:—"I have a doubt as to including this amendment as it does not seem to be within the scope of the motion. The hon. Member for Chingleput may continue."

Mr. A. RAMASWAMI MUDALIYAR:—"The amendment is not inconsistent if the purpose of the Resolution will be in order. The fact that the further grouping of villages should be stopped is not inconsistent with the past. The hon. Member is concerned with his own district where grouping has not yet taken place. It is unfortunate that this Resolution should come up first in balloting. Therefore to bring it in order, I have given notice of this amendment. The whole thing has to be taken together and discussed."

Mr. P. SIVA RAO:—"May I say one word with reference to this amendment? The first Resolution lays down a question of principle as to the desirability of amalgamating villages. The second one sought to be moved by Mr. Ramaswami Mudaliyar is only consequential if that principle has to be reversed. Otherwise this amendment cannot be discussed. It will lead to numerous complications. One mutilated portion will come up leaving the principle undiscussed. If the principle underlying the motion of Mr. Kesava Pillai is allowed, it follows that the policy hitherto followed has also to be reversed."

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The hon. Mr. C. P. RAMASWAMI AYYAR:—"May I, Sir, in view of the desire of many hon. Members of this House to have this matter discussed, suggest a way out which I think may satisfy all the parties? I am throwing it out as a tentative suggestion. It is possible to modify an amendment by leaving out certain words and inserting other words. There is a logical fallacy involved in the amendment as now moved, viz., that further grouping is what is dealt with in the proposition originally put forward and the motion of the hon. Member for Chingleput will not strictly pertain to that. If therefore the leave of the House is obtained for removing the word 'further' by an amendment, then the difficulty will be met. That is a change which has to be effected with the leave of the House."

Diwan Bahadur M. KRISHNAN NAYAR:—"The hon. the Law Member suggests that the omission of the word 'further' will remove all difficulties. I think not. For the Resolution suggests that regrouping of villages should be forthwith stopped. That can necessarily apply only to the future, whereas the object of many of us is to consider the subject of grouping villages. Our object is to stop further grouping as well as cancel the grouping that has already taken place. If you omit the word 'further', I am afraid as it stands it will apply only to the future and not to the past. The ultimate result of permitting the proposal is that it would preclude us from considering the past. It will be a great hardship to us. The solution that we find must satisfy the past as well as the future."

The hon. the PRESIDENT:—"I think the hon. the Law Member has suggested a way out of the difficulty. If some one will draft an amendment, we can have a basis for discussion."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"All that I say is to have the motion in this form: 'That this Council recommends to the Government that the grouping of villages both in ryotwari and zamindari areas may be forthwith stopped.' Mr. Ramaswami Mudaliyar can move his amendment to this."

Mr. C. V. VENKATARAMANA AYYANGAR:—"If the hon. Member's suggestion is taken up and if our amendments are allowed, we need not be fighting about words."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"We have to get an amendment relative to the subject matter. No doubt it is said that the system of administration has been defective in the past and must be improved in the future. But it will be two different things. Therefore, what I suggest is from the language point of view there ought to be no difficulty so long as the words make it clear that it is not only with regard to the future but also to the past. So I suggest this form: 'This Council recommends to the Government that the grouping of villages may be reconsidered and that the villages amalgamated, etc.'"

The hon. the PRESIDENT:—"If the hon. Member Mr. Ramaswami Mudaliyar accepts the suggestion, he can send an amended draft."

Mr. C. V. VENKATARAMANA AYYANGAR:—"That will put an end to the discussion about future grouping because the hon. Member said only 'reconsidered'. I want both the future and the past should be stopped."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I have only made a suggestion. It is open to the hon. Members to move the necessary amendments."

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Mr. A. RAMASWAMI MUDALIYAR :—" I beg leave to move, Sir, that the words after 'Government that' in the amended motion be omitted and the following words be inserted :—

'the policy of grouping villages be discontinued both in ryotwari and zamindari areas and that the villages amalgamated during the last two years be divided into their original units and the village officers who were removed consequent on such amalgamation be restored to their offices'."

The hon. the PRESIDENT :—" Does the hon. Mover of the Resolution accept the amendment ? "

While the hon. Member Diwan Bahadur P. Kesava Pillai was engaged in going through the amendment which had been handed over to him.

Mr. S. SATYAMURTI said :—" May I suggest, Sir, that we go on with the next Resolution now and take up this Resolution after lunch so that my hon. Friends can go on with their negotiations in the meanwhile ? "

The hon. Sir CHARLES TODHUNTER :—" May I know, Sir, whether the hon. Member representing the University is proposing that we pass to the business next in order under Standing Order 34 ? "

Diwan Bahadur P. KESAVA PILLAI :—" I am quite willing to accept the amendment."

Mr. S. SATYAMURTI :—" No, Sir. I was moving that this Resolution might be allowed to stand over till lunch " (laughter).

Diwan Bahadur M. KRISHNAN NAYAR :—" May I request the hon. Member, Mr. Ramaswami Mudaliyar, to add the words 'and menials' after the words 'village officers' ? "

Mr. R. SRINIVASA AYYANGAR :—" The term 'village menials' is unnecessary."

Mr. A. RAMASWAMI MUDALIYAR :—" If I am permitted to speak on my amendment first, any hon. Member who wants me to make any further amendment may speak afterwards and I shall consider the suggestions thus made."

The hon. the President and the House permitted the hon. Member Mr. Ramaswami Mudaliyar to move his amendment dispensing with the notice required under the Standing Orders.

Mr. A. RAMASWAMI MUDALIYAR :—" Mr. President, Sir, I am very thankful to my hon. Friend, Mr. Kesava Pillai, for having given me the opportunity of moving the amendment which I just now read to the Council. The essential part of the Resolution as now amended is that the grouping which has taken place during the last two years should be revised and that the village officers who were removed consequent on such regrouping should be reinstated. I have shown in a speech that I made on the Resolution moved by my hon. Friend Mr. Venkataramana Ayyangar regarding the revision of pay of village officers that the real difficulty which the village officers were suffering from was not so much the want of adequate pay as the fact that many of them had lost their jobs altogether. I had said on that occasion that the Government had struck a blow in the dark and that we were not at all aware of this move on the part of the Government when we were voting funds for the pay of the village officers. During the last two years a number of village officers have been taken away from their

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employment. A number of village headmen have been deprived of their duties. Amalgamation of villages is, I think, a wrong policy on the part of the Government. There is nothing so incapable of amalgamation as the village unit in India. Students of history will know what claim the village officers had in our corporate life in the past and there is none who is so anxious to restore these village units to their original position as the hon. Members of this House. Districts may be amalgamated, taluks may be joined together; but the one thing which is incapable of amalgamation is the village unit. Necessarily we have the consequent evils attached to parties in villages and everybody is aware that it is impossible to have any satisfactory administration of villages if two villages which have nothing in common to each other are amalgamated under one village headman. The position of the village headman in India is very peculiar. Government have quite correctly recognized the fact that the village headman cannot be recognized as an official. He continues to be a non-official; his pay is not really an emolument; it is considered always as an honorarium and in most cases his pay goes only towards meeting some extra charges consequent on the visit of officials or other functionaries. Under those circumstances, when once we realize the position of the village headman in a village and the duties he has to perform and the functions allotted to him both by the Government and by the village hierarchy, we necessarily recognize that the village headman is an indispensable entity. This grouping of villages has produced a great hardship. Two villages which have nothing in common to each other, the factions of two villages which have no common aims or purposes, are brought together under the administration of one single village headman and it has been found from experience during the last two years alone that this has led to a great deal of difficulty. In my own district there are cases which I have come across in which this difficulty is illustrated in more than one way. We in this part of the Presidency, as everybody knows, adopt different religions, follow different creeds and so on and the villages have so grouped themselves as to be the exponents of a particular creed or a particular faith. There is one village which I know of which is not very far from my place. It is a Christian village. Another village adjacent to it is a Hindu village. In this grouping if the village headman of the Hindu village is given charge of the Christian village, or the village headman of the Christian village is given charge of the Hindu village, there will necessarily be trouble and difficulties. Without considering all these things and without seeking public opinion on the matter, the Government had taken this step."

The hon. Sir CHARLES TODHUNTER :—" May I remind the hon. Gentleman, Sir, that a reduction in the number of villages in the district of Chingleput was urged in this House by a Christian Member representing the Chingleput district ? "

12-30 p.m. Mr. A. RAMASWAMI MUDALIYAR :—" I am very sorry that either I have not studied the brilliant speech of the Christian Member, or that I have forgotten it if I ever read it.

"Sir, to come to the subject, I would ask the House whether, during all the retrenchment proposals that have been put forward by numberless Members, the idea of retrenchment of village officers was ever put forward. Except a Member here and a Member there, in this particular

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instance all Members were of unanimous opinion that there should be no retrenchment in the village staff. I can assure the hon. the Leader of the House that to the best of my recollection there has not been any serious attempt made by any responsible Member of this House to effect retrenchment in the number of village officers. If there has been any, will the hon. the Leader of the House bear me out?"

The hon. Sir CHARLES TODHUNTER:—"Since the hon. Member appeals to me to bear him out, I cannot bear him out. I shall have the pleasure of establishing my point later by reading extracts from speeches."

Mr. A. RAMASWAMI MUDALIYAR:—"I think the hon. the Leader of the House will bear me out when I say that Government did not come forward with retrenchment proposals to amalgamate villages when he accepted the proposals of the hon. the Revenue Member for a provision of 21 lakhs of rupees for the increased pay being given to village officers and that they had no idea of either amalgamating the villages, or regrouping them, or dismissing some of the village officers."

The hon. Sir CHARLES TODHUNTER:—"They had proposals urged by an hon. Member of this House."

Diwan Bahadur P. KESAVA PILLAI:—"Any Resolution passed?"

Mr. A. RAMASWAMI MUDALIYAR:—"They had the incoherent proposals of an irresponsible body of this House."

Mr. S. SATYAMURTI:—"I rise to a point of order. Is the hon. Member right in using such language and calling a certain section of the House as irresponsible?"

Mr. A. RAMASWAMI MUDALIYAR:—"If the hon. Member had only allowed me to finish my sentence, he would have understood me that I was not out of order. I am aware, as the hon. Member is perhaps a little more, of responsible character attached to every Member of this House. I certainly have not conducted myself, nor shall I conduct myself in future in any way to give room to the criticism that has been levelled against me that I am unparliamentary in my phraseology. My hon. Friend should have a little more patience which he is supposed to have in understanding in what sense I used the term."

"I was saying before this dialectical interruption as to what the Government considered about the retrenchment proposals with regard to the village staff, that they were, so far as the Reserved subjects are concerned, irresponsible, that we are merely advisory and that we have not got the power of occupying those comfortable Treasury benches."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I assure the hon. Member that seats here are quite as uncomfortable as any other seat."

Mr. A. RAMASWAMI MUDALIYAR:—"I would tell the hon. Member that if he only changes his seat, he would find how uncomfortable my seat is."

"Now, Sir, coming to the discussion, when the hon. the Revenue Member came forward with his proposal that 21 lakhs of rupees should be voted to disburse eight months' pay to the village officers and that 30 lakhs of rupees would be required in the year of grace 1923-24, did the Government have in mind this idea of retrenchment and if they had not, when this brilliant idea dawned upon them?"

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"I quite believe, I do not know how far this is correct, that the Cabinet sent their proposals to the Board of Revenue so early as 1921. The proposals were to the effect that it was desirable to amalgamate the villages and thereby reduce the number of village officers. I wish to ask why that information was kept from the House, and why the Government stated that the consequence of the passing of a Resolution raising the pay of the village officers to Rs. 15 would be very disastrous. I think the hon. the Finance Member in a very long sentence said that, if this proposal was passed, the House would be giving a *carte blanche* to the hon. the Finance Member. That was the position taken up in April 1922, and one year before they had sent instruction to the Board of Revenue to consider the proposals of retrenchment. After this period, did the House at any time ask that some of the village officers should be removed, and that the question of amalgamation of villages should be taken up? In all the retrenchment proposals we have put forward, we have put forward other proposals and I am at a loss to understand as to how it is that this idea of retrenchment was carried out in exactly the contrary direction. Is it because of punishing us or what?"

"There is one other point I should like to mention, and that is the idea behind me in moving this Resolution is not because I want to carry out any election pledge. I have not got any election pledges in the matter and I cannot possibly have election pledges for the simple reason that I am moving on behalf of a set of persons who have been removed from office, who have been deprived of their privileges and who cannot possibly be of so much use to any candidate in an election. After I have tabled this motion, I have been deluged with telegrams and resolutions from various village officers, and nothing has given me greater satisfaction and nothing has surprised me more than the fact that the very village officers on whom Government have now conferred the appointments are the first to come forward to realize the hardship that has been imposed upon those poor village officers who have been removed from their appointments and all these officers and their associations now appeal to the Government and the hon. Members of this House to reconsider the decision of the Government and to reinstate all those village officers who have been removed from their offices as a result of regrouping."

"I am aware of the financial responsibility. I am a Member of the Finance Committee. I am aware of the very great difficulty which the hon. the Finance Member is having in trying to make both ends meet. The Finance Committee is a body which may be said to consist of misanthropes. If you turn in there with your request, everybody will say that it is hard to make both ends meet and that it is very difficult to balance the budget. The task of the Finance Member is the most uncongenial of all tasks. I am yet so convinced, and with the responsibility attached to me as a Member of the Finance Committee, I say I am so convinced of the desirability and urgency of the measure that I am moving this Resolution without any hesitation, and I trust that it will be accepted by the Government."

Diwan Bahadur M. KRISHNAN NAYAR:—"I have very great pleasure in seconding this motion. In addition to what my hon. Friend, Mr. Ramaswami Mudaliyar, said, I wish to point out some practical difficulties which are now felt by the regrouping of villages. People in villages have often

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to go to village officers for the purpose of doing business. In places where the people have to walk not 2, 3, 5 or 6 miles, but sometimes 10 miles to get at their village officers, it is a great hardship from the people's point of view. That alone, if no other consideration, should induce the Government to cancel their order, and to stop any further regrouping.

"For two or three villages a village munsif is appointed. The amount of work that was turned out by two or three men before is now required to be done by one man, with the result that the work turned out becomes inefficient.

"There is another point and that is these village officers have served the Government for years and years. I know of persons who have put in service of over 25 years. I know also of persons who are members of families that have been serving the Government in this capacity for generations. If these people have been asked to go out of their offices, I think it is not fair, and, unless it becomes an absolute necessity that these people must be removed from their offices, I think it is very hard indeed on the part of the Government to dismiss them from their service. This Council, I submit, did not vote for the supply for the taking of such a step. This Council voted it for giving increased pay to these village officers.

"For these and other reasons I heartily support the Resolution."

Rai Bahadur T. M. NARASIMHACHARLU :—"I heartily support the Resolution. It was I that was partly responsible—I mean in an indirect way—for this state of things. Originally I tabled a motion for increasing the pay of village officers to Rs. 12 per mensem. But my hon. Friend, Mr. Ranganatha Mudaliyar, urged that it must be raised to Rs. 15, and I accepted it, so that the Resolution was carried. The Government also in a way pledged to carry out the Resolution and accordingly carried it out. But the Government knew better than myself and all of us. So they regrouped some of the villages and the result is that though certain people were benefited, many of the villagers were deprived of their offices and their hereditary emoluments. When it was prayed that the regrouping should be applied only to village headmen and village karnams, the Government not only objected to this course, but also deprived the poor depressed classes of their offices of vettis and talaiyaris, thus depriving their means of sustenance. Sir, the result was what we never contemplated or even dreamt of. It is in that spirit, i.e., not to allow these poor people to suffer any longer, that I heartily support the motion. That is my first reason.

"Secondly, Sir, these village officers, on account of the enormous distance between villages in their charge, find it difficult to discharge their duties properly in the matter of collecting kist and the administration of villages from the police point of view. So that in course of time the administration of the whole province will become a very difficult matter indeed. If simply on account of the excess of work and the enormous responsibility that is now thrown upon them these village officers begin to non-co-operate, then the whole Government will come to a standstill."

The hon. Sir CHARLES TODHUNTER :—"May I interrupt, Sir? It was the same hon. Member who on a previous occasion said that these talaiyaris serve no useful purpose and they were a costly establishment, and the sooner they were reduced in number the better."

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Rai Bahadur T. M. NARASIMHACHARLU :—"I know I did say that, but it is not of village talaiyaris but of ghaut talaiyaris in the forest."

The hon. Sir CHARLES TODHUNTER :—"May I quote what he actually said? He said that the work of the ryotwari talaiyaris is only in the collection season. For the rest of the time they did, among other things, the business of the village officers 'rocking the babies' cradle'."

Rai Bahadur T. M. NARASIMHACHARLU :—"I never used the words 'rocking the cradle'. Anyhow, I believe the Leader of the House will not be sorry to permit me to amend my views (laughter). So much for the talaiyaris.

"Then, Sir, Government may find it difficult to give effect to this Resolution and therefore may not accept it at all, because this Resolution wants that those village officers who were removed consequent on such amalgamation should be restored to their offices. Now, what is wanted is that the regrouping must be abandoned and the existing groups of villages must be subdivided. We must do this according to the Hereditary Village Officers' Act, III of 1895. According to the Act, the village officers should be selected from among the last office holders and their families, provided they are best fitted. Now, suppose the last office holder is X, and if now the village is subdivided, the members of the family of X will claim the office and they will have to be provided for under the Act. Therefore, the original persons who were ousted cannot get office under this Act. I would therefore suggest that the Government need not take shelter under that Act. I will request the Government to bring in an amendment to the Act to that effect that nothing under section 6 shall affect the subdivision of these villages. The House will be glad to pass an enabling Act like that without any amendment and any opposition. It is only then that this Resolution can be given effect to easily. Otherwise the purpose of my hon. Friend Mr. Ramaswami Mudaliyar's Resolution will be defeated. While he wanted to restore to office those who lost them owing to regrouping, it will only be perpetuating the office of the last office holder and the members of his family."

Mr. A. RAMASWAMI MUDALIYAR :—"I read the Act otherwise, Sir."

Rai Bahadur T. M. NARASIMHACHARLU :—"He has only read the Act; whereas I had been a party to administering the Act. I know in the revision preceding the last one, when some villages were subdivided, a similar contention was raised and was upheld. So much so, if A was a village officer and if the village is divided, his brother or any other member of the family capable of holding office was given office. If there were two or more offices and if there were also two or more members of the family, then all these brothers had to be provided with offices. No stranger could hop to come in. The Revenue Board also ruled in that manner and the Collectors also followed that ruling. What I am saying is not an imaginary thing. I wish the hon. Member brings in an amending Act and we will all help him in carrying it through. For these reasons I heartily support the motion notwithstanding what I may have said on a former occasion."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—"Sir, I have great pleasure in associating myself with this Resolution. To have an idea of the extent of hardship experienced by this regrouping and amalgamation of these villages, you have only to look at the figures supplied to my hon. Friend,

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Diwan Bahadur P. Kesava Pillai, in answer to his interpellation. It shows that in ryotwari tracts alone, out of a total strength of 88,336 village officers, as many as 16,338 have been dispensed with. It works out to 2 out of every 11 officers, or roughly 18 per cent. As for the fears of my hon. Friend, Mr. B. Muniswami Nayudu, that the same relief that is extended by this Resolution to the village officers of the ryotwari tracts may not be extended to those in the proprietary tracts, I may tell him that the picture there is not so very appalling as it is in the ryotwari villages. The number reduced in those villages is only 270 as against a total strength of 29,287. One officer for every 108 or 109 is disbanded."

Mr. B. MUNISWAMI NAYUDU:—"The Revenue Board has on 29th September proposed still more drastic reductions."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"I am not speaking of what was intended; I know only what has been carried out. It is these village officers who form the bedrock of the revenue and police administration of the country. What an amount of injury is done to the country by disbanding as many as 18 per cent of these officers? Also, according to the provision of the Village Officers Act when these persons are dismissed from service on account of regrouping or amalgamation, notwithstanding the hereditary nature of the appointment held by them even for 200 years or more, they have no claim upon the Government. Sir, when such a large number of influential officers are let loose upon the country without the prestige and the emoluments to which they are entitled, what wonder is there that they go about misrepresenting the intentions of Government? In that case political propagandists like my Friend Mr. Satyamurti will have the field ready for them to go and preach to them the intentions of Government."

Mr. S. SATYAMURTI:—"Sir, on a point of personal explanation, I want my hon. Friend to explain what he means. I have no objection to be called a political propagandist. I know I am one and I am proud of it. But I want him to say whether he puts me in that class of discontented village officers who go about misrepresenting the intentions of Government. The intentions of Government are so obvious that they need not be misrepresented. But, if he includes me in that category, I should ask him to apologise, Sir."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"No personal explanation is necessary, Sir. He is an avowed exponent of the non-co-operation propaganda. As to what it means, he knows much better than I. I do not say that he misrepresented, but that he has a following made ready for him by Government in the work that he has set himself to do, by the way in which they have disbanded these village officers."

Mr. S. SATYAMURTI:—"I may respectfully say that I expect practically the whole of the country to be with me if they know where they stand."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"And along with those disbanded servants of Government."

"Sir, that being so, is the amount saved by Government sufficient for the price they are paying in the shape of the discontent that is created in the country? They are obliged to increase the police forces and pay more; they

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are obliged to maintain more commodious and comfortable jails. These things would not be necessary if there were no discontent and disorder by reason of the large number of discontented persons going about the country. Sir, after all, the amount saved is only 18 or 19 lakhs of rupees as stated in the Retrenchment Committee's report. When this proposition for increasing the pay of the village officers was first brought forward by hon. Members who were elected to the last Council in the exuberance of their enthusiasm, little did they realize the dangers to which these village officers were going to be exposed by reason of their recommendation. Now that the results of the Resolution are known, well might the village officers exclaim, 'Save us from our friends in the Legislative Council'. For this Resolution to increase the pay of the village officers added to the burden of Government and they tried to meet it by additional taxation for which leave was refused. But even when leave was refused, Government might have told the House that they would not be able to give effect to the Resolution unless taxation was imposed and that otherwise they would have to cut down the number of village officers. They might have asked the House to reconsider their decision. I believe that was not done. Now that the evil effects of reduction and amalgamation on such a large scale are known, it behoves every one of us to sympathize with the hardship that has been experienced and attempt to redress it.

"I may at this time draw the attention of the House to a question which I put as early as December last to which an answer was vouchsafed to me the day before yesterday. I asked whether the Government have bestowed any consideration on the hardship caused to these village officers who have been disbanded, in how many of these cases appeals were preferred to the Collector and in how many of these cases Government have revised the orders of the Divisional Officer. The Government replied that the statistics could not be got since it would throw an additional burden on the Collector. The hardship experienced by 16,313 families let loose upon this world without any provision does not disturb the hon. Member in charge of the department so much as the additional work that will be thrown upon the Collector. What is worse than this, Sir, is when I asked in how many cases the Board of Revenue has revised the orders of the Collector, I get the reply 'Government do not intend to ask the Board to undertake this task'. They do not want the Board of Revenue to undertake this stupendous task of counting the number of appeals received and the number of appeals disposed of. My own information, Sir, is that hardly any appeal was favourably considered. A great deal of hardship has been caused in the competition as to who shall be retained and who shall be thrown out. There is a good deal of heart-burning since injustice is done. The Board of Revenue does not interfere effectively. In all cases of appeals they give the answer: 'The Board sees no reason to interfere.'

"Naturally one puts himself the question put in this House three years ago, what utility is the Board of Revenue serving, if after keeping these files for a long time, they would only send a stereotyped reply 'the Board sees no reason to interfere'. In one case, Sir, a village officer was selected out of two village officers of whom one had to be dismissed, and then it was stipulated that he should remain in the village and was put in charge of the bigger of the two villages. Then six days after this, the very same man was appointed as village munsif of

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another set of three villages in the taluks of Tirupati, Vellore and Arni. This is the way in which things are being administered. A costly institution like the Board of Revenue, instead of doing justice, sends out the usual formal reply 'the Board sees no reason to interfere.' Under these circumstances, when a large number of people have been deprived of their office under a scheme of retrenchment and when in the exercise of it hardships are brought to its notice, it declines to interfere and says 'no reason to interfere', are the people not justified in feeling aggrieved at the way things are done by the Board of Revenue, and can it be expected to still continue to adorn the administration of the country? For this and various other reasons, I have great pleasure in supporting this Resolution."

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, as one who has given notice of an almost identical amendment as the one now under discussion, I have great pleasure in lending my support to it. It is true that in the amendment that has been moved, we come across the word 'village officers' which is not unlikely to create the impression in the minds of some of the hon. Members that this may operate to the detriment of the village menials. For, I take it that in the Village Officers' Manual issued by the Madras Government we come across two sets of officers, viz., village officers as distinguished from village menials. But when we turn to the Act proper, the term used there is 'hereditary village officers'. I understand that the words 'village officers' in the amendment now before the House, are intended to connote persons who hold hereditary village offices. Therefore, I take it that the expression is not used here in the limited sense of the term to which we are accustomed, but in the broader, in the wider, in the more legally acceptable notions of the term. It is in that view of the matter that I have ventured to interfere and I do not propose to move my amendment."

"Hon. Members of this House may be aware that the discussion that centred round the Resolution moved by my hon. Friend from Coimbatore emphasised the hardships and inconveniences entailed by the grouping of villages. If some of the hon. Members thought it necessary to vote against that Resolution, it was not because they felt that there was anything intrinsically wrong or radically defective in that, but they felt that it was not advisable at that stage for them to commit the Government to two items of expenditure, viz., 17,00,000, which the acceptance of that motion of my hon. Friend Mr. Venkataramana Ayyangar might have entailed, and also another item of expenditure, viz., 19.82 lakhs, which the acceptance of this motion might necessitate. For, the opinion reflected by the Council at that time was deliberately against grouping of the villages. Member after Member laid stress on that point. Some of them even then had an idea of bringing in a Resolution of this character, and forcing it on the Government, but they did not want to commit the Government to the two items of expenditure referred to by me and it was that feeling which influenced most of the Members in voting against that Resolution. (Mr. A. Ramaswami Mudaliyar: hear, hear.)"

"Now, the hon. Member from Chingleput tells us that the Government has treated this House with scant courtesy. The Government have not at any time taken us into their confidence. We had not the remotest idea that this sort of regrouping was ever likely to be forced upon us at the time when the matter was brought forward."

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The hon. Sir CHARLES TODHUNTER:—"May I ask the hon. Gentleman whether he did not press this regrouping upon us? May I ask if this is not a correct quotation of his speech made on the 18th February 1922?"

"By this process, I expect or anticipate a reduction of at least 100 vattams in my district. I make this statement deliberately, for in the local official gazette of my district I came across the notification over the signature of the Collector of the district publishing this proposal and inviting objections thereto. If this is carried into effect, it will lead to a reduction of not less than 100 vattams and thereby a considerable reduction of establishment, which costs about Rs. 500 in each vattam. Therefore, by reducing 100 vattams in my district, the Government will be able to make a saving of not less than Rs. 50,000. If the same process is adopted throughout the whole presidency, I think they can save at least 10 lakhs of rupees."

Is he not responsible for this regrouping?"

Mr. R. SRINIVASA AYYANGAR:—"It is not that I do not want to take any responsibility for that statement. It is true that I made that statement then, but then I had not the slightest idea of the drastic changes that were going to overtake us. That is my real feeling in the matter. At that time statistics were not available and we were not aware to what extent this retrenchment axe would go. Moreover, the Government did not place their proposals before this House. My feeling is that this axe has been driven very deep with the result that we find now a deep gushing wound for which there is absolutely no justification. As the hon. Member from Chingleput said, I have had representations made to me not only by the ryots, but also by some of the village officers. In fact, by this regrouping or amalgamation, even the few village officers who have been retained are not satisfied. When I question them as to how they get on with their new work, they say that they are unable to discharge their duties efficiently and diligently. That is the situation and there is no helping it. As the hon. the Mover has told us, it is high time to put a stop to this kind of policy. By this policy of amalgamation, the prestige of hereditary village officers, which they value highly and which they are anxious to preserve and maintain at any cost, has ceased to exist. We find that by a sudden stroke of the pen as many as over 16,000 men have been disbanded and thrown out of employ, and, so far as my district is concerned, 820 persons have been thrown out of employ, and I implore the hon. the Revenue Member and the hon. the Finance Member to place themselves for the time being in the position of those unfortunate men on whom all on a sudden and without any previous warning the guillotine has been applied and who have been thrown overboard. I venture to submit, therefore, and I hope I will not be misunderstood, that the policy embarked upon by the Board of Revenue is a shortsighted one and I do not think the Board of Revenue or the Government realised adequately the far-reaching consequences into which the grouping of the villages might necessarily land them and also land the other people."

"Sir, I may be permitted to refer to one other point. I hope the hon. Member is aware of the fact that village officers have got a certain amount of prestige, they being considered by the people as the representatives of the Government in the village. Now, by the appointment of a single officer for a village covering an area of 30 square miles, it is impossible in the very nature of things to expect to get things done satisfactorily. It is also likely to tell upon the usefulness of this officer to the ryots at large. Therefore, from the point of view of the ryot, as well as from the point of view of the

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Government, I submit that this regrouping must go. From the point of view of respecting the feelings of the hereditary village officers who attach a considerable weight to this office, this grouping must go, because, in many districts, this office is being filled by one and the same family for 150 years, if not more. These people attach a great deal of weight to this office and it is impossible to make them reconcile themselves to the circumstances. They say 'we are all poor people living from hand to mouth and all of us have been turned out of employ. On the contrary, you go on increasing the staff and also increasing the pay of the higher officers.' They view the Reforms in this light.

"Mr. Tanikachala Chettiyar put the case of the village officers as the bed-rock upon which the administration rests. I may illustrate this further. One of these unfortunate men told me—I do not know if it was in a moment of despair—that if there was no change of heart on the part of the Government, this Government would have to repent for it in the near future. I do not think, therefore, that the Government should stick to a course of action which, probably for the sake of economy it has embarked upon. With these few words, I beg leave to support the Resolution in the full hope that the Government will not think it too late to go back upon the steps taken by them."

Mr. P. ANJANEYULU :—"Sir, in the light of the remarks made by the previous speaker and as it has the consent of the House, I beg to move an amendment to the amendment before the House, viz., to add the words 'and menials' after the words 'village officers' so that it may be more clear."

Mr. K. KOTI REDDI :—"I second it."

The hon. Sir CHARLES TODD HUNTER :—"May I draw the attention of the hon. Member to the fact that the removal of menials has not always been a consequence of amalgamation and that there have been reductions independently of any amalgamation?"

Mr. P. ANJANEYULU :—"As far as my amendment goes, it refers only to those who are reduced in consequence of regrouping."

Diwan Bahadur P. KESAVA PILLAI :—"I have no objection to accept the amendment."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I thought, Sir, that the hon. Member was asking for the leave of the House to permit him to move his amendment."

The hon. the PRESIDENT :—"Is it the pleasure of the House to allow the amendment of Mr. Anjaneyulu to go forward without notice?"

The House signified its assent.

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"May I point out, Sir, that the word 'menials' finds a place in the amendment tabled by Mr. R. Srinivasa Ayyangar?"

The hon. the PRESIDENT :—"It has not been moved."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"It has not been moved, but another Member now moves it."

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Mr. E. W. LEGH :—"Does the hon. the Mover of the Resolution accept the amendment of Mr. Anjaneyulu, Sir?"

Diwan Bahadur P. KESAVA PILLAI :—"Yes, Sir, I accept it."

The amendment was allowed to go forward.

Mr. P. ANJANEYULU :—"Sir, I beg to move that the words 'and menials' be inserted after the words 'village officers' in this motion under discussion."

"I hope this House will allow this amendment. It is hardly necessary for me to make a big speech, because it was possibly the original intention of the hon. the Mover of this proposition to include them also. Of course, we have been told by the hon. Member, Mr. Tanikachala Chettiyar, that the hon. Members of the House previous to this were directly or indirectly responsible for this unfortunate state of affairs. The hon. the Leader of the House also treated us to the previous speeches wherein this regrouping was permitted by some Members of this House. And, Sir, it is up to these village officers who put their faith in the Members to say 'O Lord, save us from our friends.' So that they never thought that the increase of pay which they were praying for would involve the reduction of such large numbers of these officers who had been in the field for centuries. They never expected that after such long service they would be thrown out of employment. That was the result of their prayers and the so-called increase of pay and prospects has been effected like this. Besides, this has given rise to a good lot of trouble to which reference has already been made by the previous Speakers. One of them is that the assistant karnam who draws the same pay of Rs. 15 along with the head karnam, has to be in the same village, and human vanity might perhaps be tickled, and he would say that he himself is of equal status with the head karnam. This is the case not in different villages but in the same village, and this gives rise to a considerable amount of quarrelsomeness and factions. As regards the menials on whose behalf I am just allowed, by the courtesy of the House, to move this amendment, they have been occupying the posts for long years, possibly most of them are over 50, 60 and 70 years old, and at this hour of the day that they should be turned out and asked to seek other avocations in life is unfair and harsh. Under these circumstances, I request that this House may unanimously vote for this proposition and I have great pleasure in commending it for the acceptance of the House."

Mr. K. KOTI REDDI seconded the motion.

The hon. the RAJA OF KOLLENGODE :—"Mr. President, several Resolutions and amendments have been tabled more or less on similar terms recommending to the Government that further regrouping of villages may be forthwith stopped, and that the grouping of villages effected since August 1922 be cancelled, and that the original units of villages restored reinstating into office the village officers and menials affected thereby. There is apparently a strong body of opinion in this Council in favour of this Resolution, and so I have bestowed my full and anxious consideration on the recommendations and examined whether anything can now be done to meet the wishes so clearly indicated. I regret to say that I find that the recommendations brought forward cannot be accepted on financial grounds, however much we are in sympathy with those whom the recommendations are intended to

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benefit. In fact, no one can sympathise more with the village officers than their employers themselves who know their work and have to get work out of them.

"The position at present as I find it is this. While regrouping of villages are usually undertaken as a matter of administrative necessity, the present policy of regrouping had to be adopted primarily as a measure of retrenchment intended to reduce to some extent the increased expenditure consequent on the revision of pay which was undertaken at the behest of the Legislative Council. I think I should state what led to the revision of pay, what it has cost Government, and what the savings are by the regrouping of villages that has been effected and will be effected in the future.

"In the year 1920 the Salaries Committee, of which Mr. Marjoribanks was the president, went into the question of revision of pay of village officers, and, while recommending increase of pay to karnams and menials in ryotwari areas, suggested that the monigars be abolished and replaced by process servers, and that the number of menials be reduced where possible. Government accepted these recommendations and accordingly raised the minimum pay of karnams and menials to Rs. 15 and Rs. 8 respectively with effect from 1st April 1920, and also asked the Board of Revenue to replace monigars by process servers, and to reduce the number of menials. The Board accordingly proceeded with the reduction of menials and also with the regrouping of light karnams' charges and similarly of headmen's charges and also revised the pay, which resulted in an immediate increase of Rs. 36.07 lakhs per annum in the cost of village establishment. Afterwards, on the 6th August 1921, the Legislative Council passed a Resolution recommending that the pay of village headmen and monigars be raised to not less than Rs. 15 per mensem. In the meanwhile, the village officers in proprietary areas also agitated for an increase of pay. It was, therefore, decided by Government on 20th March 1922 that the pay of village officers should be increased and that corresponding reduction should be effected by regrouping, and orders were accordingly issued revising the pay and the Board was also asked to consider the possibility of reduction by regrouping of villages. This revision in 1922 involved a further extra expenditure of about 30.22 lakhs per annum. The Council will, therefore, notice that the revision of pay effected since 1920 comes to 66.29 lakhs of rupees. The savings ordered by the Board up to 20th September 1923 amounted to 18.92 lakhs. Thus, as against an increased expenditure of Rs. 66.29 lakhs, there is a saving of about Rs. 18.92 lakhs so far, and when the regrouping is completed in all the districts, it may amount to a further saving of about 10 lakhs.

"Early in 1922, when the revision of pay was under consideration, the Government introduced two Taxation Bills with the object of raising funds for the express purpose of meeting the additional cost of village officers. These were thrown out, and, in the course of the discussion on one of the Bills, some Members suggested that the obvious course to raise the required money was to effect retrenchment by regrouping the villages as was then being done in the South Arcot district. Mr. R. Srinivasa Ayyangar who has tabled one of the Resolutions and also proposed the amendment expressed himself thus:

"There is another matter to which I wish to draw the attention of the House and it is this: in my district of South Arcot some months ago I came across a notification proposing the reduction of vattams and regrouping some of the villages in certain cases in such a way as to group some of them under one vattam. By this process I expect or anticipate a reduction of at least 100 vattams in my district. I make this statement deliberately; for in the local official gazette of my

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district I came across the notification over the signature of the Collector of the district publishing this proposal and inviting objections thereto. If this is carried into effect, it will lead to a reduction of not less than 100 vattams and thereby a considerable reduction of establishment which costs about Rs. 500 in each vattam. Therefore, by reducing 100 vattams in my district, the Government will be able to make a saving of not less than Rs. 50,000. If the same process is adopted throughout the whole Presidency, I think, they can save at least 10 lakhs of rupees. I expected the hon. the Revenue Member to give us some idea of this in his opening remarks, but he did not make the slightest reference to this fact."

"Another Member, Mr. T. Arumainatham Pillai, who followed him, drew attention to the above suggestion and said:

"My hon. Friend, Mr. R. Srinivasa Ayyangar, gave one method by which the expenditure can be reduced. What he stated about the district of South Arcot is equally true with the other district. So far as the district of Chingleput is concerned, I may say boldly that several villages can be grouped together and a number of appointments could conveniently be reduced."

"The Member from Tanjore, Mr. V. Pakkiriswami Pillai, suggested the appointment of one officer to do the duties of both the karnam and headman and his speech was to this effect:

"While the educational qualification of these karnams and headmen of villages is not what it was some years ago, a karnam may be asked to do both the works and the Government will then be able to find funds. I believe there are three or four vettis and talaiyaris in each village and they seem to have their own permanent work to do. Most of these vettis and talaiyaris are always engaged in doing the household duties of the karnams and headmen, such as drawing water for use in their houses, washing their cloths, and sometimes rocking the cradle and lulling their children to sleep. The karnams have got very little work to do. They have got work only during certain months of the year, i.e., during the time of ploughing and transplanting. They have to send their reports of single and double crops, etc., to their taluk offices. Of course, they very often unnecessarily go to headquarters of their superiors. But the work at present is not so difficult as it once was. I would, therefore, suggest that one man can do both the works of karnam and the headman of the village."

"Such were the deliberate and bold suggestions that were made here by the Members of Council and Government agreed with those views for good reasons.

"The Council will thus see that, while there were suggestions for revision of pay, there were also suggestions from prominent Members of the Legislative Council for the regrouping of villages in order to reduce the establishments. The increase of pay of village officers and their establishments and the reduction of their number to effect some retrenchment were always considered as one scheme and now what is proposed is to give effect to the increase of 66.29 lakhs and to sacrifice the saving of about 29 lakhs. I ask the Members of this Council, knowing as they do the financial position of the province, whether this is a practical proposition and one which Government can possibly accept? It can be effected only by further taxation which, as has been found, was objected to by the Council. The questions, therefore, that should be borne in mind in the consideration of this Resolution are these:—

(1) Is it possible to forego this saving and undertake so large an increase of expenditure without new taxation?

(2) Whether taxation would be more acceptable or whether the less unpopular measure is to be adopted.

(3) Is it right to suggest that more officers should be maintained in these days of financial difficulties when evidently the department can work with a smaller staff?

(4) Whether after all, there is not real room for the reduction of these officers in view of the fact that the village officers are not really whole-time officers and have very little work to do.

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(5) When we offer better pay, is it not reasonable that we might demand a little more work from them?

"I realize that there is considerable difficulty for the representatives of the people in this Council to overcome the pressure put on them by an influential section of the people who have lost their appointments."

Mr. A. RAMASWAMI MUDALIYAR :—"We deny that any pressure was brought to bear, Sir."

The hon. the RAJA OF KOLLENGODE :—"You may deny it but it is a fact, I know."

Diwan Bahadur M. KRISHNAN NAYAR :—"But I know that the contrary is the fact from personal experience."

The hon. the RAJA OF KOLLENGODE :—"They are all anxious to get back their appointments at any cost. It would no doubt have been better if their pay had not been revised to the extent that it has been as we all know that very few of them attach any importance to their pay, but hold their office more for the prestige and dignity of it than for anything else. If indeed all these officers must be retained and the regrouping must be done away with, the only possible way of doing it at present would be by reverting to the old state of things in their entirety including their pay, or by enabling Government to find money for it by a Village Cess Act. Unless some such definite and practical proposal is put forward, it is impossible for Government to accept the Resolution. But if any practical proposal is placed before us, I may assure you that it will be considered fully and sympathetically. Having embarked on the scheme after careful deliberation we cannot but complete it, for, we cannot leave some districts unretrenched and others retrenched. In coming to a decision on this important Resolution, I hope the Members of this Council will not be guided by mere sentiments or sympathy, but will take a responsible and practical view of the matter. I regret that, as matters now stand, I am unable to find my way either to accept the amendment, or any of the Resolutions on this subject."

Mr. C. V. VENKATARAMANA AYYANGAR :—"May I know, Sir, how long we are to sit to-day?"

The hon. the PRESIDENT :—"It will be till the usual time."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Is it till 5 o'clock, Sir?"

The hon. the PRESIDENT :—"We have got a certain amount of business on the Agenda. If all that business is over before 5 o'clock, we shall close before 5, otherwise we shall adjourn at 5."

Mr. E. W. LEGH :—"I think we are to sit for a day, Sir, from the time the hon. Sir Arthur Knapp finished his motion on the supplementary grant yesterday. I think it was half-past three yesterday afternoon when that motion was finished."

The hon. the PRESIDENT :—"I may inform the hon. Member that, so far as I can gather from what my predecessor did, in the matter of working out the total allotted by His Excellency the Governor, there is to be no hard and fast calculation of 24 hours. If we reach a second day, we ordinarily go on as long as the business justifies us. I do not think that anything is gained by a very strict calculation of the day."

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The hon. Sir ARTHUR KNAPP :—"I may be permitted to offer one remark, Sir, so far as what I understood it to be during the discussion of yesterday. There was a distinct reference to the extension of the sitting of the House to a period equivalent to the time occupied by me in moving for the supplementary grant yesterday. I may be mistaken, Sir, but there was a distinct reference to this period and what I understood was that we should sit to-day till 3 p.m., the particular time when the Government business was completed."

The hon. the PRESIDENT :—"It was my first impression that the House would probably come to an arrangement by giving up a certain amount of time yesterday and taking up an equivalent time to-day on account of the hon. Sir Arthur Knapp's motion. But afterwards, I think the House will recollect that we came to the conclusion that non-official business would not begin till the hon. Sir Arthur Knapp should have concluded his particular motion. That was concluded at about half-past three, and I do not remember saying that the day should be reckoned as 24 hours from that moment. All things considered, I think we may go on to-day with the business set out in the Agenda, this being a day for non-official business. Even during budget time the day is only reckoned by a day and half a day and not by any smaller fraction of a day."

The Council then adjourned for lunch at 1-40 p.m.

After lunch, 2-30 p.m.

The hon. the PRESIDENT :—"The discussion of the motion of Mr. Kesava Pillai will be resumed."

Mr. A. RANGANATHA MUDALIYAR :—"Sir, the hon. Members who have preceded me urged as one of the reasons in support of this motion that it was cruel to turn the hard-working and ill-paid village officers out into the streets as a result of the regrouping of the villages. I would wish to view this question, Sir, from another point of view, firstly, from that of the Government, and, secondly, from that of the people in the villages. I say it is wrong for the Government to embark on this scheme, because it would be setting a bad precedent, namely, to go back on their plighted word, so to speak. Most of those appointments are hereditary, and I do not think any money compensation will be adequate for the loss of the hereditary rights which the regrouping of the villages almost invariably involves. They have been relying on the hereditary character of the appointments, and I think they have a right to expect that this system will continue. It is wrong, I say, for the Government to take advantage of the fact that their pay has been enhanced and deny them the privilege which they measure beyond all things."

"I speak again from the point of view of the people. They do not like that their villages should be deprived of this visible symbol of law and order. It is true that the village headmen are very humble folk; it is true that they do not get a high pay; and yet they stand there in the villages as a visible embodiment, or rather a visible symbol, of the Government behind them. They do exercise a sort of moral influence which is all for the good. Taken as a whole, I may refer, for example, to the innumerable cases in which there is miscarriage of justice, because of alleged delays in the submission of reports of crime to the proper authorities. The magistrate in the course of the inquiry puts very often the question, 'When was the report first made to the police or to the village magistrate?'; if the village magistrate has made a delay of a few hours, the trying magistrate looks upon the whole thing with a good

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deal of suspicion, wondering what he may not have done in the interval or how he may not have distorted the facts, and says, 'I discount the report of the village magistrate owing to the delay in its submission and acquit the accused.' This is the state of affairs when you have got a village magistrate almost for every village. Imagine then what is bound to take place if you regroup villages and put one village headman in charge of many villages situated at considerable distances one from the other. Such delays will be more frequent, and I do submit that it will lead to chaos and disorder and many instances of injustice also. So, either from the point of view of the people or of the Government, I think it is very objectionable to proceed with this regrouping of villages.

"The hon. the Revenue Member put forward his plea on the score of the cost involved, and he said that this extra cost should somehow or other be recovered from the establishment whose pay had been raised. I would like to know whether this principle is to be exclusively applied to the village establishment only, or whether it is capable of application to other services as well (hear, hear). Did the Government, for example, when they raised the pay of the Imperial and the Provincial services, consider the question whether it would be possible for them to effect economies by abolishing certain posts or by regrouping of districts or divisions? I do not know whether they ever considered it at all, and even if they considered it, I think they would have dismissed the idea almost as quickly as they conceived it. But when the question of village officers comes up, all sorts of possibilities open up before them. They think they should do away with some people and redistribute the villages among those left behind. I object to this regrouping, Sir, because in very many districts there has been already a regrouping once. For instance, take the case of the Bellary district. I went through a report only this day and in that I find that in the five taluks, Harpanahalli, Hadagalli, Hospet and two others at the time of the last settlement there were one thousand and odd revenue villages which after resettlement dwindled into five hundred and odd. I ask whether they are going to apply this method of regrouping time after time and reduce the whole machinery of administration to an impossibility. I submit, Sir, they should not. So, I raise my voice against this proposal. Still I do not want to be technical and urge that no reduction of cost is possible at all. If the hon. the Revenue Member really feels that there is no possibility of otherwise effecting economies, I ask him whether he was pleased to consult non-official opinion or the village establishment. Did he take us into his confidence and ask us, 'Will you tell me what we can do to retain the establishment as it is and at the same time find the necessary means to carry it on?' I submit that such a thing has not been done, and if you are . . ."

The hon. the RAJA OF KOLLENGODE:—"May I say that one day you are asking to do the regrouping and another day not to do it? In those circumstances, I think it is not fit to ask."

Mr. A. RANGANATHA MUDALIYAR:—"I am much obliged to the hon. Member for his admission."

"I say that if you go to the village officers and tell them: 'Will you suggest a way to keep you going on and at the same time not lead us into bankruptcy?' You will find a way of getting back, though not all the Rs. 26 lakhs the hon. the Revenue Member is thinking of, at least an appreciable part of the sum."

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The hon. the RAJA OF KOLLENGODE:—"May I say that it is never too late to make proposals of the kind?"

Mr. A. RANGANATHA MUDALIYAR:—"Quite so. If the Government will say that they will revert to the old order of things, then it will be time enough for us to say how we can find the money. They cannot have all the things at the same time. We go on retrenching. The next day the Government spend the money so saved on objects on which we do not want it to be spent. This makes us so much disinclined to find the money for you. Because that money may be diverted for purposes for which we do not intend it to be spent. If the hon. Member gives the assurance that it will not be so, we shall find him if not Rs. 26 lakhs, at least a good slice of it."

The hon. Sir CHARLES TODHUNTER:—"Sir, the hon. the Mover has, I understand, been going round depositing blocks of stone in the Chambers of other Members of Government. But he has not presented me with one."

Diwan Bahadur P. KESAVA PILLAI:—"I have plenty to present the hon. Member with."

The hon. Sir CHARLES TODHUNTER:—"If he has spared me such a visitation, I gather it is because he proposes to hang a mill-stone round my neck in the Council Chamber itself. Or is it a stone of Sisyphus which he proposes to present to me? If so, I can assure him that I have one already. For five long years, I and those associated with me have been attempting to roll the Sisyphus stone of the Madras finances up the hill of prosperity and have had it cast back on us by flood, by pestilence, by plague and by famine year after year, and now, when we have got to a point nearer the summit than we have ever reached before, my hon. Friend and those who are with him propose to add their weight to that of the stone and hurl us down to the foot again. Sir, I do ask in all seriousness for some practical sympathy for the unfortunate people that are responsible for the finances of this Presidency. The hon. Member for Chingleput has told us that attendance at half a dozen meetings of the Finance Committee has turned him into a misanthrope. I ask what must be the condition of those who are engaged year in and year out in an apparently hopeless struggle to make both ends meet. The hon. the Mover in a passage which touched my heart, referring to the enormous tribute levied from us by the Government of India, said that the reason why it was levied was that we paid our village officers so little and so had money of which that Government could rob us. May I remind him that one of the Government of India's strongest criticisms upon our administration is the enormous cost of the collection of our revenues, in other words, the enormous cost of our village establishment?"

Mr. S. SATYAMURTI:—"May I ask the hon. Member for the figures of any other province in regard to the revenue collection?"

The hon. Sir CHARLES TODHUNTER:—"I am sorry I cannot give the figures out of my head. But, speaking very much subject to correction, my recollection is that it is something like 21 per cent in Madras, while others go down to 5 per cent."

"I hope, Sir, that I am as conscious as any one else of the value of the services of these village officers, but I am afraid that gentlemen who do not have to deal directly with the figures are not so conscious as I have the misfortune to be of the proportion which the cost of that establishment bears to the whole budget. It is not a question, Sir, of just one small item among a

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number of others. It is not a question of abolishing a few higher posts and providing for hundreds of deserving men. The cost of the village establishments alone, without anything else, is an item comparable with the whole cost of the police, with the whole cost of education in the Presidency, and if you abolished every officer in all the Imperial Services without a pension, you would not save enough thereby to pay for all the increases which the Council have demanded on behalf of the village staff.

“ This being the case, we have been confronted for many years past, since long before the Reforms, with the alternatives of a large staff on a small pay and a much smaller staff on a larger scale of remuneration. It has been suggested in several places that the matter is one of which the Council have had no notice, but the hon. the Mover ought to have dispelled that idea when he reminded hon. Members that he first began hammering at the matter, with those shrewd blows which only he can deal, as long as 11 years ago. The old Government considered the matter anxiously then and later and came to the conclusion that it really was impossible to make a change, not because they did not recognize that the salaries were low, but because there was to be set against that fact the fact that, owing to the other attractions of the posts, many candidates were available for every vacancy, or in the hon. the Mover's words, there was a scramble for the posts, while any attempt to raise the salaries to a figure corresponding to that for other similar work would mean a crippling of the finances of the Presidency for all time to come.

“ The hon. the Revenue Member has already invited the attention of the House to the later history of the matter. It was first examined by the Salaries Committee, which was a Committee almost entirely of Members of the Council, in 1919 and 1920. They proposed a moderate increase of pay to the karnams, leaving the village headmen as honorary officers, the abolition of the monigars and a reduction in the number of the menials. Even these proposals, when reduced to concrete figures, resulted in an increase in the cost of the staff from Rs. 71 lakhs to Rs. 116 lakhs. The Committee recognized the difficulty and saw no means of meeting it. They considered at the time the possibility of a revision of charges and found no objection to an amalgamation of charges as such. Their objection was that such amalgamation, as they contemplated, would cost more instead of less. This is a view that was not shared by this Council. In the discussion of the first budget after the Reforms, we were presented with proposals for reducing the staff: thus the hon. Member Mr. Narasimhachari, who I am glad to see now admits his responsibility, said: ‘ In this country, where the Government has long been settled, where it has been carried on in an orderly manner and where the people are docile and law-abiding, it should be possible to re-arrange the districts, divisions and taluks into units of greater dimensions and thus reduce the establishments from top to bottom. . . . ’ He said further: ‘ Among the lower grades of service, keep only such number as are absolutely necessary for the upkeep of efficiency, pay them decently, keep them contented and make them work wholeheartedly and well. There is no necessity for an army of low-paid, discontented and half-hearted public servants. ’ He apparently did not contemplate, like Mr. Tanikachala Chettiyar, the danger of an army of unemployed, but added: ‘ These are the main principles which should, in my humble opinion, guide the Government in the direction of effecting retrenchment and economy. ’ ”

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Rai Bahadur T. M. NARASIMHACHARLU :—“ May I know, Sir, whether the Government have accepted my recommendation *in toto* and applied it from ‘ top to bottom ’ ? ”

The hon. Sir CHARLES TODHUNTER :—“ I will only refer the hon. Member to the report of the Retrenchment Committee in which he will find the reply. And in order to show that, when he referred to the ‘ bottom ’ he included the village staff, he went on to say about the village menials, whose cause he now pleads and whose utility he now applauds: ‘ These serve no useful purpose; they are very often looking after the private work of the officers under whom they serve. Their actual work, so far as the ryotwari talaiyaris are concerned, is only in the collecting season. Very rarely offences take place. The rest of the year they spend away their time on their own business or on the business of those under whom they are employed. So also with regard to the police talaiyaris. ‘ They spend their time mostly in cutting grass and bringing fuel to the officers under whom they serve. ’ I am sorry I made a mistake this morning in attributing to him also the statement that they rocked the cradles of the children. He concluded: ‘ Sir, my humble submission is that this is a costly establishment and I pray that the sooner this establishment is reduced within a reasonable limit the better it will be. ’ ”

Rai Bahadur T. M. NARASIMHACHARLU :—“ Did I recommend the grouping of villages and the reduction of the village officers, reddis, karnams, vettis and others? ”

The hon. Sir CHARLES TODHUNTER :—“ The hon. Gentleman recommended the reduction of the units from the top to the bottom. I take it that the reduction of the units was to be applied to the villages as to everything else.

“ In August of the same year, we were presented with further proposals for increase of pay, followed by further suggestions for amalgamation. The Council first carried a Resolution in which they threw overboard the recommendations of the representatives of the previous Council on the Salaries Committee in respect of the village munsifs, and insisted on an increase in their pay corresponding to that given to the karnams, involving us in a further increase in charges by 17 lakhs or from Rs. 116 lakhs to Rs. 133 lakhs. They also insisted on extending the increase of pay to the village officers in proprietary villages, for whom the Salaries Committee had recommended no increase. This made a still further increase by 4 lakhs to 137 lakhs. Lastly, an hon. Member recently moved for an increase in the pay of karnams to Rs. 20, which meant a further increase by 17 lakhs to 154 lakhs. It is inevitable that, if that was given, we should soon be pressed with a request for a similar increase to the village munsifs, and we should then reach a gross total of 171 lakhs, a sum equal to the Education Budget.

“ Throughout all these changes the Council gave us no indication as to how this additional charge was to be met, and after considering all the possible means, we brought forward proposals for the re-introduction of the Village Service cesses. As the House is well aware, the Bills introduced for this purpose were thrown out at the first reading and at the same time, as the hon. Member Mr. Muniswami Nayudu has reminded us, a threat was held out that, if we did not increase the village officers' pay in the way demanded, even the increase in the Stamp duties, which was for quite other purposes, would be given to us only for the space of one year.

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"On that occasion quite a number of hon. Gentlemen, who recommended that the Bills should be thrown out, told us that we might meet the cost by a reduction in the village establishment. Thus Mr. R. Srinivasa Ayyangar mentioned with approval the reduction that had already taken place in his district and recommended that the same process might be adopted throughout the whole of the Presidency and anticipated a saving of at least 10 lakhs. Mr. Arumainatha Pillai quoted this with approval and said boldly that in his district of Chingleput several villages could be grouped and a number of appointments conveniently abolished. Mr. Devarajulu Nayudu went on to say that, if we carried out the process of regrouping, we might meet the whole of the increased cost as a result. Mr. Pakkiriswami Pillai told us that the karnams had got very little work and that the vettis and talayaris were engaged in doing the household duties of the karnams and headmen, such as drawing water for use in their homes, washing their clothes, and sometimes rocking the cradle and lulling their children to sleep. He proposed far more than we have ever been ready to suggest, namely, that we should double up the charges of village headmen and karnams. My hon. Colleague, the Revenue Member, has quoted other speeches, and I believe that I could trace more references of the same kind if only I were given the time.

"And now we come to the year of grace, 1923, when the whole question of making both ends of the budget meet has been exhaustively examined by the Retrenchment Committee, again a Committee of this House, assisted by a number of subordinate Committees of which one dealt especially with the question of the Land Revenue staff. The latter considered the possibility of dispensing with the village headmen altogether, and the main Committee recommended it in the case of zamindari estates. As regards the rest they recited the facts to which I have referred, and they were content to leave the matter in the hands of the Board of Revenue.

"While we had thus a large body of hon. Members advising us to make savings by regrouping the villages, what was the statesmanlike advice we had from the other parts of the House as to how to meet the enormous increase of nearly a crore of rupees in the expenditure which we were made to incur. I will take a single instance, the speech of the hon. Member Mr. Ramalinga Reddi on the 18th February 1922. He said: 'I must also enter a protest against the argument that, whenever this House passes a Resolution, it should be confronted with a Bill for special taxation. If the object of the Government is to prevent us from passing a Resolution, it could not adopt a better course. But I do not think constitutionally that there is anything in this argument; because though this House passed a Resolution in favour of increase of certain salaries, it did not pass any Resolution about the ways and means by which it was to be effected, and the Government must take the responsibility for finding the ways and means. We are not bound to agree to any and every measure they propose. If we throw out this measure, it does not mean that it will impair the force of our previous Resolution. It is only an invitation to Government to go and discover other ways of satisfying that very legitimate demand.'

"Now, Sir, I do venture to assure the House that we on this side of it are only too anxious to meet their wishes and to co-operate with them in every way we possibly can. And that being the case, I ask them, as I asked at the commencement, for a little more sympathy. Is it possible for us to co-operate in a line of action such as has been taken in the present case? Is

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it fair, on the other hand, to create a position which is absolutely impossible, and then say 'it is our business to create such a position and it is your affair to find the way out?'

"Let me summarise what I have been saying in a few words. We told the House from the outset that it was impossible with the present resources of the Presidency to meet the enormous bill which was being presented to us. They insisted on presenting it nevertheless. And we found ways and means at the cost of a deficit. Before we were clear of that, they presented us with fresh and increased bill. We told them it could not be met without fresh taxation. A number of hon. Members then replied 'We won't give you your taxation, but you can reduce the numbers.' We reduced the numbers accordingly; and now the same hon. Members say 'You must restore the numbers, but you still cannot have fresh taxation. You must find the money some other way.'

Mr. A. RAMASWAMI MUDALIYAR:—"May I say that one link is missing there? The Government itself accepted that the increase of salary ought to be given and came forward with a Supplementary Grant."

The hon. Sir CHARLES TODHUNTER:—"The Government did that, as I have already stated, only when the House held a pistol at the Government's head."

Diwan Bahadur M. KRISHNAN NAYAR:—"Will the Government always agree to the pistol of the House?"

The hon. Sir CHARLES TODHUNTER:—"Sir, there is one compliment the House appears to be never tired of paying me, whatever they may think of my financial methods otherwise. They seem to credit me with an extraordinary faculty of conjuring cures out of catchwords. I beg to assure them that the compliment is undeserved, that it is not in my power to carry out the financial maxim to which expression has been given in this House, namely, 'What we want is more money out of the Treasury and less out of the pockets of the tax-payer.'

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"Sir, was there any indication in the Budget in respect of which there was a deficit that the number of village officers was going to be reduced?"

The hon. Sir CHARLES TODHUNTER:—"Obviously not, Sir, because the arrangements for reduction had not then been made."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"So the information was kept back and no information of reducing the number was given to the House, not even by an implication in the Budget."

The hon. Sir CHARLES TODHUNTER:—"Sir, the intention was the intention of the House expressed to us. What we could not do was to comply with its financial requirements without more money."

"Nor again am I able to share the views of my hon. Friend, Mr. Sarabha Reddi, who depicted to us an ideal state of Government in which everything from first to last should be managed by the village talaiyari assisted by a council of elders. Mr. President, I do beg the House to consider this as a practical proposition. We have come through a long series of years of deficits, and as a result of the enquiries of the Retrenchment Committee, we are just within sight of the promised land where revenue covers expenditure. I can assure the House that I like the reduction of village establishments no

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more than anybody else, but I do ask the House to agree that what we have been doing we were forced to do as a result of their own action, and that we cannot conjure money out of the thin air, so that, if they insist upon our retracing our steps, they must recognize that the result can only be either fresh taxation or the spending of everything that has been saved on restoring these village offices, which on their own recommendation have been abolished, to the exclusion of all progress in other directions."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" Mr. President, I did not want to intervene in this debate and it was only a little while ago that I asked my Friends to move for closure. But, Sir, certain remarks that fell from the hon. the Finance Member could not be left, in my opinion, without a word of challenge. The hon. Member, Sir, asked for sympathy, and I think he will admit that almost every Member of this House is perfectly willing to try his best to show his sympathies towards the Government in their arduous task. He has compared himself, no doubt, to one carrying a mill-stone round his neck, but may I point out that the stone was not the making of this Council, but of the Government themselves? (Hear, hear). It is a stone which they tied to their own necks just at the sight of the Reforms. The hon. Member is perfectly aware that the expenditure in recent years has enormously increased on account of the increase of salaries given to the various officers. May I remind the House of only one instance, viz., that of the district munsifs, whose pay has been increased from Rs. 200 to Rs. 300 at the start? May I again remind the House that Government have increased the pay of the first-grade Subordinate Judges to Rs. 1,200? The same has been the case with the Deputy Collectors. I know that in the Public Works Department some officers were promoted from Rs. 250 to Rs. 600 at one jump. What was more important and amusing was that, on a particular occasion, when I was going to a certain place, a Public Works Department officer came running to me and expressed his thankfulness to the Government not only for increasing his pay from Rs. 250 to Rs. 600, but also for having given him a lump sum of Rs. 3,000. It is thus that the big stone has been thrown around their necks. I do not think the Council is responsible for that. It is said that our revenue charges are more than those of any other Province. May I remind the hon. the Finance Member of the reply he himself had given to the Government of India so often? Is there any other Province in all India where the difficulty of collection of revenue is so great as here? Have they got such a difficult and complicated ryotwari system as we have got here? Then, what about the incidence of taxation? Has he not very rightly pointed out to the Government of India that it is only in this Province that taxation has reached its highest limit, whether it be the land tax, abkari tax or tax raised by the local bodies? In these circumstances, to say that we are in any way responsible, is not quite justifiable. Then, Sir, the hon. Member referred to the fact that for these appointments there has been a scramble. I do not know how much scramble there is, but I know that these appointments go merely by hereditary right."

The hon. Sir CHARLES TODHUNTER :—" May I say that the author of that statement was the hon. Mover? "

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" I beg the hon. Member's pardon. Whatever that may be, after all the village officer's job is not such an easy job. I should like to bring to the notice of the House a

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few facts. I know that what I am going to say is familiar to every one here, but still it brooks repetition. As has been suggested in some quarters, the village officer is the embodiment of the Government itself in the village. It is his duty, not only to attend to collection work, but also every officer of the Government has to be attended to by the village headman, if he comes to the village. If a revenue inspector comes, he must be in attendance; if a Tahsildar comes, he must be in attendance. If the Salt Sub-Inspector comes, he has to see that the trees are tapped. Whenever the various authorities come there, he has to attend to their supplies. Moreover, when he is on his way to do some other business, if a ryot pays him a tax of Rs. 4, and if he keeps the money in the box and goes out and if, in the meanwhile, his daughter secures it without the knowledge of the father, the village officer is liable for temporary misappropriation if his accounts were to be checked by the Tahsildar the next morning. Here is a specimen of the village officer's responsibility: Because a village officer did not report that a hay-stack caught fire somewhere, he was convicted and sentenced. It was not even paddy. It was mere hay. Yet he was sent to jail for that. He has to report occurrences of not only his own jurisdiction, but also what might have occurred in another man's jurisdiction. In these circumstances, to group two or three villages and ask the headman to do the duties of two or three people is, I submit, very hard for him and very bad even from the administrative point of view.

"The next question that was raised was that this grouping is mostly a creation of this Council. They wanted the village headmen's salaries to be increased and they must be prepared for the consequence. I admit that, to a certain extent, this Council is responsible for the state of affairs. But, as has been repeatedly pointed out in this Council, this Council has passed and given its consent to three measures of taxation, direct or indirect, viz., enhancement of the Court fee, the Stamp fee and Registration fee. At that time the Government were prepared to bring in another bill of taxation on amusements. I am sure if any such measure had been brought forward, this Council would have consented. As pointed out by Mr. Ramalinga Reddi, after all is said and done, Government owe it to themselves to be prepared to meet contingencies as they arise. Seeing that the opinion in this Council and outside is so very strong on this single question of regrouping, and seeing that the hardships that members of the public and the village officers will be put to will be so great, I strongly suggest that the Government should accept this Resolution."

Mr. T. ADINARAYANA CHETTIYAR :—" Mr. President, Sir, at the very outset, I must congratulate myself on being a new Member of this House. Because even the Finance Member cannot quote me against myself. What struck me most in the discussion of this resolution was the almost perfect unanimity of opinion on the question of the evils of regrouping from all parts of this House. It is due to the fact that it is a recognized principle that the village is the unit of administration in India and it is an equally admitted fact that the village officer is the irreducible minimum of administrative machinery in the village. In fact, I challenge any member of this House, even including the official benches, to mention a time in the history of this country when this was not so. Every revenue officer knows this fact. Even to-day when a Tahsildar or Revenue Divisional Officer comes to know that a village munsif is not residing within the village but in a neighbouring

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village though only a furlong off, he would make life a hell for him and would not cease tormenting the poor man until he has acquired a hut within the village by fair means or foul. This is a fact that does not admit of differences of opinion.

"Let us next see what the duties of the village officer are. I thought he had about 32 distinct duties to perform. But my hon. Friend Mr. R. Srinivasa Ayyangar the other day told us he had 40 or 50 separate duties to perform. However that be, it is an admitted fact that to his charge are consigned many important functions, collection of vital statistics, cultivation account, village sanitation and the reporting of serious crime—to mention only a few. My previous speaker, the hon. Sir K. Venkata Reddi Nayudu has just given us instances after instances of glaring cases of miscarriage of justice due to delay in the reporting of crime. People who have experience of criminal courts know that in thousands of cases such miscarriage of justice is a matter of daily occurrence. And as regards the safeguarding of Government property itself the recent regrouping has worked disastrously. I have, here with me, reports of several instances in my district of North Arcot where whole villages are left without a village munsif, a karnam, a talayari or even a vettiyan to take charge of Government property. That is as regards that aspect of the question which affects Government interests.

"As regards the men themselves, fully sixteen thousands, Sir, I am corrected by friends, fully seventeen thousands have been thrown out of employ. And even more than the fact of regrouping was the manner of doing it which is felt as a real hardship and a piece of glaring injustice. At one stroke, people whose families have faithfully and zealously served Government for generations, nay, for over a hundred years in some instances, have been mercilessly thrown out. It would look as if the object of the framers of the Bill to cut at the hereditary nature of village officers' posts, was anticipated and unfortunately successfully anticipated by the revenue officers who brought about this regrouping. The injustice was further aggravated by the appointment of new and inferior men in the place of tried and successful servants. Many a rumour was afloat at that time as regards the officers who effected the regrouping. But I do not wish to give expression to them in this House nor would it serve any useful purpose to do so.

"The fixing of the area for the jurisdiction of the village officers has been most arbitrarily done. Speaking for the district of North Arcot, I am informed that in some cases, as a result of this regrouping, the area extends to a radius of 7 or 8 miles. Is it any wonder that a village officer is not able to discharge his duties satisfactorily? What is even worse from the Government point of view is the fact that the work of collection of revenue seriously suffers. For reasons which we may not enquire into now, the charge for each village officer has been most inequitably fixed in the course of this regrouping. I have in my hand a list which shows how inequitable and unjust this has been. I shall not detain this House long but I shall content myself with only a few instances. Vagai and Abdullapuram form a unit with a beriz of Rs. 1,000 and Kadapanthangal and Perumathangal form another unit also with a beriz of Rs. 1,000, while Mamundur with a beriz of Rs. 12,000 and Ankavoor with a beriz of Rs. 11,000 and Seshamangalam with a beriz of Rs. 12,000 are also treated each as a single unit. Can unfairness and inequity go further?

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"As regards appeals, even in cases of glaring injustice, my hon. Friend Mr. Thanikachellam Chettiyar has recounted his bitter experiences to this House and as he selected his illustrations from my own North Arcot district, he has relieved me of my burden a good deal. Even at a very moderate computation, I am told, the money spent by these unfortunate men would come to lakhs. I personally know of several vakils who have earned a competence by this class of business. I do not grudge it, because, after all, they belong to my profession. What I do grudge however is the fact that they did not get justice even after such a costly outlay. For, in this affair, the only justice obtained by these unfortunate appellants seems to have been, in the eloquent words of my hon. Friend, the literally stereotyped reply, 'The Board sees no reason to interfere.'

"Therefore I earnestly appeal to all members, including those on the Government benches, to undo the perpetration of this injustice. The hon. the Finance Member made an appeal—a piteous appeal—for sympathy to enable him to balance the Budget. While endorsing it, I venture to remind you of the earnest and piteous appeals of the seventeen thousand poor and honest men who have been sent adrift in this wide world. The hon. the Finance Member also made reference to the presenting of a revolver to obtain some concessions on a previous occasion. May I remind him, Sir, the same revolver is not extinct even now.

"If an attempt is made on his part to render justice to these men, we in this House can be trusted to do our best when the budget time comes, as it must come in a few weeks from now. But after all, Sir, is it not the duty of a Government to find the money as any suggestions from the non-officials has not much chance of being acceptable to the officials? But, feeling on the matter is so intense that even if it is admitted, for the sake of argument, that fresh taxation is necessary as a consequence of the cancellation of regrouping, even that, Sir, would not perhaps be so intolerable or unthinkable as the injustice perpetrated on these men who it may be said, without any exaggeration, form the real steel-frame of Indian Administration.

"With these words, Sir, I commend this Resolution for the acceptance of the House."

Mr. K. KORI REDDI:—"Mr. President, Sir, coming from a family which can boast of relations and friends who have been village munsifs of many villages, I can assure the House and you, Sir, that I can claim to have a very intimate knowledge of the conditions of the village officers in at least three or four districts; and knowing this as I do, I feel that this is a measure which is most ill-advised and, may I also say, disastrous. If this state of things is allowed to continue, I am afraid the results will be very serious. For satisfying the claims of a few people, the Government has created discontent amongst a number of men, and, from what I can personally judge, the people that have been removed as a consequence of this grouping of villages are generally the most influential people in the particular villages. This is how things have happened, at least in the districts with which I am acquainted. It might have happened that the officers who had to decide the claims of these people have generally excluded such influential people. I cannot think of a state of things in a village in which all the influential people are excluded from these responsible posts with the consequent discontent that prevails. It is not so much

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the pay, as some hon. Members have pointed out, that is really attracting these people, not, in the words of my hon. Friend Mr. Kesava Pillai, that there is a good deal of scramble for these offices in the villages, but there is something more at least in the villages with which I am acquainted. It is not merely the reduction or the increase of pay that they care very much for. As a matter of fact the responsibility of the work which they have to do and the amount of work that they have to turn out cannot be adequately paid for by Rs. 10, Rs. 20 or even Rs. 50. But the idea that underlies this desire on the part of these men to hold these posts is that they would be considered as head of the village, that the post carries with it some dignity and that the office is coming to them for generations together. That is the sentiment that prevails in these families. I, no doubt, realize the difficulties that might be in the way of the Government. I am sorry to say that to a certain extent this Council also in a way suggested the idea of grouping of these villages. But I am sure if the Government had put the question definitely in the minds of the Council whether they were for the old state of things or for grouping the villages and increasing the salaries of the village officers, I have no doubt that they would have preferred the old state of things. So far as the Ceded Districts are concerned, if the Government cannot find a way of meeting the demands of the village officers and reinstating them, there will be a lot of discontent amongst them. I think that the Government should find a way either in the shape of additional taxation, if necessary—for which I do not think this Council will give its sanction—or by reduction in their salaries if that is agreed to or by some other means. I think that if the villagers are given the option of choosing either the reduction in their pay or their being reinstated, I think they would be really prepared for the reduction in pay. Of course, I only suggest this course as an alternative provided the Government finds it impossible to give effect to this Resolution in any other way.

“As other hon. Members have already pointed out, there are really a good many difficulties in the proper administration of the villages if this grouping of villages is continued. I know that even previously some of the villages were extensive enough for one village headman. Now, if two or more villages are clubbed together, it will be impossible for one man to carry out the duties. Some of the hon. Members have already referred to the various duties that these village headmen have to do. One thing that strikes me most is that these village headmen are asked to take care of the property of the Government in the villages. If some one takes into his head to fell a tree for his household purposes, the village headman is taken to task. He has got very many responsibilities to discharge and, even under the old state of things, it was difficult sometimes for the village officer to perform all his duties satisfactorily, and I am really surprised at the statement of the hon. Member for Finance and others that the village officers have very little work to do. I am afraid that on account of the grouping of the villages and the consequent increase in the duties of the village officers, the statistics that are prepared by them are not done with that amount of personal inspection that is necessary. It is true that the village headmen do not devote the whole day for the office work; but at the same time he has got very responsible and important duties to perform. It is not necessary that he should devote all the 24 hours for the official work. If he does so, even a

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pay of Rs. 100 will not be enough. That doesn't mean that he has no work.

“As regards the menials, the argument put forward against their continuance is that most of them do not do their official work properly and that they do a lot of private work to the village headmen and that the village headmen themselves can also look after the work which the menials are doing. I know, and I admit, that many of the village officers do utilize the menials for doing their private work. But is it not our experience, Sir, that from top to bottom every officer in this country to a certain extent uses the service of his peons and other subordinates for his private purposes? I know many officers who use their peons as cooks, as motor drivers, etc. When such is the case, I do not know why the village headmen cannot take the services of the village menials. I know in many cases these services are offered voluntarily to the village headmen, because they get some service in return. Some of the menials get their meals in the houses of the village headmen. Sometimes when the village menials cannot do the work, the village headman asks his private servants to do the work. After all, there is nothing wrong in using the Government servants for the private work of the village headmen. Again, I can say this. I have travelled through at least one district and I know the conditions of at least three or four districts generally. There is a lot of discontent among these village officers. It is impossible to describe it. Many of them have to spend five or six thousand rupees by way of bribing the lower officials for getting the appointment or by way of paying the vakils. They will always be hanging about under the trees of the Revenue Board office. I know a man who has already spent Rs. 500 and who is prepared to give me even Rs. 5,000 if I can help him in getting appointment. It is not the salary that they care more for as it is the prestige and the dignity attached to the job and the idea that the office is coming to him from generation to generation. It is a hereditary right in most of the families and it is to this that people attach great importance.

“As a result of this, there is too much of scramble for the appointment. As a result of this regrouping those who have been friends have become enemies with the result that two persons died. There is a good deal of difficulty in having large areas of two or three villages administered by one man, and unless the Government is prepared to assuage this discontent, I think that it will result in a very unhappy state of affairs.”

Mr. K. SARABHA REDDI:—“Sir, the only officials in the service of Government whom both the Government and the people claim to be their own men are the village officials. They are as much of the Government as they are of the people. They form the link between the Government and the people. The link should be as strong as possible, and under no circumstances should it be subjected to weakening influences of any kind. Any attempt to weaken this link goes to create and widen the gulf between the Government and the people, and this would mean the alienation of mutual sympathy and co-operation which are the two most essential and indispensable requisites for security, efficiency and continuance of administration and for the peace and prosperity of the people.

“The village officers have occupied and have been occupying this most responsible position from generation to generation, and I will not

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be far from right if I say, since long long before the advent of the British Government. As far as my knowledge goes, never before in the history of this Presidency has any attempt so inconsiderate and so imprudent been made to shatter and endanger the unit of administration by clubbing villages. Several families who have been holding their hereditary appointments in times of weal and woe without aspiring for any compensatory remuneration compatible with their position, responsibilities and duties, have, all on a sudden, for no sin of their own, except perhaps that they, sharing the feelings of the times, aspired for enhancement of salaries, been ruthlessly deprived of their appointments. They have been struck with daggers from behind.

"It was but the other day that the country was rejoicing over the news of enhancement of their salaries, but now they are being gnawed by anxiety owing to their friends' and relatives' deprivation of appointments and time-honoured rights and privileges.

"The pretended sympathy of the Government is to their minds only a deceitful manoeuvre on the part of the Government. They were not told that any enlargement of their salaries would eventually bring about results endangering their places, prestige, and time-honoured rights. Had they been apprised of this, they would have perhaps withdrawn their appeals for enhancement of salaries. From the beginning, they have always been made victims to some kind of deceit or another on the part of the Government. When the British took over the reins of Government, they certainly needed the help and the services of the headmen of villages. Surely they would have found the villagers too hot for them had the village headmen not condescended to render them help. Then naturally they ought to have held out hopes to them that they would never interfere with their rights and prestige, and that they would, for all times to come, be allowed to continue to be hereditary headmen of villages and so on. Allured by such promises and pledges, they agreed to serve on nominal salaries and have till now been, true to their words, sticking to their appointments like leeches even at great sacrifices in spite of the apparently systematic embarking of Government on a policy of gradually dwindling their importance and prestige. While they are seeing with their own eyes that sons of their servants and dependants, bred up, brought up and educated by them, are securing places of position and emoluments and power, they are, though possessed of full means, still preferring to be content with their position as headmen of villages. What is this due to? It is due to their firmly established belief that their appointment is hereditary and that nothing in the world can shake them. They have always been faithful and loyal to the core. They merit no ill-treatment. The clubbing of villages has enormously changed their feelings. It has produced results most disastrous. It has plunged several families into indescribable misery, and to extricate themselves from it they are sacrificing all their money and energy. You may not believe me, Sir, but it is a fact that some lakhs of rupees are being poured into the pockets of lawyers and others who fatten themselves by feeding on the innocence of others.

"So much with regard to the harm it has done to the families of village officials.

"Now, coming to the result it has produced on the country, I venture to say that the country is gradually losing its touch with the Government.

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In a village, the order of Government is always associated with the village administration, in which alone they smell the existence of Government. Now, several villages have not their headmen living in their midst. To them, for all practical purposes, the Government is extinct. Quarrels have been more and more rampant. Village peace is destroyed. Village prosperity is getting more and more deteriorated. Crimes have increased. The statistics collected from the registers maintained by the Police and Magistrates are no right criteria to judge the truth of the above statement.

"Now, coming to the Government itself, I may venture to say that the integrity of the Government is endangered. The security of the Government is endangered. The enemies of Government are more free. Sir, any arrows shot at the Government should pass through village officials. If the village officials are not discontented, the arrows become blunt and ineffective and stop away as soon as they approach them. If they are discontented, the arrows find no obstruction to pass through them to the Government. If they are wounded, the arrows get themselves sharpened while passing through them, and they multiply in numbers.

"Sir, I do not exaggerate matters if I venture to say this, if the clubbing had been done prior to the non-co-operation movement, it would have produced results quite different from what it has actually produced. Any number of hostile movements instituted by men of whatever power and influence will simply go to nothing if the loyalty of village officers is kept unaffected. I do not want to elaborate very much on this subject.

"In one word, Sir, I say the security of the Government depends upon the security of their village officials, that the dignity of the Government depends upon the dignity of their village officials, that the efficiency of Government depends upon the efficiency of village officials, and that the peace of the Government depends upon the peace of the village officials. I appeal to Government not to hesitate to keep the village administration intact at any cost and not to care for having to incur any extra expenditure in order to improve the efficiency of administration; for, it is only then that the necessity of having to spend lakhs and lakhs to put an end to hostile movements started by the enemies of Government, and to put down the Fituri operations started by men like Sectarama Razu, will be avoided.

"So, in the interests of the people of the Presidency and in the interests of the people of the districts who have sent in their appeals to the Government that the clubbing of villages be stopped and that the original units be restored, I appeal to all my colleagues in the Council this side, that side, and on every side of the House, to support this Resolution unanimously and wholeheartedly."

(At this stage, Mr. E. W. Legh got up to speak.)

The hon the PRESIDENT:—"I wish to know whether the hon. Member is replying on behalf of the Government. If so, he may do so later on."

Mr. E. W. LEIGH:—"I am speaking as a Member of this House, Sir. Before hon. Members finally make up their minds to vote on this Resolution, I wish to urge upon them a clear consideration of this question. It is quite clear that many Members feel very strongly on the subject of the present position of village officers as a result of this regrouping of villages. Sir, it is not always when a man feels strongly that he decides most wisely,

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and I do think that, before a decision is arrived at upon this question, hon. Members of this House should consider it very carefully. We have all seen that this proposal for regrouping and reduction of the number of village officers was not one which solely emanated from the officials. It was a definite suggestion brought forward by certain Members of this House and which so far remains on record. There has been no sign anywhere that any Member of this House raised a voice of dissent, or questioned whether the proposal was good or not. Therefore, we assumed, when the idea was put before the House at another time, that there would not be such a strong feeling against the proposal and that it would be dissented from only to a slight degree. But now, Sir, we find that the House has changed. What I am asking is this: are the Government to understand, from the discussion that has taken place just now, that the House has made up its mind finally as to what their considered opinion is? I think this is a matter of some importance and it would be well if the Government were to know what the considered opinion of the House was on the subject. Some time was spent in discussing this motion and a large number of amendments to it. It seems to me there was some difference of opinion in the minds of hon. Members of this House as to how far the Resolution could go.

"Another point on which I can rely is that we have not got the final opinion, and surely it would be disastrous if we were to continuously change our opinion on a matter like this.

"I want to refer to one or two things more. The first point that I would like to refer to is the collection of revenue. It is said that, owing to this regrouping, the present village officers will have to take additional trouble for the collection of revenue. No one, I suppose, would pretend that we should have the revenue collected by such a large staff as the present one. If it is agreed that such a large staff will not be necessary for the collection of revenue, and at the same time if the Finance Committee were approached with a proposal to reinstate all the village officers by incurring additional expenditure, they will turn down the proposal. Therefore, this question will have to be considered very carefully.

"The second point is this: it has been said that the basis of administration is the village unit. It is perfectly true. But I am afraid we have been using the word 'village' in a different sense. There are villages in many places in the south of any of which it may be said that the village is not one single group, but a single street. It is quite possible to regroup the villages without in any way disturbing the village administration.

"Sir, village regrouping is carried on in a peculiar manner. A number of hamlets are joined together into one village. It may be that in the regrouping some hamlets are taken away from one village and added to another. What I want to say is that we must not assume that there is administrative inconvenience because regrouping has been done. It depends upon how the regrouping is done. Now, Sir, it has been alleged by certain gentlemen that regrouping has been done badly. I am afraid I cannot contradict that, though not even one specific case of bad regrouping has been pointed out. If there are any such regroupings we shall be ready to reconsider them. As has been already stated,

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there is no one who is more tenacious of his position and so ready to take any possible course as the village officer. He will sooner or later come with his appeal and the Government, I think, ought to consider . . ."

Diwan Bahadur P. KESAVA PILLAI:—"There is no appeal to Government."

Mr. E. W. LEGH:—"Somehow or other these officers find their way by means of petitions, memorials, etc. Of course, in many cases no appeal is heard; where the appeal is simply with reference to the choice of one of two persons, we leave it to the better judgment of the man on the spot. But there are very many cases in which these officers get access; somehow or other the papers are looked into and action taken."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Were there not a number of objections to regrouping from the villagers themselves?"

Mr. E. W. LEGH:—"If there were, I can only say I have not seen them myself. Members of the Finance Committee will probably see from the number of papers that have gone through their hands that as a consequence of the abolition and amalgamation of villages it has been possible to effect a reduction amongst other things in the actual cadre of the deputy collectors."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Any reduction in the cadre of the District Collectors?"

Mr. E. W. LEGH:—"No reduction in the cadre of the District Collectors. Only a number of deputy collectors, say from 12 to 25, were reduced.

"One other point I wish to bring out is this. If we can get the work done more cheaply than it has been done, are we justified in continuing a higher scale of expenditure? Of course, if the cheaper collection meant inefficiency and inconvenience, we are justified in having a larger staff. One gentleman said that a hundred groups had been abolished and still the work is going on. It has been found that in a district 800 officers had been abolished and work is going on just as before. Now, if I were to come before the Finance Committee and say that a large number of deputy collectors are waiting for confirmation because the number of posts has been reduced, I shall probably be told that they must wait. It seems to me that we must look at the matter from that point of view. If now a proposal were put forward to the Finance Committee that we must keep all the officers and that it is very hard to make them lose their posts, the Committee would probably say, 'Oh, we cannot ask the House to vote money'. So, Sir, I think I must again ask the House to consider very carefully before it comes to any final decision.

"Again, there are some legal difficulties in going back from the position which we have reached. They have to be faced also. So, Sir, the House must be quite sure before they pass this Resolution."

Mr. S. SATYAMURTI:—"Sir, the speeches that have been delivered from the Government benches against this Resolution went on this basis, namely, that this Resolution seeks to commit the House to an increased expenditure of Government revenue. On the other hand, Sir, the object of the Resolution is to prevent Government from going on with, what this Resolution says and what I believe the majority of the House also agree, this unjust saving at the expense of a very useful class of public servants, and at the expense of the efficiency and usefulness of villages in the life of this Presidency.

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All this argument against committing the House to any extra expenditure is wholly irrelevant. When this House committed itself to the decision of increasing the pay of the village officers and when the Government accepted it, we did not give any express or implied undertaking that the Government might have a free hand to cut down expenditure by reducing the number of these officials. Much use has been made of that very hard-used word, *retrenchment*. And I should like to make one commentary upon that word. It does not mean cutting down expenditure on a most useful staff which cannot bear retrenchment. It is easy to talk of retrenchment, but here I may point out that there is a possibility of retrenching the villages practically out of existence. The hon. the Revenue Member claimed that they were able to save 29 lakhs. The process has already brought them a saving of 19 lakhs and they hope to get 10 lakhs more. With a full sense of my responsibility I would vote, and I hope the House also would with a full sense of its responsibility vote for the motion and would not want these 29 lakhs of rupees at the expense of the village officials. At any rate, it is our business to do so.

"When this House committed itself to the Resolution for the enhancement of the salaries of the village officers, they did so with open eyes thinking that Government ought not to have the benefit of this unjust saving and that Government must give effect to the Resolution without any reduction in the number of officers.

"A great deal was made of the point that taxation Bills which were introduced for the purpose of meeting the extra expenditure were rejected by the House. I venture to point out the logical fallacy underlying that argument. What guarantee is there, Mr. President, that when this House agrees to the imposition of 30 lakhs of taxation, this sum would be earmarked for the purposes for which the House voted it? There is no provision in the statute,—I speak subject to correction,—there is no provision in the Government of India Act, in the Rules and the Standing Orders under which this House can control the expenditure in that way. It is perfectly open to this autocratic Government to have the taxation Bills passed, spend the money any way they please and then snap their fingers at us; and we shall not be able to do anything. Under the circumstances, it is idle to say that the House refused to pass taxation Bills."

Mr. G. F. PADDISON:—"Sir, I should like to know whether the Village Cess Act does not say that the revenue from that source must be devoted to the village officers."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"That was the object with which this Bill was introduced."

Mr. S. SATYAMURTI:—"I was referring to the speech of the hon. the Revenue Member who said that certain taxation Bills must be introduced. If the Government on their part and if we on this side (Opposition) or on the other side (Supporters of the Government) agree to pass an Act to earmark the proceeds of the village cess for the purpose of paying these village officers, then it would be possible to give effect to this Resolution. The Village Cess Act does not say that, and a new law must be made for the purpose."

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Mr. E. W. LEECH:—"The Village Cess Act says that the levy of the cess is for the remuneration of the village officers and for other purposes in the discharge of their duties. I read these words in the Proceedings of the Council of the 18th February 1923."

Mr. S. SATYAMURTI:—"I was not referring to that. I was referring to a Bill which might have been introduced for that purpose. It is altogether another matter to suggest, as the hon. the Revenue Member did, that we must vote all taxation measures if we bring any measures that involve extra expenditure. That is misapprehending the fundamental basis on which this House and the Government should work together. We have no control over the expenditure. Unless such a Bill were introduced and rejected, there is no point in saying that this House rejected taxation measures of another kind and ought not to compel Government to find the money for it."

The hon. the RAJA OF KOLLENGODE:—"The measures were in regard to village cess."

Mr. S. SATYAMURTI:—"If the reference was to this particular measure and not to other taxation measures, I stand corrected. But on the general rejection or acceptance of taxation measures altogether, the House will consider them on their own merits and not as part of this or that Resolution."

"A clever use was made by the hon. the Revenue Member and the hon. the Finance Member of the speeches of some of the Members on this or that side of the House on a previous occasion. But I am sure I can remind the hon. Members that after all they stand no better than *obiter dicta* of eminent Judges of the High Court. They are not binding on themselves; they are not binding upon others and they do not bind the House, unless they are embodied in Resolutions passed in this House. There is no point in taxing this new House with the sentiments of some of the Members of the old House. The whole question is not whether some Members of the old House did or did not approve of the regrouping of the villages, but whether the House as a whole did or did not approve of the course. The Revenue Member woke up one fine morning and said 'We will regroup all the villages.' What authority did he have? Stray sentences in the speeches of certain individual Members have been read to us as authority; on the other hand, they have not the authority of the whole House."

"The hon. the Revenue Member said that he would prefer the less unpopular of the two measures after having gone into the matter. I may take it that he spoke on behalf of the Government. I take it that the Government realize that this regrouping of villages is very unpopular. There is no question about that. If I am not presumptuous, I may tell the hon. Member not to choose unpopular things at all but only to choose popular things."

"Then, again, some use was made of the argument that some Members are supporting the Resolution because pressure is brought to bear upon them from an influential section of the people. I am not; but if I were, I should not be ashamed of it. We are here to act on the pressure of the people and not on that of the Government. We are here to represent the people and their feelings. We would not be discharging our duties properly to this House and to the people whom we represent unless we act under their

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pressure in all matters which are not intended to serve unworthy ends and which are purely for the benefit of the public.

"The Revenue Member also used the argument that the officers have prestige and pay need not be correspondingly increased. He knows, none better, that there is no man in this country who, for the sake of prestige, would willingly forego a part of his salary. Is it right that we should ask these village officials to make up for the loss of their pay by this magic word *prestige*? That is not a very useful argument.

"The only part of the hon. Member's argument which this House should take note of is this. He said that Government have carried the policy of regrouping and amalgamation to some extent, and they would finish it unless their hands are forced by an adverse vote of the House. The answer of the House should be in unmistakable terms: 'You did this against our wishes' and therefore, to the extent to which the Government of India Act, bad as it is, gives us power, we will say 'Thus far shalt thou go and no further; retrace the steps that have been taken already for the past so many months'.

"The Finance Member made a piteous appeal saying that he was trying to pull a big stone up the hill, and if we were to support this Resolution they would be adding to the weight of the stone. But that is not the spirit of those who on this side or on that side of the House support the Resolution. The stone of Sisyphus was such that when he took it up it rolled down. So long as this Government remains autocratic and irresponsible the burden will be there, and it will be impossible to lift it. The moment the Government becomes responsible to the people, the people and the Government will pull the stone up, and once the stone is pulled up it will remain there four-square to all the winds that blow. Analogies from Greek mythology are no arguments which concern the pay of the village officers and the regrouping of villages.

"In the course of the discussion we were challenged to find the means to meet the expenditure. I have answered this argument once. I realize quite as much as the hon. the Finance Member the false position in which the Government is placed. Here they are faced with a House containing a large elected majority. If we, for the present, forget all our communal jealousies and agree on the fundamental matter, we shall pass this Resolution, and the Government will have to take the responsibility of either rejecting it and thereby courting popular disapproval or carrying it out without the assistance of those very persons who passed the Resolution in finding out the ways and means for the expenditure. The remedy is this. The Government are impressed—I speak subject to correction—that the present system of Government, in which a large elected majority faces them with Resolutions for which they advisedly take no responsibility of carrying out, cannot last long. Let them therefore join with us and show that this diarchy is unworkable and that it is not possible to have a House working like this. Under Swaraj when we put forward resolutions like this, we will also share the responsibility of carrying them out and finding money for them. We will pass only such resolutions for the carrying out of which we will also be responsible along with the Government. So long as we are placed in this position, so long as we have no power over the disposal of the moneys we give to them, we can only say, 'This is a good thing and it ought to be done; by all means find the money for it if you can; we will use such means at our disposal to compel you to find the money.'

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"The hon. the Finance Member gave us a bit of the history of the Resolution for the increase of the village officers' pay some months or years ago in this House. He said that the Government had to agree to the increase of the pay of these officers because the House held a loaded pistol at their head and said that unless they agreed to it they would not vote the Stamp Act. Sir, I am very agreeably surprised to hear that valuable tribute to our party's programme from the hon. the Leader of the House. If only the elected Members of this House make up their minds to hold a loaded pistol at the head of the . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The word 'loaded' was omitted."

Mr. S. SATYAMURTI:—"Well, Sir, the hon. the Finance Member is too much of a sportsman to be afraid of an unloaded pistol."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I was referring to the party of my hon. Friend."

Mr. S. SATYAMURTI:—"Whether my party has a loaded pistol or an unloaded pistol will be known in three months' time. To-day, in another place, they have decided not to oppose the Resolution for a Round Table Conference to give India Swaraj. Whether the pistol is loaded or unloaded, he will know and his friends will know very soon. In the meantime, let me say to this House that if the elected Members of this House learn to sink all their communal differences and stand together as one man on this question, and on all other questions, the Government will yield with good grace or ill-grace to our demands. Therefore, I ask the House to pass the Resolution and tell the Government, 'If you do not carry it out, beware the Ides of March are not far off'."

Diwan Bahadur P. KESAVA PILLAI:—"Sir, I do not want to take up the time of the House by repeating the arguments already advanced by hon. Members. The points raised by the hon. the Leader of the House have been answered by so many hon. Members very eloquently. Therefore, the only thing I want to say, and which I forgot to tell the House when I moved the Resolution, is that the Board of Revenue has a Standing Order that the claims of minors to hereditary offices should not be recognized. When a big and more important village are grouped, and the claimant to a smaller and less important village are overlooked in favour of the office holder in the smaller village or an adult claimant in that village, though he might have no influence. The Divisional Officers tell us that it is not within their power to do anything, because a certain Order of the Government prohibits them from taking into consideration the claims of minors. I hope the hon. Member will take note of it and modify the Order, if he is going to insist upon continuing this disastrous policy of grouping.

The hon. the RAJA OF KOLLENGODE:—"I would take note of this point."

Diwan Bahadur P. KESAVA PILLAI:—"I thank the hon. Member for the kind promise.

"There are so many other points which I wish to dwell upon, but I do not want to take up the time of the Council with any further elaborate arguments. I should like very much that the motion is voted upon at once."

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Mr. K. PRABHAKARAN TAMPAN :—" I wish to speak against the motion."

Diwan Bahadur P. KESAVA PILLAI :—" It is too late."

The hon. the PRESIDENT :—" I permit the hon. Member to speak."

Mr. K. PRABHAKARAN TAMPAN :—" I regret that I have to strike a discordant note in the debate which so far as non-officials are concerned . . ."

Diwan Bahadur P. KESAVA PILLAI :—" May I rise to a point of order, Sir? You have already asked the Government Member to speak and he said that he had no reply to make. Now, will it be in order for any private Member to resume the debate?"

The hon. the PRESIDENT :—" This is no point of order at all. The convention is that when the Government Member has replied, the debate should ordinarily be closed; but if he does not choose to reply the termination of the debate is left to the discretion of the hon. the President."

Mr. K. PRABHAKARAN TAMPAN :—" Sir, I do not wish to press my claim for speech. I shall respect the wishes of my venerable Friend and sit down."

The Resolution, as amended, was then put and carried

On the motion of Mr. O. V. Venkataramana Ayyangar, a poll was taken and the House divided thus :—

4-15 p.m.

Ayes.

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| 1. Mr. Ari Gowder. | 26. Rao Bahadur P. A. Ramalinga Chettiyar. |
| 2. " S. Arpudawami Udayar. | 27. Mr. P. Siva Rao. |
| 3. " P. K. S. A. Arumuga Nadar. | 28. " A. Chidambara Nadar. |
| 4. " A. V. Ebanoji Rao. | 29. " K. Koti Reddi. |
| 5. " N. Devendrudu. | 30. " P. Anjaneyulu. |
| 6. Diwan Bahadur Sir P. Tyagaraya Chettiyar. | 31. " S. Muttayya Mudaliyar. |
| 7. Rao Sahib S. Ellappa Chettiyar. | 32. " C. Gopala Menon. |
| 8. Rao Bahadur P. C. Ethirajulu Nayudu. | 33. Rai Bahadur T. M. Narasimhaachari. |
| 9. Cruz Fernandez. | 34. Mr. V. C. Vellingiri Gounder. |
| 10. Mr. L. C. Guruswami. | 35. " A. Ranganatha Mudaliyar. |
| 11. " B. Mahabala Hegde. | 36. " J. A. Saldanha. |
| 12. " P. N. Marthandam Pillai. | 37. " M. R. Seturatnam Ayyar. |
| 13. " B. Maniawami Nayudu. | 38. " R. Srinivasa Ayyangar. |
| 14. " C. Muttayya Mudaliyar. | 39. " Sami Venkatachalam Chetti. |
| 15. " B. Obolesappa. | 40. " O. V. Venkataramana Ayyangar. |
| 16. " C. Ponnuswami Nayudu. | 41. Sir K. Venkataraddi Nayudu. |
| 17. " K. Raghuchandra Bellala. | 42. Mr. K. Venkatachala Padayachi. |
| 18. " P. T. Rajan. | 43. Rao Bahadur C. Venkataranga Reddi. |
| 19. " B. Ramachandra Reddi. | 44. Mr. M. Ratnaswami. |
| 20. " A. Ramaswami Mudaliyar. | 45. Diwan Bahadur M. Krishnan Nayar. |
| 21. " J. D. Samuel. | 46. Mr. W. Vijayaraghava Mudaliyar. |
| 22. " K. Sarabha Reddi. | 47. " B. Veerian. |
| 23. " K. Sitarama Reddi. | 48. " S. Satyamurti. |
| 24. Diwan Bahadur P. Kesava Pillai. | 49. " T. Adinarayana Chettiyar. |
| 25. Rao Bahadur C. Natesa Mudaliyar. | 50. Rao Sahib U. Rama Rao. |
| | 51. Mr. G. Rameswara Rao. |

Noes.

- | | |
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| 1. The hon. Sir Charles Todhunter. | 9. Dr. John Mathai. |
| 2. " Sir Arthur Knapp. | 10. Mr. P. L. Moore. |
| 3. " Mr. C. P. Ramaswami Ayyar. | 11. " G. F. Paddison. |
| 4. " the Raja of Kollengode. | 12. " V. Madhava Raja. |
| 5. " Rao Bahadur Sir A. P. Patro. | 13. Hony. Lieut. Madurai. |
| 6. " Diwan Bahadur T. N. Sivaganesam Pillai. | 14. Mr. O. M. Narayana Nambudiripad. |
| 7. Mr. B. W. Davies. | 15. " K. Prabhakaran Tampam. |
| 8. " E. W. Legh. | 16. " R. Srinivasan. |

Ayes : 51

Noes : 16

The motion as amended was carried.

[9th February 1924]

APPOINTMENT OF PERSONS ABOVE 60 YEARS OF AGE AS PUBLIC PROSECUTORS

Mr. ABBAS ALI KHAN :—" Sir, Mr. T. N. Bava Ravuttar Sahib in whose name Resolution No. 2 on the agenda stands is absent. May I have the leave of the House to move it?"

The House signified its assent and the hon. the President permitted Mr. Abbas Ali Khan to move the Resolution.

Mr. ABBAS ALI KHAN :—" Sir, the Resolution which I am now permitted to move runs thus :

2. That this Council recommends to the Government that in future persons aged 60 years or above be not appointed to or continued in the office of public prosecutor.

" Sir, I am sure it is known to all the Members of this House that there is a rule that all persons in the permanent service of Government must be retired at the age of 55. The only exception that is made is in the case of High Court Judges. I understand that in no other department of Government service is a person continued so long, but it is only in the case of the public prosecutors. In the interests of general policy also it is necessary that people over 60 years old must be required to retire so as to make room for persons more energetic and more qualified for discharging the duties of the public prosecutor. With these few words, I beg to move this Resolution."

Mr. MUHAMMAD MOOSA SAIT seconded the motion.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, Sir, yesterday there was a question put to me as to how many of the Government pleaders and public prosecutors in this Presidency were over 60 years of age. I excused myself from performing the inquisitorial function sought to be imposed upon me, but even when I did so I felt fairly confident that the number of such persons must be extremely limited. For the satisfaction of the hon. the Mover of this Resolution I may say that great pains are taken in regard to this matter when a name comes up for appointment. The procedure may be thus summarised. The Collector and District Magistrate sends up a list of names in consultation with the District Judge, and so far as I have administered the department in my charge, where the Collector and the District Judge combine in the recommendation, I have rarely interfered, in fact never, on the ground that after all it is the Collector and the District Judge who have to get the help of the local public prosecutor, and it will not do for me here sitting in my room to say that their choice of a particular man is wrong. Therefore I have generally not interfered, in fact till now I have never interfered, where the Collector and the District Judge have concurred in their recommendation of a particular person for the post of a public prosecutor or Government pleader. Sometimes it does happen that the Collector and the District Judge do not agree. Then and only in such cases do I consider the matter myself, take the list of applicants and make the best choice I can in the circumstances. That is the way in which the procedure of the appointment of public prosecutors is regulated. Speaking subject to correction I think that there is only one public prosecutor in the Presidency who is over 60 years now. That is, I think, in the

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Ramnad district, and that was a very particular case. In that matter the Collector and the District Judge were both written to. I got a number of petitions stating that the Collector and the District Judge were both recommending a person over 60 years and requesting that I might prevent it. And on that, I asked them to state whether they had bestowed their attention on the matter—Mr. Arokiaswami Pillai was the gentleman concerned—and if he was not considered quite fit for discharging the duties, they would suggest any other gentleman. I got the reply that he had done splendid work and that it was very difficult to get any other person of the same calibre. On that I accepted the joint recommendation of the Collector and the District Judge. However, I may say this, that there is a rule, an undoubted rule that so far as law officers of the Crown in Madras are concerned, excepting the Advocate-General who derives his office from the Crown, the Government pleader, the public prosecutor and all such functionaries must retire at 60, and that is because they have a permanent job, but the public prosecutors referred to in this motion are appointed for a period of three years and at the end of that period, their fitness for the discharge of the duties comes up again for consideration and decision by the Collector, District Judge and Government. I am therefore unable to accept the Resolution as it is worded that there should be an automatic disability imposed. But I may assure this House that it will be my endeavour, as it had been my endeavour, to see to it that the most efficient men are secured, and I may also say, and I trust that the House will support me in so doing, that it is in the highest degree detrimental to the conduct of the very important duties performed by the public prosecutors that when they are found fit for the discharge of their duties and to conduct cases and when both the Judge and the Collector recommend them, I should nullify their joint recommendation."

Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, I oppose this motion with all the vehemence I can command. I can understand the reasons which have actuated Government in imposing an age-limit in the case of officers in permanent Government service. For Government officers are expected to do a great deal of touring work. They have to spend a great deal of their time out of headquarters in field work, in inspection work and in doing very many things which require certainly physical fitness, robust health and energy. No such age-bar is enforced in the case of public prosecutors or other class of public workers whose activities are purely intellectual and do not necessitate frequent travelling. This motion is far reaching; for an attempt is made not only to introduce an age-bar in the case of public prosecutors but also, as the second part of the Resolution says, to recommend that they should not be continued in their office. Sir, if this age-limit had been in operation in all services, I think, in that case, we could not have availed ourselves of the services of the first President of this Council. What I admired most in him was his intellectual keenness and vigour. The strain of a prolonged sitting, of close attention to the discussions regarding Bills and other important matters in this Council, which was found to be very heavy and taxing even by the younger Members of this Council, did not seem to weigh with him at all. Nothing which took place here, not the slightest whisper, not the slightest divergence from the main subject of any motion seemed to escape him. His rulings were prompt and so very just

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and so very eminently reasonable they were that all of us both officials and non-officials willingly and readily submitted to them. The weight of 60 years and more did not prevent that esteemed gentleman from transferring his services to other spheres of life, did not prevent him from leaving his own country and going to England, to London to enter upon the onerous and responsible duties of a Member of the India Council at the India Office. If this rule were in force in all branches of the Public Services, we should not be having the services of many eminent men. And from what the hon. the Law Member told us just now, as regards these public prosecutors, there is only one gentleman, the public prosecutor of Ramnad, Mr. Arokiaswami Pillai, a poor Indian Christian, who will be affected by the adoption of this Resolution. Mr. Arokiaswami Pillai had a brilliant career at Trichinopoly, had an equally brilliant career in Madras for some time as Professor of Philosophy in the Pashappa's College. He is now practising in Madura, the city from which the hon. Member who has moved this Resolution comes. Sir, that poor man happens to be the only Indian Christian who is a public prosecutor and the very fact that both the Collector and the District Judge of Ramnad recommended him, well aware of the instructions sent out by the hon. the Law Member as one fit for the public prosecutor's place on the ground of the very satisfactory work turned out by him, shows that the man is still in full possession of vigour and energy, and that his intellect is still able to cope with that work which falls ordinarily to the lot of a public prosecutor. I do not know for what reason my friends there want him to be removed from the office. Is it because he is an Indian Christian and stands in the way of others?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Sir, I think my hon. Friend will bear in mind that although I mentioned the gentleman's name, the Resolution itself is perfectly general, and I take it that the Mover and supporters have got no one person in view. I think it is due to my hon. Friend who moved the Resolution to say that."

Mr. S. ARPUDASWAMI UDAYAR :—" Well, Sir, I take it that though the Resolution is worded in quite a general way and does not contemplate any particular case, unfortunately, from the explanation given by the hon. the Law Member it so happens that the only public prosecutor who is 60 years old is that poor Indian Christian."

The hon. the PRESIDENT :—" After the explanation given by the hon. the Law Member and seeing that the hon. Member (Mr. S. Arpudaswami Udayar) has dealt sufficiently with this individual case, I think he need not refer to it any more and may confine his remarks to the merits of the motion."

Mr. S. ARPUDASWAMI UDAYAR (continued) :—" My only intention, Sir, was to say that no real advantage would be derived from pressing this Resolution. There is only one man who will be affected by the passing of this Resolution. That was the object I had in instancing this circumstance. I do not for one moment assert that my hon. Friend who has moved this Resolution has any other but an honourable desire to serve the interests of the country. I will be the very last man to credit him with any sinister purpose. Far from it. Now that the circumstances have been made very clear, and we have the assurance of the hon.

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the Law Member that the appointment is one ceasing every three years and coming on again for reconsideration. I think we may leave it to his discretion that only such men are appointed public prosecutors as have been discharging their duties satisfactorily and as may be recommended by the Collector and District Judge as being quite competent for the work. With these few words, I oppose this Resolution."

Mr. R. VEERIAN:—"Mr. President, I think I am going to have my share and that too, I am very glad, presently. It will be seen from G.O. No. 1390, dated 18th May 1886, as well as G.O. No. 1337 of the year 1890, which deal with the appointment of public prosecutors, that these appointments are made by Government on the nomination of the District Magistrate in consultation with the Sessions Judge. But the Government are not precluded from considering an appointment if they think fit even during the continuance of the period of the appointment. If we go to the bazaar, we select wholesome fruits, but not unwholesome fruits. So also in the case of the selection of public prosecutors, the District Judge may select only capable and clever men from among the members of the bar, but not incapable men. Take the case of Mr. Eardley Norton, who is above 60 years. Can we apply that principle, Sir? I do not think we can, because, in that case, even justice will fail. I think, Sir, discretion is given to the District Magistrate and the Sessions Judge in the matter of nomination and I do not see any reason why we should deprive them of that. It is for them to see whether capable men can be secured or not. My hon. Friend pointed out that in the case of High Court Judges there is restriction of age. That is true, Sir, but High Court Judges are officials and they get their pension after retirement; whereas in the case of public prosecutors they do not get any pension. Their appointment is only for three years and therefore they should be treated differently. With these few words, Sir, I want to oppose this Resolution."

Diwan Bahadur P. KESAVA PILLAI:—"I am tempted to say a few words, Sir, because this figure '60' is put in here. Yes, I am 63 years old. I was sent out by you all to South America. I went there and did the business very well (hear, hear) and I think I am more attentive to and more assiduous in my duties than my hon. Friend, Mr. Abbas Ali (laughter). I do not think that the question of age should be introduced into the case of these advocates. There are any number of advocates in the mufassal who are above 60 and yet they are making a lot of money. But I say this much. In certain places these prosecutorships have been conferred upon certain people as permanent patta . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, as a matter of personal explanation, I may say this. I have made it a rule to call on the District Magistrate to explain the reasons why he recommends any person for a second time."

Diwan Bahadur P. KESAVA PILLAI:—"I am so glad to hear, Sir, that the hon. the Law Member is inaugurating a new and wholesome policy. But I have known in several districts where competent Muhammadan gentlemen and other people could be had, somehow or other they are overlooked. Evidently there is discontent in that group (the Muhammadan group), because no Muhammadans are appointed as public prosecutors."

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I have known competent Muhammadan legal practitioners who could have been given this place and yet, somehow or other, the District Magistrates and the District Judges also . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Again, Sir, as a matter of personal explanation, I propose, having realized the intensity of feeling on this matter, to circularize the District Magistrates with regard to the subject referred to by my hon. Friend."

Diwan Bahadur P. KESAVA PILLAI:—"I am very glad, Sir, and the House will be gratified also, to learn that from the hon. the Law Member, and I am sure that he will follow it up vigorously and see that more vigorous people are appointed to these posts. I do not mean people who are vigorous like me (laughter). Some people have been continuing as public prosecutors for decades, creating much discontent among the more capable who are to be found in the local bars. I hope he will carry out his policy and see that some of these fixtures are weeded out and better men put in, and that especially the interests of the Muhammadans—of course Mr. Abbas Ali will be satisfied with that—will be carefully guarded by the hon. the Law Member."

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, Mr. President, after the assurance given by the hon. the Law Member, I would request my Friend, Mr. Abbas Ali Khan, to withdraw his Resolution. If my hon. Friend is discontented that Muhammadans are not appointed as public prosecutors, there is a Resolution coming on below that four Muhammadans should be appointed as public prosecutors. I would request the hon. the Law Member to note that that is a real grievance of the Muhammadans and that their proportionate share should be given to them. In fact, they are within the communal limits when they ask for four public prosecutorships, that is, their 15 per cent. So I would request the hon. the Law Member at least to give the matter his favourable consideration, so that my hon. Friend, Mr. Abbas Ali Khan, may withdraw his Resolution."

Mr. ABBAS ALI KHAN:—"Mr. President, when I moved my Resolution I had not in view any particular district or particular public prosecutor at all."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am absolutely sure of that. The only point that I was pressing was that, so far as I knew from circumstances which were brought to my knowledge there was one case in which objections were presented to me."

Mr. ABBAS ALI KHAN:—"My point is that in this Presidency there is a large number of public prosecutors who are 60 and above. My own experience of the matter is, once a public prosecutor, always a public prosecutor. I challenge the hon. the Law Member to show me one case where a public prosecutor was sent out after three years."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I think it was done in two cases."

Mr. ABBAS ALI KHAN:—"I have seen public prosecutors of 40 and 56 years of standing."

Mr. M. RATNASWAMI:—"What was his age in the last case?"

Mr. ABBAS ALI KHAN:—"He was 76 and he was at Cuddapah."

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Rai Bahadur T. M. NARASIMHACHARLU :—" I am not quite sure whether my hon. Friend is right in saying that that gentleman has completed 56 years of service as a public prosecutor."

Mr. ABBAS ALI KHAN :—" Before the Public Prosecutors Act came into force, they were known as court inspectors. This gentleman was originally court inspector and then he was appointed public prosecutor and on the whole he has continued there for 56 years. Ever since this Act came into force, the Muhammadans have been denied their share in the Judicial department. It is a distressing fact that the hon. the Law Member, who is known for his liberal and broad views, should say that he will not hold out the assurance that Muhammadans will be engaged, or that the 60 years' rule will be enforced. If I have misunderstood his statement, I withdraw my remarks. The Muhammadans feel strongly on the point. There are a number of capable Muhammadan vakils, barristers and lawyers all over the Presidency. The Collectors and District Judges are transferred from district to district every three years. If my Friend Mr. Satyamurti should go to Madura or elsewhere, the police at once go to him and watch him, however clever he may be. Even if he be a leading lawyer, when he is passing by, the police get upset. The result is the Collectors are governed more by their Sarishtadars or by the police officers, and so the appointment of public prosecutors. . . ."

Mr. E. W. LEIGH :—" I should protest, on behalf of the Revenue Department, Sir, against the statement that Collectors are governed by the police."

Mr. ABBAS ALI KHAN :—" Very often, Sir, prosecutions are launched with the connivance of Collectors. The hon. Member himself, having been a Collector, must have given sanction for so many prosecutions. I have seen in my own practical experience that it is very difficult for Muhammadans to get these appointments if they are not in the good graces of the local authorities. I would, therefore, request the hon. the Law Member to give us an assurance that he is going to circularize on the matter. After all what we ask for is a very small thing. When a man is 60 years old, he may be discontinued as a public prosecutor. Even then he can practise privately if he wants. In this way an opportunity may be given to the Muhammadans also to get these appointments. They have got the stamina, the grit and the legal acumen as much as others. Supposing Sir Muhammad Habib-ul-lah was not appointed as an Executive Councillor on the ground that he is not a Barrister, or a B.A., B.L., then we would have lost his services. Everybody knows that Sir Muhammad Habib-ul-lah, even though he may not have all the qualifications, is yet a valuable acquisition to this House."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Hear, hear."

Mr. ABBAS ALI KHAN :—" I therefore say that because he was given an opportunity, he has shown to the world what stuff he is made of. Why should Muhammadans be denied the opportunity of showing that they are also equal to the task? I am very sorry, Sir, if I have introduced any heat into this debate in spite of myself, and I withdraw the Resolution on the assurance of the hon. the Law Member."

The Resolution was by leave withdrawn.

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REMISSION OF ASSESSMENT IN AREAS AFFECTED BY FLOODS

Mr. B. MAHABALA HEGDE :—" Mr. President, I move the following Resolution which stands in my name :—

That this Council recommends to the Government that in view of the destruction of the first crop by the recent floods and of the scarcity of water for the existing second crop, remission of assessment to the extent of two-thirds may be ordered on all wet lands yielding second crop whereon the first crop was destroyed by the floods.

Before going to the facts of this case, I beg to offer a few remarks. Of course, when I sent in this Resolution, I had sent certain other Resolutions also along with this wherein I had specifically stated that they referred to South Kanara, but in this particular Resolution, by an oversight, the words 'South Kanara' were omitted. However, my intention was to make it applicable only to South Kanara."

The hon. the PRESIDENT :—" I am sure the House will not object to the hon. Member adding words 'restricting the motion to South Kanara.'

Mr. K. PRABHAKARAN TAMPAN :—" I should like to propose that 'Malabar' also should be added, Sir."

The hon. the PRESIDENT :—" The hon. Member can speak later on."

Mr. B. MAHABALA HEGDE :—" Since this is the only Resolution which has been balloted for to-day, the fact that the words 'South Kanara' were omitted by a slip of the pen is apparent. Personally, I have not the slightest objection to apply this Resolution to Malabar, etc., but I am not in a position to submit facts and figures with regard to other districts. So, Sir, my remarks will apply only to South Kanara district.

"Now, I have to make one observation with reference to the Resolution.

The hon. Mr. Graham visited some areas affected by the floods, and I had the honour of going with him. As a result of that visit Government Order, i.e., G.O. Mis. No. 1577, Revenue, dated 22nd October 1923, was passed. The Order is this :

"In view of the unprecedented nature of the calamity, the Government are pleased to allow remission of assessment in the South Kanara district under paragraph 4 of S.O. 14 during the current fasli as a special case.

"2. The following proposals of the Collector are approved :—(i) to allow no remission in the case of 'Patla' and first-class wet lands unless they come under the terms of clause (iii) of this paragraph; (ii) to allow remission in respect of 'Mogaru' lands which have lost their only crop owing to floods."

and so on. In this connexion, I have to make an explanation. 'Mogaru' lands are lands which yield only one crop. These lands lie between the rivers and the first-class fields lying towards the landside. Such lands, in the Mangalore taluk only, are specifically called 'Mogaru' lands. But there are similar lands in other taluks with only one crop, but they are known by different names in different taluks, as 'Patla' and such other names. This Government Order grants remission only to 'Mogaru' lands. But the Collector's office understood that other lands yielding only one crop in the other taluks were excluded by the addition of the word 'Mogaru' in the

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Government Order. This is evident from the circular issued by the Collector under instructions from the Board of Revenue. The Circular runs as follows:

'Under G.O. No. 1577, Revenue, dated 22nd October 1923, remissions are admissible only in the following two cases:—

'(a) "Patla" and first-class wet lands are entitled to remission only if the area affected by the floods has been rendered unfit for any kind of cultivation during the fasli owing to the deposit of sand or silt, provided that the area affected is not less than one acre in each survey field or recognized subdivision. Where however a recognized subdivision measures less than one acre, remission may be granted on the entire subdivision if wholly affected.'

"Then the second clause, which is most important, runs thus:

'(b) "Mogaru" lands which have lost their only crop owing to floods are entitled to remission subject to the proviso as to area mentioned in clause (a) above. The expression "any kind of cultivation" includes not only paddy cultivation but also cultivation of dry crop. "Mogaru" lands under clause (b) above do not include II class wet lands registered as single crop lands and III class wet lands.'

"So it is very significant that II class wet lands registered as single crop and III class wet lands, are specifically excluded in the above Collector's circular subsequent to the Government Order. Therefore, I submit that it is a grievance and that when 'Mogaru' lands are given the benefit of remission, it is understandable why III class wet lands which yield only one crop should have been excluded.

"With these preliminary remarks, I wish to bring certain facts and figures to the notice of this House. The lie of South Kanara, as some hon. Members may be aware, is unlike other districts in the Presidency. It is a narrow strip of land lying between the Western Ghats and the Arabian Sea, about 150 miles long. All along it is intercepted by many rivers which you find flowing for not over 50 or 60 miles. The rivers take their source from the Western Ghats. These rivers were greatly flooded, and most of the fields affected by the floods are fields lying alongside the banks of these rivers. In South Kanara most of the valuable lands are lying close to those rivers. As to the nature of the flood itself, I need not dilate very much as it is universally known that it is one of the biggest floods that South Kanara ever experienced. In some places, the flood rose to a very great height, over 25 or 30 feet above the ordinary flood level with the result that in Mangalore, Bantwal and Uppinangadi taluks the floods did great havoc. In the four other taluks the floods lasted one or two days, and the destruction was mostly with regard to houses. But the greatest havoc was done in the three taluks through which the Netravathi river flowed, namely, Mangalore, Uppinangadi and Bantwal referred to above

"As for the extent of the damage done I beg to bring to the notice of the House and also to the notice of the Government certain facts and figures, and I would request the Government to note that the remission we ask for is only a very small proportion as compared to the total revenue of the district. The total extent of I class land, yielding a second crop, and whereon first crop was destroyed is 2,134 acres in the whole district; II class lands 1,890 acres; III class lands 380 acres; garden lands 10.67 acres. Here, I may say that I got these figures from the Collector's office, and perhaps the Government may not have these details at present. I applied to the Collector for them, and the local revenue authorities took great trouble to get ready

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these figures for me. The extent of lands rendered unfit on account of silting is as follows:—

							ACS.
First-class lands	..	..	..	..	..	..	352
Second-class "	..	..	..	..	..	..	431
Third-class "	..	..	..	..	..	..	307
Garden lands ..	..	..	..	..	..	..	13
Dry lands ..	..	..	..	..	..	..	24
Total ..							1,129

This Resolution covers only the case of all wet lands yielding second crop, whereon the first crop was destroyed by the floods. As I said already, at the time of tabling this Resolution I did not know that the third-class wet lands and the second-class wet lands other than the 'Mogaru' lands have been excluded by the Collector's circular. Therefore it is that I did not include those lands in my Resolution. But there is a Resolution tabled by my hon. Friend Mr. Rama Rao which covers these cases, viz., Resolution No. 31.

"Calculating at Rs. 6 per acre, the remission that I ask for will come to about Rs. 19,000, in the whole district for the first and second class two-crop lands besides the remission under the Government Order already quoted by me.

"Government may reply that considerable relief has already been granted, viz., bamboos at cost price and loans to the extent of 2 lakhs at 4 per cent interest. The few ryots that went in for loans did so to reconstruct only their fallen houses. I know that bamboos were mostly given for the relief of the abject poor who were not dependent either on the landlord or anybody else. Houses destroyed in the district number 12,360; valued at Rs. 8,55,000 and movable property worth Rs. 7 lakhs and odd. So I request that Government will be pleased to allow remission of assessment to the extent that I claim."

Rao Sahib U. RAMA RAO:—"Mr. President, Sir, I beg to second this Resolution moved by my hon. Friend Mr. Hegde. In doing so, I do not want to take up the time of this House at this late hour, but I may be permitted to move my amendment to this Resolution which is on the paper so as to specifically restrict it to the South Kanara district."

The hon. the PRESIDENT:—"I think the hon. Member in seconding a motion cannot move an amendment. The order of business requires that the motion should first be moved and seconded, and then any amendment may be moved."

Mr. J. A. SALDANHA:—"In that case, I will second the Resolution."

The hon. the PRESIDENT:—"The Resolution has been moved and seconded. The hon. Member Mr. Rama Rao may now move his amendment if he likes."

Rao Sahib U. RAMA RAO:—"I beg to move my amendment, which is, after the word 'floods' in line 2, insert the words 'in the South Kanara district.'"

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Mr. K. PRABHAKARAN TAMPAN :—" I second it."

The hon. the PRESIDENT :—" Does the hon. the Mover of the Resolution accept the amendment ?"

Mr. B. MAHABALA HEGDE :—" Yes, Sir."

The hon. the PRESIDENT :—" The amendment is accepted by the Mover and the Resolution as amended is now before the House."

Mr. K. PRABHAKARAN TAMPAN :—" May I make a further amendment to this Resolution, Sir, to include Malabar also ?"

The hon. the PRESIDENT :—" I understand the hon. Member proposes that the words 'and Malabar' also be added after the words 'South Kanara'. In that case, I would first of all wish to know whether the House gives leave to the hon. Member to move such an amendment without notice."

(A voice :—" No.")

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I desire, Sir, to raise a point of order, because this is of some importance. My point of order is shortly this : I may at once say that I am not unalive to the conditions in Malabar. This is a motion, I take it, relating to the conditions of South Kanara. It is intended so to be. But unfortunately it is not so worded. If the intention is to apply it only to the conditions of the South Kanara district, we cannot have Malabar also added on by another amendment. Otherwise, Bellary, Cuddapah or Anantapur might follow next."

Mr. M. RATNASWAMI :—" Bellary is not affected by floods."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Tinnevely, for instance."

The hon. Rao Bahadur Sir A. P. PATRO :—" Also Ganjam."

Mr. K. PRABHAKARAN TAMPAN :—" Sir, notice of Resolutions for the remission of assessment on lands destroyed by floods has already been given. My request is that as this Resolution has come up now, and as there is no chance for the other Resolutions to be taken up for consideration here, this opportunity might be availed of to include Malabar also which has been affected by floods."

The hon. the PRESIDENT :—" I should like first to dispose of the point of order before the hon. Member is allowed to proceed."

Mr. E. W. LEGH :—" Sir, since land tenures in South Kanara and Malabar districts are quite different, if the two districts were to go together, it would be quite impossible to give one answer to the Resolution."

The hon. the PRESIDENT :—" I thought that would be the difficulty. Anyhow, apart from the point of order raised by the hon. the Law Member, the House, I think, may very rightly say whether it will allow the introduction of this amendment without notice at this stage. (Voices of 'No.' and 'Yes'.) I take it some hon. Members are disposed to allow it, while others not. As the Revenue Secretary said, I think it is not possible to deal with this motion adequately by including both South Kanara and Malabar districts. On that ground, I rule out the amendment."

Diwan Bahadur M. KRISHNAN NAYAR :—" I am not rising to say anything on this Resolution, Sir. But I may ask if it is your intention and that of the House to stop the debate at 5."

The hon. the PRESIDENT :—" We should ordinarily stop at 5 p.m."

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Mr. E. W. LEGH :—" Sir, I will not take more than just a couple of minutes to explain the views of the Government in regard to the Resolution moved by my hon. Friend Mr. Hegde. I take it that it is possible that many of the hon. Members of this House would not have personally gone to South Kanara that they may have been in possession of first hand knowledge about the conditions of land tenure there. As a general rule the circumstances are so arranged that under ordinary circumstances there is no remission granted. But the particular circumstances of South Kanara are peculiar and the hon. Member Mr. Graham went down to South Kanara, and Mr. Turing was also there and they have sent up proposals most of which had been accepted by the Government and orders have been passed. But I may also inform the House that since then the Government have written to the Collector for fuller explanation on some points and I dare say that as the hon. the Mover has pointed out it is not quite easy to understand the circumstances without knowing personally about the system existing in South Kanara. It is quite possible that the orders which we issued did not cover all the cases contemplated by this recommendation but I may tell the House that all the recommendations made by the Collector are receiving very careful considerations in the hands of the Government and that they will have full attention bestowed before orders are passed."

Mr. B. MAHABALA HEGDE :—" The unfortunate district has suffered a great damage ; for, crops on 5,000 and odd acres have been fully lost. The Government Order recognizes 'the unprecedented nature of the calamity'. There was a lot of discussion on account of the Board's Standing Order subsequently issued because under that circular, III class wet lands and the II class wet lands have been excluded by the Collector from the advantage of the remission. These lands have absolutely no sources of water except rain and if the poor people raise a catch crop at all it is by baling water throughout. I submit therefore that it is extremely unjust on the part of the subordinate officers in South Kanara to have taken these catch crops into consideration. *Mogaru* lands called so in Mangalore and which yield only one crop and II and III class wet lands, ought to be given total remission."

"After all the total remission covered by the Resolution would not come to more than Rs. 19,000. The total extent of the wet land in the district is 502,419 acres and it is only about 5,000 and odd acres that have been lost. As a matter of fact the people are very hard pinched on account of scarcity of water and it is likely that the second crop also will be destroyed as the late rains failed. Under these circumstances I submit that the Government will be kind enough to meet us half way and win the affection of the ryots."

The hon. the RAJA OF KOLLENGODE :—" The questions raised by the hon. the Mover of this Resolution are under consideration and are in correspondence with the Collector. The Government fully recognize the uncommon circumstances of the district and they realize that extraordinary measures are necessary and are prepared to do what they can. Any representation coming from the Collector will be considered most sympathetically. I may mention that I am also visiting the district and I propose to see the people and to confer with the Collector ; I may assure you that I shall

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be able to come to some satisfactory conclusion. I hope that with this assurance the hon. the Mover will be satisfied and be pleased to withdraw the Resolution."

Mr. B. MAHABALA HEGDE:--"On the assurance given by the hon. the Revenue Member, Sir, I beg leave to withdraw the motion."

The motion was then by leave of the House withdrawn.

The House then adjourned at 5-10 p.m. to meet again at 11 a.m. on Tuesday, the 4th day of March 1924.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.



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merits. But I am raising the point of order in the interests of the quick and regular despatch of business in this House. If my wishes have anything to do in this matter and if the non-official Members agree, non-official business may be taken to-morrow, and nothing will please me better, for there are many resolutions on the Agenda. If it is the opinion and wish of the House that we should go on with any official business to-day, and that we should sit to-morrow and dispose of the non-official business, there is no objection, subject to your ruling."

The hon. Mr. O. P. RAMASWAMI AYYAR:—"Mr. President, if I may say so, I have very great pleasure in agreeing with my hon. friend Mr. Satyamurti (hear, hear) in regard to this matter. Although during this particular Session we have not agreed very often, I am very pleased to be in agreement with him now. I think that the point of order he has raised is correct."

Diwan Bahadur M. KRISHNAN NAYAR:—"I want to know, Sir, if we can come to an arrangement in this sitting here, anticipating the sanction of His Excellency, as it is after all left to His Excellency to allot another day for the transaction of non-official business. Can we sit here to-morrow without the sanction of His Excellency for the transaction of non-official business? It is left to you, Sir, after hearing the hon. Members on the Government Front Bench to decide this matter."

The hon. Sir ARTHUR KNAPP:—"With all respect, may I say, Sir, that, now that a point of order has been raised, it would be more satisfactory to the Government Bench that you should give a ruling on the point? I do not think any question of arrangement comes in, as the hon. Member has raised a point of order."

Mr. S. SATYAMURTI:—"On the point raised by Mr. Krishnan Nayar, may I suggest, Sir, that it is the function of His Excellency the Governor to allot non-official days, but it is your function to say which shall be the non-official days. And if you take note of the time spent on questions and answers this morning and the official business to be done to-day and if you care to allot to-morrow as the non-official day, I do not think, subject to your ruling, that the Rules or Standing Orders will be against it. His Excellency has not stated to us that this day shall be the non-official day, and it is for you to fix that day."

The hon. the PRESIDENT:—"I am very much obliged to the several hon. Members for signifying to me their wishes in the matter, because I think that in any ruling given on a matter like this it would be best that I should have with me the general sentiment of the House. I understand the House wishes to reckon the day allotted for non-official business from the time at which the hon. Sir Arthur Knapp's motion will have left the hands of the House. It means that we shall sit for either a part or the greater part of to-morrow. So far as I am concerned, I am quite willing to adjourn the business when we have come to the close of the debate to-day and go on to-morrow as long as it may be necessary to carry out that understanding."

The hon. Sir ARTHUR KNAPP:—"May I, Sir, again, with all respect, point out that the point raised is not that I am not in order in moving this grant, but that at the present moment non-official business should have precedence over other business, and I would ask you, with all respect, to give a ruling on that point of order."

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The hon. the PRESIDENT:—"I am quite clear that to-day non-official business would have precedence provided we were agreed as to its being the non-official day. But, perhaps, I ought to take the House back a little into past history in order to understand this particular issue. The House is aware that the arrangement about the days for non-official business in our Council is not exactly the same as that, for instance, in the Legislative Assembly. There certain days are appointed for non-official business, whereas here the understanding arrived at between His Excellency the Governor and my predecessor was that a certain number of days should be allotted for the session and that it should be within the discretion of the President to work up to that total, and he worked up to a total of six days. In fact we sat for non-official business, according to his reckoning, for a little over six days if not for quite seven days. On the same principle, I think it is open to me to work out this additional day and I would be justified in beginning the day somewhat later—as I said, as soon as the motion to be made by the hon. Sir Arthur Knapp has left the hands of the House. And so the question of precedence does not arise because the non-official business has not yet commenced."

The hon. Sir ARTHUR KNAPP:—"I do not wish to argue the matter further. Probably I am labouring under a slight misunderstanding. I understood the announcement made yesterday—I was not present then—was that to-day, Friday, had been assigned by His Excellency for non-official business, and it is on that ground that my hon. Friend's point of order was raised."

The hon. the PRESIDENT:—"I added 'provided that the Government business has come to an end by that time.'"

The hon. Sir ARTHUR KNAPP:—"I was not present then, Sir."

Demand for Grant I was then taken up.

The hon. Sir ARTHUR KNAPP:—"Sir, I beg to move

that the Government be granted an additional sum of Rs. 17,200 under Land Revenue Department for the grant of special pay to Deputy Collectors employed on settlement work and revision of adangals.

"This demand, Sir, is on all fours with the one which I had the honour to make the day before yesterday in this Council in connexion with the allowances to Survey Officers inasmuch as it represents a sum which was cut out of the Budget last March, but which the Government were anxious to bring again before the Council. They decided not to press it until they had the opinion of the Retrenchment Committee upon it. I do not think it will be necessary for me to explain in detail to this House the reasons why the Government regard the grant of these allowances as a matter of considerable administrative importance. I am quite aware that there are a certain number of hon. Members in this House who were not present at the meeting of March last when my predecessor, Sir Muhammad Habib-ul-lah, explained the whole position in very considerable detail. But at present I prefer to take my stand on the simple position that the Retrenchment Committee has, after the most careful and exhaustive enquiry, deliberately recommended the grant of these allowances under class 3, i.e., 'because of the arduous nature of the work.' As I said the other day, I do not for a moment suggest that this House is bound to accept the recommendations of the Retrenchment Committee as a whole, but I do say that from what we know of the manner in which they conducted their inquiry and the amount of