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TO THE

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PERSONNEL OF THE GOVERNMENT OF MADRAS.

Governor of Madras.

His Excellency the Rt. Hon. Sir FREEMAN FREEMAN-THOMAS, BARON WILLINGTON 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 port-folios:—

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. Mr. ARTHUR ROWLAND KNAPP, 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 port-folios:—

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 port-folios :—

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 port-folios :—

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 port-folios :—

Adulteration of foodstuffs.
Local.
Medical.
Municipal.

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

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

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 port-folios :—

Agriculture.
Co-operative Societies.
Fisheries.

Industries.
Veterinary.
Weights and Measures.

PRINCIPAL OFFICERS OF THE MADRAS LEGISLATIVE COUNCIL.

President.

The hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E.

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.

Diwan Bahadur L. D. SWAMIKANNU PILLAI, I.S.O.

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 Ghattala 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. Bhanaji 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.)
21. Davis, J. A. ...	NOMINATED for Anglo-Indians.

Name of member.	Name of constituency.
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. Gangeraju, M. ...	Kistna N.-M. Rural.
26. Gopala Menon, C. ...	S. I. Chamber of Commerce.
27. Gopalan, P. ...	NOMINATED for Mukkuvans or Fishermen.
28. Guruswami, L. C. ...	NOMINATED for Arundhateyas.
29. Kesava Pillai, Diwan Bahadur P. (Deputy President).	Anantapur N.-M. Rural.
30. Khalif-ul-lah Sahib, Khan Bahadur P.	Madura cum Trichinopoly M. Rural
31. Knapp, C.S.I., C.B.E., I.C.S., the Hon'ble Mr. A. R.	EX-OFFICIO.
32. Koti Roddi, K. ...	Cuddapah N.-M. Rural.
33. Krishna Rao Pantulu, Rao Bahadur A. S.	Nellore N.-M. Rural.
34. Krishnan Nayar, Diwan Bahadur M. (Chairman).	Malabar cum Anjengo N.-M. Rural.
35. Krishnaswami Nayudu, Rao Bahadur K.	North Arcot N.-M. Rural.
36. Kuppuswami, J. ...	Guntur N.-M. Rural.
37. Leech, Arthur J. ...	Madras Chamber of Commerce.
38. Legh, E. W. ...	NOMINATED. (Secretary to Government, Revenue Department.)
39. Madhava Raja, V. ...	Malabar cum Anjengo N.-M. Rural.
40. Madhavan Nayar, C. ...	NOMINATED. (Advocate-General.
41. Madurai, Hony. Lt. ...	Do. for Adi-Dravidas
42. Mahabala Hegde, B. ...	South Kanara N.-M. Rural.
43. Mallesappa, T. ...	NOMINATED for Lingayats.
44. Marakkayar, V. Hamid Sultan.	Tanjore M. Rural.
45. Marthandam Pillai, P. N. ...	Tinnevely N.-M. Rural.
46. Maruthavanam Pillai, C. ...	Tanjore N.-M. Rural.
47. Mathai, Dr. John ...	NOMINATED. (Professor of Economics, Presidency College, and University Professor of Economics.
48. Moidu Sahib, T. M. ...	Malabar cum Anjengo M. Rural.
49. Moore, P. L. ...	NOMINATED. (Secretary to Government, Local Self-Government Department.)
50. Moosa Sait Sahib, Muhammad ...	Madras M. Urban.
51. Muhammad Sahib Bahadur, T. N.	Ramnad cum Tinnevely M. Rural.
52. Muniswami Nayudu, B. ...	Chittoor N.-M. Rural.
53. Murugappa Chettiyar, Rao Bahadur A. M. M.	Nattukottai Nagarathars.
54. Muttayya Mudaliyar, S. ...	Tanjore N.-M. Rural.
55. Muttaya Mudaliyar, C. ...	Chingleput N.-M. Rural.
56. Muttu Chettiyar, P. C. ...	Ramnad N.-M. Rural.
57. Narasimhacharulu, Rai Bahadur T. M.	Cuddapah N.-M. Rural.

Name of member.	Name of constituency.
58. Narasimha Raju, Rao Bahadur, C. V. S.	Vizagapatam N.-M. Rural.
59. Narayanan Nambudripad, O. M.	NOMINATED for Nambudiris.
60. Natesa Mudaliyar, Rao Bahadur C.	Madras N.-M. Urban.
61. Nicholson, C. ...	Madras Trades.
62. Obalesappa, B. ...	NOMINATED for Barbers.
63. Paddison, G. F., C.S.I., I.C.S. ...	Do. Commissioner of Labour and Protector of the Depressed classes.
64. Pantulu Ayyar, V. alias Venkatarama Ayyar.	Tanjore N.-M. Rural.
65. Partridge, P. W. ...	Madras European.
66. Patro, The Hon'ble Rao Bahadur A. P. (Minister).	Ganjam N.-M. Rural.
67. Peddiraju, P. ...	Kistna N.-M. Rural.
68. Pethachi Chettiyar, Diwan Bahadur S. Rm. C. T.	Trichinopoly N.-M. Rural.
69. Ponnuswami Nayudu, C. ...	Madura N.-M. Rural.
70. Ponnuswami Pillai, K. S. ...	NOMINATED for Protestant Christians.
71. Prabhakaran Thampan, K. ...	West Coast Landholders.
72. Premayya, G. ...	NOMINATED for Adi-Andhras.
73. Raghuchandra Bellala, A. K. ...	Do. for Jains.
74. Raja of Kollengode, The Hon'ble the.	EX-OFFICIO.
75. Raja of Kurupam ...	Northern Landholders I.
76. Raja of Panagal, The Hon'ble the (Minister).	North Central Landholders.
77. Raja of Ramnad (Chairman) ...	Southern Landholders.
78. Rajan, P. T. ...	Madura N.-M. Rural.
79. Rajappa Tevar, P. S. ...	NOMINATED for Kellars.
80. Rama Rao, Rao Sahib U. ...	South Kanara N.-M. Rural.
81. Raman, Rao Bahadur P. ...	NOMINATED for Tiyyas.
82. Ramachandra Reddi, B. ...	Nellore N.-M. Rural.
83. Ramachari, K. V. (Chairman) ...	Madura N.-M. Urban.
84. Ramalinga Chettiyar, Rao Bahadur T. A.	Coimbatore N.-M. Rural.
85. Ramalinga Reddi, C. ...	Chittoor N.-M. Rural.
86. Ramaswami Ayyar, The Hon'ble Mr. C. P.	EX-OFFICIO.
87. Ramaswami Mudaliyar, A. ...	Chingleput N.-M. Rural.
88. Rameswara Rao, G. ...	Anantapur N.-M. Rural.
89. Ranganatha Mudaliyar, A. ...	Bellary N.-M. Rural.
90. Ratnaswami, M. (Chairman) ...	Central Districts Indian Christian.
91. Rencontre, A. E. ...	Anglo-Indian.
92. Roche Victoria, J. L. P. ...	NOMINATED. (Special Member for the Tuticorin Port Trust Bill.)
93. Sagaram, P. ...	NOMINATED for Setti-Balijas.
94. Saldanha, J. A. ...	West Coast Indian Christian.
95. Samuel, J. D. ...	Northern Circars Indian Christian.
96. Sarabha Reddi, K. ...	Kurnool N.-M. Rural.

7

PROCEEDINGS OF THE MADRAS LEGISLATIVE COUNCIL.

OFFICIAL REPORT.

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

VOLUME XV.

Monday, 26th November 1923.

The House met at 11 o'clock, the President (the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E.) in the Chair.

I
NEW MEMBERS.

The following hon. Members were sworn in :—

The hon. the Raja of Panagal.
" Rao Bahadur A. P. Patro.
" Diwan Bahadur T. N. Sivagnanam Pillai.
Rao Bahadur Chinnakavanam Natesa Mudaliyar.
" Tiruppur Angappa Chettiyar Ramalinga Chettiyar.
Mr. Cattamanchi Ramalinga Reddi.
Rao Bahadur Amanoharla Subba Krishna Rao Pantulu.
" Chintalapati Venkata Surya Narasimha Raju.
Mr. Coimbatore Venkatesa Ayyangar Venkataramana Ayyangar.
" E. W. Legh.
" Chettur Madhavan Nayar.
" John Mathai.
" P. L. Moore.
" G. F. Paddison.
" H. Tireman.
" Pillalamarri Anjaneyulu Pantulu.
" Mothey Gangarazu.
Rai Bahadur Thaiyar Madabushi Narasimhacharlu.
Mr. Penumatsa Peddiraju.
" Maganti Sektayya.
" Cecil Ralph Townshend Congreve.
" J. A. Davis.
" Arthur John Leech.
" Leslie Charles Nicholson.
" Percival Walter Partridge.
" Albert Edward Rencontre.
" Ramanuja Srinivasa Ayyangar.
" Sami Venkatachalam Chetti.
" Pusipati Cumara Venkatapathi Razu.
" Arcot Ranganatha Mudaliyar.
" Pulamati Siva Rao.
" Charles Edgar Wood.
" Sreemantha Raja Yarlagadda Ankinedu Prasad Bahadur.

Name of member.	Name of constituency.
97. Sarvarayudu, K.	Kistna N.-M. Rural.
98. Satyamurti, S.	Madras University.
99. Seetayya, M.	Kistna N.-M. Rural.
100. Seturatnam Ayyar, M. R. ...	Trichinopoly N.-M. Rural.
101. Sitarama Reddi, K.	South Arcot N.-M. Rural.
102. Siva Rao, P.	Bellary N.-M. Rural.
103. Sivagnanam Pillai, The Hon'ble Diwan Bahadur T. N. (Minister).	Tinnevelly N.-M. Rural.
104. Srinivasan, R.	NOMINATED for Adi-Dravidas.
105. Srinivasa Ayyangar, R. ...	South Arcot N.-M. Rural.
106. Subbarayan, Dr. P.	South Central Landholders.
107. Subramania Pillai, K. Chavadi...	Tinnevelly cum Palamcottah N.-M. Urban.
108. Sundaramurti, P. V. S.	NOMINATED for Adi-Dravidas.
109. Suryanarayanamurti Nayudu, Diwan Bahadur K.	Cocanada N.-M. Urban.
110. Tangavelu Pillai, Rao Sahib, T. C.	Trichinopoly cum Srirangam N.-M. Urban.
111. Thanikachalla Chettiyar, Rao Bahadur O.	Madras N.-M. Urban.
112. Tireman, H.	NOMINATED. Chief Conservator of Forests.
113. Todhunter, K.C.S.I., The Hon'ble Sir Charles.	EX-OFFICIO.
114. Tyagaraya Chetti, Kt., Diwan Bahadur Sir P.	Madras N.-M. Urban.
115. Uppi Sahib, K.	Malabar cum Anjengo M. Rural.
116. Veeraiyan, R.	NOMINATED for Adi-Dravidas.
117. Vellingiri Gounder, V. C. ...	Coimbatore N.-M. Rural.
118. Venkatachala Padayachi, K. ...	South Arcot N.-M. Rural.
119. Venkatachalam Chetti, S. ...	Madras N.-M. Urban.
120. Venkata Reddi Nayudu, Rai Bahadur Sir K.	Godavari N.-M. Rural.
121. Venkataramana Ayyangar, C. V.	Coimbatore N.-M. Rural.
122. Venkataranga Reddi, Rao Bahadur C.	Kurnool N.-M. Rural.
123. Venkatapathi Razu, P. C. ...	Vizagapatam N.-M. Rural.
124. Venkatratnam, B.	Godavari N.-M. Rural.
125. Vijayaraghava Mudaliyar, W. ...	North Arcot N.-M. Rural.
126. Virappa Chettiyar, Rao Bahadur P. K. A. C. T.	Ramnad N.-M. Rural.
127. Wood, C. E.	Madras Chamber of Commerce.
128. Yahya Ali Sahib, Janab Muhammad.	East Coast M. Rural.

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Mr. C. Dharmalinga Chettiyar Appavu Chettiyar.
 „ Hoobbatalai Belli Gowder Ari Gowder.
 „ Savarimuthu Udaiyar Arpudaswami Udaiyar.
 „ P. K. S. A. Arumuga Nadar.
 „ T. Adinarayana Chettiyar.
 „ C. Gopala Menon.
 „ C. Marudavanam Pillai.
 Rao Sahib Udipi Rama Rao.
 Mr. Garladinna Rameswara Rao.
 „ A. V. Bhanaji Rao.
 „ Arumuga Nadar Chidambara Nadar.
 „ J. N. Devendrudu.
 Rao Sahib Sankara Chettiyar Ellappa Chettiyar.
 Mr. M. Rangaratnam Ayyar Seturatnam Ayyar.
 „ V. Venkatarama Ayyar *alias* Pantulu Ayyar.
 „ Bikkina Venkataratnam Garu.
 Diwan Bahadur Sir Pitti Tyagaraya Chettiyar, *Kt.*
 Rao Bahadur Paidupati Cooresooloo Nayudu Etirajulu Nayudu.
 Cruz Fernandez.
 Mr. P. Gopalan.
 „ L. C. Guruswami.
 „ B. Mahabala Hegde.
 „ K. Koti Reddi.
 Bhaskara Raja Rajeswara Setupati *alias* Muthuramalinga Setupati
 Avargal, Raja of Ramnad.
 Mr. Mariadoss Ratnaswami.
 Sir Kurma Venkatarreddi Nayudu, *Kt.*
 Mr. P. Sagaram.
 „ Jerome Antony Saldanha.
 „ Joseph Devapriyan Samuel.
 Mr. Konadam Sarabha Reddi.
 Diwan Bahadur Mannath Krishnan Nayar.
 Mr. K. Krishnaswami Nayudu.
 „ Jagarlamudi Kuppaswami.
 „ Venganat Madhava Raja.
 Hony. Lieut.-Col. Madurai.
 Mr. T. Mallesappa.
 „ Kanumilli Sarvarayudu.
 „ Kayapakkam Sitarama Reddi.
 „ R. Srinivasan.
 Dr. Paramasiva Subbarayan.
 Mr. Chavadi K. Subrahmanya Pillai.
 „ P. V. Sundaramurti.
 Diwan Bahadur Kommi Reddi Suryanarayanamurti Nayudu.
 Mr. B. Obalesappa.
 Diwan Bahadur Sathappa Ramanatha Muthiah Chidambara Pethachi
 Chettiyar.
 Mr. C. Ponnuswami Nayudu.
 „ K. S. Ponnuswami Pillai.
 „ Kuthiravattath Prabhakaran Tampan.
 „ Gudipati Premayya.
 „ Kattemar Raghuchandra Bellala.

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Mr. P. N. Marthandam Pillai.
 „ Bollini Muniswami Nayudu.
 Rao Bahadur A. M. Murugappa Chettiyar.
 Mr. Cheyyur Muttayya Mudaliyar.
 „ S. Muthiah Mudaliyar.
 „ Paramasivam Chettiyar Chidambaram Chettiyar Muthu Chettiyar.
 „ Olappanna Manakkal Narayanan Nambudripad.
 Rao Sahib T. Cuttia Pillai Tangavelu Pillai.
 Rao Bahadur Ottilingam Tanikachalam Chettiyar.
 Mr. Vellakkinar Chinnappa Gounder Vellingiri Gounder.
 „ K. Venkatachela Padayachi.
 „ Rangaswami Veerayyan.
 Rao Bahadur Chimala-Vagupalli Venkata Ranga Reddi.
 „ Pethachi Karuppan Alagappa Chidambaram Virappa
 Chettiyar.
 Diwan Bahadur Pattu Kesava Pillai.
 Mr. Ponnambala Tyagarajan.
 „ Papanad Swaminatha Rajappa.
 „ Bezwada Ramachandra Reddi.
 Rao Sahib Krishnachar Vidyapurnachar Ramachari.
 Rao Bahadur Panagattan Raman.
 Mr. Arcot Ramaswami Mudaliyar.
 „ Walajanagar Vijayaraghava Mudaliyar.
 „ Abbas Ali Khan.
 Khan Bahadur Haji Abdulla Haji Qasim Sahib Bahadur.
 Mr. Tenkasi Nathadu Bava Ravuttar Muhammad Sahib Bahadur.
 „ M. Abdulla Ghattala Sahib.
 „ Vappakandu Hamid Sultan Marakkayar Sahib.
 „ Abdul Hye Sahib.
 Khan Bahadur P. Khalif-ul-lah Sahib.
 Mr. T. M. Moidu Sahib.
 „ Muhammad Moosa Sait Sahib.
 „ Saiyid Diwan Abdul Razaaq Sahib.
 „ Kottal Upipi Sahib.
 „ Munshi Abdul Wahab Sahib.
 „ Muhammad Yahya Ali Sahib.

II

HIS EXCELLENCY THE GOVERNOR'S SPEECH.

His Excellency the GOVERNOR :—“ Mr. President and Members of the Madras Legislative Council : It is a great pleasure to me, as head of the Government, to meet and to greet here this morning the Members of our new Legislative Council, both elected and nominated, at the commencement of the new period of its life, who will, I know, assist me and my Government in the responsible task of developing and advancing the various branches of our administration and the welfare and prosperity of all classes of our people.

“ My main duty to-day is to inform hon. Members of the principal legislative measures which Government propose to bring forward during the coming session, but before doing so there are one or two matters on which I wish to make a few remarks.

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"Hon. Members would, I am sure, wish me warmly to congratulate our President on his appointment as a Member of the Secretary of State's Council (cheers), and at the same time to express our sense of the very great loss that we shall sustain when he retires from the position of President of our Council over whose deliberations he has presided with such outstanding ability for the past three years. But we have this consolation that we shall have in him a powerful friend at the India Office and I trust that his intimate knowledge of, and broad outlook upon, Indian affairs will influence and guide future policy with regard to this country on the best and most understanding lines.

"The Presidency has sustained a great loss through the death of one of its foremost citizens in the person of Sir K. Srinivasa Ayyangar, whose brilliant intellectual qualities had raised him to a very prominent position in various branches of our public life. I was fortunate in being closely associated with him for over two years and feel that by his death I have lost a loyal and affectionate personal friend. His strong and determined views and convictions made it sometimes extremely difficult for him to accommodate himself to the spirit of compromise which is often a necessity in our public life, but I am sure he will always be remembered as a great gentleman, who by his absolute honesty of purpose and charm of character, endeared himself to all who had the privilege of his acquaintance.

"I very much regret to have to inform hon. Members that a recent cyclonic disturbance in the north of the Presidency has, from the reports we have received, done a considerable amount of damage in Vizagapatam and the neighbouring areas. I regret extremely to state that several lives have been lost owing to the effects of the gale which appears to have blown down many houses.

"It is impossible to give hon. Members any detailed account of the damage done and this may not be available for some days until telegraphic communications have been restored, but I can assure hon. Members that all necessary steps are being taken to relieve the immediate distress by our officers. A Member of the Board of Revenue is already on the spot, and I trust he may soon be able to send us a full report of the damage done, and on receipt of his recommendations Government will at once consider what steps are necessary in the matter of relief and repair.

"I now wish to refer to certain matters which have come to my notice in connexion with our efforts to push forward the policy of Local Self-Government through our Municipalities and District Local Boards. This question is of such importance and of such intimate concern to every hon. Member of this Council that I venture to express myself on it at considerable length.

"It will be remembered that Government, in the year before the introduction of the Reforms, passed important measures dealing with Local Self-Government which gave very widely extended powers to non-officials in regard to the administration of these bodies. We did so deliberately at the time because we felt that responsibility for administration should be given at once in these lesser bodies as a training ground for non-officials in all parts of our Presidency, and as a real test of the manner in which they would undertake their important duties. The passing of these Bills has had far-reaching effects on the administration of local affairs. Official control has been relaxed and restricted to emergencies when danger to public health or safety is imminent; the strength of Boards and Councils has been considerably increased

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and nominations confined to the backward classes; the franchise has been extended to all persons who pay any of the principal taxes; local bodies have been given almost complete control over their budgets and their subordinate establishments; and taluk boards have been made statutorily and to a large extent administratively independent of district boards.

"This almost entire relaxation of official control has placed an immense responsibility on non-official Presidents, but this has not been the only difficulty under which they started their administrative duties. Owing to a combination of circumstances which I propose shortly to describe, local bodies got involved in grave financial embarrassments from which the Government have only just now extricated them. Under the new Acts certain specific services were assigned to taluk boards, who were also allotted certain sources of revenue for financing them, and I am free to admit that in our anxiety to see these Bills passed into law the Government did not make sufficient enquiry or examination as to the adequacy of the funds allotted for the purpose of the discharge of the duties imposed by the Acts. Again, it was always the custom before the Reforms for the Government to dole out large sums of money for local expenditure. Although there was no guarantee that these doles could be continued, local bodies have got so accustomed to a recurring scramble for doles that it has been a very difficult task to correct this attitude and to induce them to rely more on their own resources and to utilize to the full their powers of taxation.

"The situation also was considerably aggravated by the high prices following on the war and the general feeling that because the war (which had suspended all development) was over and the Reforms had been introduced, an era of very rapid progress would supervene. There was consequently a tendency among local bodies towards reckless expenditure on schemes of development, without regard to their financial position. Unfortunately, during these three years too, the Government, partly owing to the various causes which have affected local finances and partly owing to the payment of the provincial contribution to the Government of India, were in great financial difficulties themselves and have been unable to come to the rescue of local bodies.

"I have dwelt on these facts at some length, because in appraising the work of non-officials it is important that it should be realized that they had formidable difficulties to encounter, for it is certain that this extraordinary combination of circumstances to which I have referred would have made local administration during this transition period extremely difficult under any conditions and that the inexperience of and consequent mistakes made by non-officials was only one of the causes which has led to deterioration of the financial administration of local bodies.

"The finances of local bodies have now been brought into a state of solvency and some system in the distribution of provincial subsidies has been introduced, but much will yet have to be done before the system is organized on sound and satisfactory lines, and this will require the co-operation of all branches of the administration.

"Having spoken of some of the difficulties of local administration during the last three years, let me now come to the shortcomings—some of them inevitable in a transitional period—of the non-official agency on which some friendly advice may perhaps be offered.

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“(1) The first is what I must call the very unfortunate dislike and distrust of any official advice or control by many local bodies. Whether it be the Collector or any inspecting agency such as the Auditor or the Inspector, they seem to resent and have sometimes protested against what they call Government interference. Local bodies have not adequately realized the fact that they have been entrusted with some of the most important services affecting the national welfare and that for these services the Minister in charge is responsible to the Legislative Council. No Government, however democratic and advanced politically, could afford to allow local bodies to neglect these services of national importance. I must ask all members of district boards and municipal councils to realize that Inspectors and Auditors are absolutely essential to secure the necessary control over and inspection of their administration, and as some safeguard against possible negligence and incompetency in carrying out their duties.

“(2) Secondly, there have been allegations of a tendency among the salaried officers of the boards and councils to shirk their legitimate work and pay more attention to the individual wants and wishes of the members of the boards. So long as the Collector was the controlling authority, these officers were more or less under the same restraints as Government officials and one of the inevitable results of transfer of authority to an inexperienced non-official agency is lessening of control. It is my very sincere hope that increased experience will remedy these defects and that all their salaried officers will in the future be under the necessary discipline and control.

“(3) Thirdly, there are indications that the importance of a high standard of efficiency and purity in local administration has not yet been adequately appreciated by the public. I should like in this connexion to emphasise the importance of this point by quoting a few lines from the Montagu-Chelmsford report which specially deal with this matter :

‘It is by taking part in the management of local affairs that aptitude for handling the problems of Government will most readily be acquired. This applies to those who administer, but even more to those who judge of the administration. Among the clever men who come to the front in provincial politics there will be some who will address themselves without more difficulty, and indeed with more interest and zeal, to the problems of Government than to those of municipal or district board administration. But the unskilled elector who has hitherto concerned himself neither with one nor the other, can learn to judge of things afar off only by accustoming himself to judge first of things near at hand. This is why it is of the utmost importance to the constitutional progress of the country that every effort should be made in local bodies to extend the franchise, to arouse interest in elections and to develop local committees, so that education in citizenship may as far as possible be extended, and everywhere begin in a practical manner. If our proposals for changes on the higher levels are to be a success, there must be no hesitation or faltering about changes in local bodies. Responsible institutions will not be stably-rooted until they become broad-based ; and far-sighted Indian politicians will find no field into which their energies can be more profitably thrown than in developing the boroughs and communes of their country.’

“I think it may truly be said that there has been no hesitation or faltering on the part of the Government in handing over authority and control in local affairs to non-officials. It is for them now to prove their fitness for

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their task. They have had, as I have shown, many difficulties to contend with in the past three years, and it would not be fair at present to give any final judgment of their work, but I do wish to impress this very strongly on them all and I would earnestly ask hon. Members also to impress it upon all local bodies in their various districts that it is not only by the manner in which hon. Members in this Council exercise their widely extended powers in regard to provincial administration, but it is also by the manner in which local bodies and municipalities carry out their heavy responsibilities that this Presidency will be judged as to whether it is fitted to advance to responsible government.

“Members of this Council will have observed that in exercising the power of nomination vested in me as the head of the Government, I have kept in view two cardinal principles ; in the first place, that the various depressed and backward classes should be represented in such numbers as will enable them to exercise an effective influence and voice the interests of their community in this Council ; and in the second place, that, as far as possible, members of such depressed and backward communities should be represented by persons belonging to such communities. It is a great satisfaction to me to feel that my Government will have the assistance of a considerable number of such nominated members in the Council and will no longer be reproached on the ground that they are oblivious of the interests of these communities or that opportunities have not been given to them to ameliorate their condition. It rests now with them to make the best possible use of these opportunities and by the force of their advocacy to win the support of this Council on behalf of the communities which they represent.

“And now let me inform hon. Members of the legislation which we propose to introduce for their consideration during this session. Our principal Bill will be the Irrigation Bill which will be re-introduced by my hon. colleague Mr. Ramaswami Ayyar, and I feel sure that I can rely on every hon. Member to assist us in our efforts to consolidate our irrigation law in this Presidency, and place ourselves on an equal footing with other provinces in regard to our legislation connected with irrigation. Every effort has been made to ascertain the wishes of representatives of all the interests concerned and to remove all misgivings that arose, I am afraid, out of a misconception of the desire of the Government whose idea has not been to confiscate any private rights, but to bring about the greatest benefit to the largest number in a country whose prosperity is so entirely dependent on the improvement of irrigation. I much hope, too, that we shall be able to introduce legislation which will bring up-to-date and codify the Estates Land Act.

“The other Bills which we hope to lay before hon. Members are the Court-fees Bill and Civil Courts Act, amending Bills to the Madras Proprietary Estates Village Service Act and the Madras Hereditary Village Offices Act, to the Madras Village Panchayat Act, the Madras District Municipalities and Local Boards Act, to the Madras Hackney Carriage Act, the Tenancy Act and the Elementary Education Act ; also the Tuticorin Port Trust Bill and Cochin Port Trust Bill. These and other matters will, I am sure, receive the most careful consideration from hon. Members of this Council.

“I have also to inform hon. Members that I have decided to allot six days for private members' business during the session. These days will be allotted at the discretion of the hon. the President.

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"Let me express in conclusion the profound hope that Providence will guide you all in your labours in the best and truest interests of our Presidency and its people."

The hon. the PRESIDENT:—"Before adjourning for lunch, I have to inform hon. Members that a bust of His Majesty the King-Emperor, which is a gift of the hon. the Raja of Panagal, will be unveiled by His Excellency the Governor at 5 p.m., and all hon. Members are invited to attend. When we meet again the only business is the election of the Deputy President which, I believe, will not take much time. The Council will now adjourn and meet again at quarter to 5 p.m."

The House then adjourned for lunch.

The Council re-assembled at 4-45 p.m.

III

ELECTION OF DEPUTY PRESIDENT.

The hon. the PRESIDENT:—"With regard to the election of the Deputy President I have received the following nomination proposed by Mr. Krishnan Nayar and seconded by Mr. A. Ramaswami Mudaliyar that Diwan Bahadur P. Kesava Pillai be elected Deputy President. Since only one person has been proposed for the election I hereby declare that Diwan Bahadur P. Kesava Pillai is duly elected Deputy President." (Cheers.)

Diwan Bahadur M. KRISHNAN NAYAR:—"I crave leave to congratulate my old and respected friend, Mr. Kesava Pillai, on his having been elected unanimously as Deputy President for the second time. In saying this, I am confident, as was evidenced by the applause, that I am voicing the feelings of the whole House. Mr. Kesava Pillai has been a member of the Legislative Council for about sixteen years. He has been always on the side of the people. He has always been a very hard fighter and he always fought with only clean weapons and never left any wound on the person he attacked. (Laughter.) Let us hope that Mr. Kesava Pillai will live long, elected to successive Legislative Councils and also ultimately earn the coveted appellation—'the father of the Legislative Council'." (Cheers.)

Diwan Bahadur P. KESAVA PILLAI:—"Mr. President, Sir, may I have the pleasure of thanking the House for the great honour they have conferred on me for the second time. I know there are many distinguished hon. Members of this House who would have done justice to the position and who seem to stand aside because I, an old member of the Council, is coveting it. And they have been very generous in standing aside and allowing me to be re-elected again unanimously in this Council. I am conscious of the many shortcomings during the last time and I hope to do better in the future. I crave the indulgence of the House and the support of one and all the hon. Members of this Council in carrying on the duties of the President in his absence and to the satisfaction of the House. With these few words I beg to thank the House most sincerely for the honour they have conferred on me."

5 p.m. The Council then rose for the day to meet again at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, 27th November 1923.

The House met at 11 o'clock, the President (the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E.) in the chair.

I

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

The hon. the PRESIDENT announced that the following Acts which were passed by the Madras Legislative Council received the assent of His Excellency the Governor-General on the dates specified against each:—

The Madras Survey and Boundaries Act, 1923—12th March 1923.

The Madras Stamp (Further Amendment) Act, 1923—12th March 1923.

The Madras University Act, 1923—29th March 1923.

II

COMMUNICATIONS TO THE COUNCIL.

(1)

The SECRETARY laid on the table a statement regarding return of officers in the non-gazetted service of the Government of Madras who held permanent appointments on Rs. 35 and upwards on 1st April 1923 (prescribed by G.O. No. 658, Public, dated 15th August 1922).*

(2)

The SECRETARY laid on the table the proceedings of the first, second, third, fourth and fifth meetings for 1923-24 of the Standing Finance Committee of the Madras Legislative Council held on the 23rd April, 19th and 17th August, and 1st and 10th September 1923, respectively.†

(3)

The SECRETARY laid on the table copies of the Report on Irrigation, Projects by Mr. F. E. Morgan.‡

(4)

The SECRETARY laid on the table a statement of resolutions passed by the Madras Legislative Council during the last session and the action taken thereon by the Government.§

(5)

With reference to the proviso to section 19 of the Madras State Aid to Industries Act, 1922, the SECRETARY laid on the table G.O. No. 1482, Development, dated 11th October 1923, containing a notification making certain amendments to the rules framed under the above Act.||

* Vide Appendix A at pages 77-82 infra.

† Vide Appendix B at pages 82-87 infra.

‡ Printed separately and supplied to M.L.Cs.

§ Vide Appendix C at pages 87-89 infra.

|| Vide Appendix D at pages 89-92 infra.

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III

PANEL OF CHAIRMEN.

The hon. the PRESIDENT:—"I hereby appoint the following four gentlemen to be a panel of chairmen for the session 1923-24:—

The Raja of Ramnad,
Professor M. Ratnaswami,
Diwan Bahadur M. Krishnan Nayar, and
Mr. K. V. Ramachari."

IV

QUESTIONS AND ANSWERS.

Mr. S. SATYAMURTI:—"Will the hon. the Home Member be pleased to state whether the Government have issued any whip to the nominated or official members of the Legislative Council to vote against the Resolution to be moved by Mr. C. Ramalinga Reddi on the 27th November 1923?"

The hon. Sir CHARLES TODHUNTER:—"The hon. Member has addressed the question to me as Home Member. I beg to inform him that I am the Finance Member. I am very glad to dispense with notice and give him the information which he desires. The answer to his question is in the negative."

V

MOTION FOR AN ADDRESS TO HIS EXCELLENCY THE GOVERNOR
REGARDING THE CONSTITUTION OF THE MINISTRY.

Rao Sahib U. RAMA RAO:—"Sir, there is an impression among the hon. Members of this House that this motion is a vote of censure on His Excellency the Governor. I want to know whether it will be a vote of censure on His Excellency, and, if it will be one, I rise to a point of order."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, I rise to a point of order. This question is out of order."

The hon. the PRESIDENT:—"I understand the hon. Member, Mr. Rama Rao, to ask me, first of all, if this resolution is a vote of censure on His Excellency the Governor, and, if so, he raises a point of order as to whether it is allowable. My reply is: he must make up his mind by looking at the paper whether it is a vote of censure or not. If, after he has made up his mind, he rises up and tells me that it is a vote of censure, and that therefore he objects to it, then it will be for me to say whether it is a vote of censure or not." (Laughter.)

Mr. C. RAMALINGA REDDI:—"Mr. President, I rise to move:

'That a humble and dutiful address be presented to His Excellency the Governor submitting that the Ministry, as now constituted by him, is against the weight of the verdict given by the country in the general election and does not possess the confidence of this House.'

In a way, Sir, my path has been eased by the point of order raised, since you gave the clue that if any hon. Member felt that this address, either in its wording or its intent, conveyed a censure on His Excellency, he might address you to that effect and request you to disallow it on that ground. No hon. Member has dared to rise, put that construction on it and appeal to you to throw it out on that point of order.

MOTION FOR AN ADDRESS TO HIS EXCELLENCY THE GOVERNOR . 17
REGARDING THE CONSTITUTION OF THE MINISTRY

27th November 1923] [Mr. C. Ramalinga Reddi]

"I feel that in many respects this motion is unique in the annals of the Legislative Councils of India. Sir, knowing the tone and temper of this House on a discussion of this kind, I shall conform to the warning you gave me in private, that I should try my best to keep the level . . ."

The hon. the PRESIDENT:—"Order, order. It is not usual for hon. Members to refer to any warning that I might have given to them in private." (Laughter.)

Mr. C. RAMALINGA REDDI:—"Sir, at any rate I did not quote it. It is incumbent on all of us on this occasion to try to keep the level of the debate in as high a state as possible and not allow the temper to rise to fever heat. Needless to add that, so far as I and the anti-Ministerialists who are with me are concerned, every effort will be made—and I trust with success—to avoid anything savouring of personal attack or even personal discourtesy.

"I must say that this mode of allowing the Council to express, by direct method, whether it has confidence in a Ministry constituted or not, is an advance in the direction of constitutionalism and that inference is irresistible from the very principle. In England debates of this kind are raised on the Address. On the Continent it is usual for the Ministry itself to ask for a vote of confidence before entering on its duties. Under the circumstances, here, we thought it best to move this humble and dutiful Address to His Excellency the Governor. I need not say, Sir, that it is absolutely unnecessary for any one associated with me in this matter to say that neither directly nor indirectly do we base this motion on His Excellency's action. His Excellency has every right to empanel the Ministry; and we, on the other hand, Members of the Legislative Council just returned by our electorate have a right also to submit whether such a Ministry commands our confidence or not. This is not in any way a reflection on the entire Government either. There seems to be an idea abroad that the Reserved section of the Government also is, in some way, affected by this motion. That again, I submit, is a fully erroneous construction. On the contrary, I wish to say that we do not intend directly or indirectly to refer to the administration or policy of the Reserved Government or even to the Ministerial connexion with or influence on the Reserved Government whether as members of the Administration or as heads of a party. I do trust that all hon. Members associated with me on this occasion will kindly bear this in mind, viz., that according to the terms of the Address itself we have to confine our attention to the Transferred Departments of the Government and to the action of the Ministers in connexion with the portfolios they hold. Let me make this position as clear as possible so that nobody may be under the impression that we intend, in this indirect manner, to attack the entire range of Government and, in vain as it were, the Reserved half which has been already enough protected by Statute. This question refers only to the Ministry, and the Ministry being responsible to the Legislative Council, hon. Members of the Legislative Council have got every right—and not merely the right but the obvious duty—of knowing definitely what exactly the situation is. We do not propose to go any further than that in this discussion.

"Our task has been rendered easier by the fact that in Madras we have adopted, it may be by convention or by some other means, a Chief Minister. Therefore, if we could show that the hon. the Chief Minister does not possess our confidence, that is justification enough for

[Mr. C. Ramalinga Reddi] [27th November 1923]

the collective term of Ministry that I have employed. I shall confine myself to the position of the hon. the Chief Minister. If I may convey to this House that the hon. the Chief Minister has not the confidence of the country and of this Council, that is quite enough for me. I raise the contention contained in my Address on two grounds: the first is the result of the elections and the second is the record of the hon. the Chief Minister. I want to say a word or two, under the second item, on the manner in which the Ministry was reconstructed after the elections. If I have time I shall certainly refer to it and if I have no time, other hon. Members will see their way to deal with that aspect of the problem also.

"Sir, first let me say that the appointment of Ministers is usually determined, in most countries, by the elections themselves. If the elections go against the Ministry, even if the record of the Ministry is good, there is still ground why the people should disapprove of it. If the people have returned at the general elections sufficient members who are not supporters of the Ministry, there are grounds for voting 'no-confidence.' For, 'no-confidence,' strictly speaking, is no censure. If the country has made up its mind to try either a new set of principles or a new policy or even to negative the continuance of the existing policy, that is quite enough for passing a vote of 'no-confidence.' The wish of the country has revealed itself in the general elections. As I shall show presently, an analysis of the general elections is very interesting and it throws light on the manner in which the old Ministry, so powerful, has become weakened so far as the confidence of the people is concerned.

"If we analyse the elections from Ganjam downwards, we shall find that staunch Ministerialists have gone to the wall and members of the Swarajya Party, Moderates, Liberals of the old Congress camp, Independents and those who do not belong to the Ministerialists' Party have been returned. Staunch adherents of the Ministry have either suffered defeat or come back with reduced majorities. Ganjam is a Ministerialistic district. The hon. the Education Minister is only one, out of the three returned, who, I believe, would be called a staunch Justice-party man in the old sense of the term. Vizagapatam returned two members, none of whom belong to the Justice Party. Godavari is, I regret to have to say, an ex-Ministerialistic district and the Ceded districts returned one Ministerialist and one anti-Ministerialist. Kistna has returned two anti-Ministerialists and one Ministerialist. Thus, district after district may be analysed, e.g., Bellary, Anantapur, Cuddapah and Nellore. I do not exclude the computation in Kurnool; its claim will be for independence. I would rather avoid any reference to my own district of Chittoor. It is distressing for me to find my hon. Friend, Mr. Muniswami Nayudu, sitting on the bench opposite. Far more significant in many respects is the election at Coimbatore. It returned three anti-Ministerialists and no Ministerialist."

The hon. Rao Bahadur A. P. PATRO:—"Coimbatore has never been with the Ministerialist Party. Mr. Ramalingam Chetti disclaimed that he belonged to the Justice Party."

Mr. C. RAMALINGA REDDI:—"On that basis, my hon. Friend Mr. Patro has himself never been a Ministerialist."

The hon. Rao Bahadur A. P. PATRO:—"I never disclaimed so publicly that I belonged to any particular party. On the other hand, Mr. Ramalinga Chetti disclaimed publicly."

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Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Since my name has been dragged in, and since the hon. Mr. Patro disclaims my working with the Justice Party, I wish to say that we were working together."

Mr. C. RAMALINGA REDDI:—"I accept my hon. Friend, the Education Minister's explanation. He only says that he never disclaimed his connexion so publicly. (Laughter.)

"In Tanjore, we have non-Brahman Swarajists and an anti-Ministerialist Brahman returned. Sir, I need not take you through the whole geography of the Madras Presidency in its electoral aspect. But there are a few elections which are very peculiar, and, I would almost say, of the first and foremost importance. It has been one of the charges levelled against the hon. the Chief Minister that in appointing district board presidents and members of several local boards, attempts were made to strengthen those men who would be his staunch adherents. However that may be, I may say that district board presidents have come to grief because of the nominations they have received. That is a thing which tells its own tale. In Kistna, while Mr. Mocherla Ramachandra Rao was away in England on public business connected with the Education Commission, his place was mysteriously declared vacant, and, in spite of the fact that the Kistna District Board passed a resolution that his place should be thrown open to election, it was given as a gift to an ex-Colleague of mine in this Council, Mr. Balaji Rao. Though so many as eleven candidates stood for election in that district this nominated president comes last but one. In Bellary, Mr. Gopalaswami Mudaliyar—I regret to have to refer to him as he is my old teacher—was given every position that he could occupy. He is the Public Prosecutor there; he is the chairman of the municipality." (A voice: No! No!)

Mr. A. RANGANATHA MUDALIYAR:—"He was chairman when the election took place."

Mr. C. RAMALINGA REDDI:—"I am referring only to the time when the election took place and not to the situation as it is at the present moment.

"He was chairman of the Bellary municipality. Not content with these two duties which would tax the energies of any man, my poor old teacher was made the president of the district board. The result was disastrous. At Coimbatore, it was, that Mr. Rathnasabapathi Mudaliyar who had his chance against the hon. Friend of mine sitting to my right (Rao Bahadur T. A. Ramalinga Chettiyar) was made the president of the district board. I believe in one other district also, in Godavari, a nominated president—and nominated district board presidents can never resist the temptation to occupy seats in the Legislative Council—stood for the Legislative Council and he fell. This is the story of the kind of things that have taken place in the elections.

"Let us turn to smaller general groups like Indian Christians. Three of my friends are not to be found here to renew my acquaintance. One is an ex-Council Secretary, who has been beaten by a gentleman, who has rarely been on the election field. From the West Coast it has not been possible for the old member to regain his position. That is the case also with the Northern Circars. Three new men out of five have come in. But what is most telling is what took place in the case of the Moslem representatives in this Council. Moslem Members, who claimed to be part and parcel of the old

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Justice Party, have met with a general defeat at this election. My hon. Friend, Dr. Usman—whom I congratulate, though in his absence, on the high position which he now occupies in the civic life of Madras—though he was returned unopposed in the previous election, dared not offer himself for re-election. That is indeed a reflexion on the way in which the old representatives of the electorates discharged their duties in this Council. I regret to have to say that these old representatives felt their position here one in which they could give full play to their individuality free from their representative character, and, in consequence, met with failure at the elections. The new Moslem Members, as the *Madras Mail* put it, are a very different lot; may I, with your permission, Sir, submit that they are a much better lot?

"Sir, if I have proved negatively so far that the Ministerialists have been viewed with general disfavour throughout, this is the positive aspect of the proposition: to be told that certain Ministers, especially one whom I do not wish to particularise, are against a particular candidate was as good as giving him two to three thousand votes for the mere asking. Dr. C. Natesan, Sir, my hon. Friend who is now on the Opposition Bench, in spite of the best services he had rendered to the party in power in the past, was banged and boycotted, and because of that he has topped the poll in this city with an extraordinarily large majority. In a similar way I might refer to other instances."

The hon. Rao Bahadur A. P. PATRO :—"Did Dr. Natesa Mudaliyar stand as a non-party candidate or non-Justice candidate in the City of Madras?"

Mr. C. RAMALINGA REDDI :—"Sir, this is like having the light where there is a big blaze already and there is nothing dark or obscure. Dr. Natesan stood independently of the very leader of the party and if that does not suffice to prove the proposition I have advanced my hon. Friend must consult the elementary text-books of logic. (Laughter.)"

"It will be remembered, Mr. President, that in the old Justice Party, as in the old Liberal Party, there were two wings: the conservative section and the more democratic progressive section. Such a party can be helped in its position only by a proper balance between the two sections with respect to its influence, its powers, etc. If you, Sir, analyse the position of this Council at the present time, you will see that it consists of a number of groups amongst which the progressive section of the old Liberal Party ought to be in power. We have got the old Congressmen. I believe they have not changed their name in the way the Liberals have done (hear, hear!). There are Swarajists; there are at present members who are out to serve both the country and the community in a way, which I trust will be far more truthful than that which the Ministers have adopted, and to these have been added the progressive section of the old Justice Party. I have to mention this because in spite of our endeavours to prevent the debate from degenerating into personal level, it may be just possible for one hon. Member or two to question the good faith with which I am standing in my present position to-day. I will only say that on several questions connected with the policies and principles as well as in the methods to be adopted in the deliberations of the party I differed, and differed in a way that was a matter of public knowledge. To mention a few instances, I will first refer to the question connected with the internal management of the party, like the constitution necessary for it, which I was the very

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first to demand, and which was put off for one reason or another for over two years. My second reference is this: It was through the instrumentality of the City Association, of which I am still the President, that Home Rule, Dominion Home Rule, was put down as one of the objectives of the Justice Party. On the question of Malabar tenancy, again, I took up an attitude which did not find full favour with the official leaders. When that question was mooted before the party, my friends told me that it might be treated as a district subject and that it was not one of provincial importance. On the subject of political prisoners, I tabled more than one question in this House, and the attitude of the official leaders of the party and the Ministry is well known. So also in matters of social service, social organization and in many other things. I hope I have not broken my compact. (A voice: No!). I am glad to hear 'No'. I am only trying to explain my personal position. In the last programme, of my old party, of the 1st July, some items were put down at my special request claiming that our party should co-operate with other parties in the country on matters of national interest like the question of Kenya, the status of Indians abroad and other matters. But the party conference chose to observe the principle of distant pollution as regards the other parties in our own country. I understand that they are still going to observe that distant pollution with regard to the other parties. Though some of the followers of the party may still remain orthodox, it is gratifying to me to find that the leaders at all events have abandoned the principle of distant pollution if not on principle at any rate for the sake of a few votes and to secure their position in their constituencies. Sir, with regard to the other problem, namely, our attitude towards the depressed classes, I expect my hon. Friend Dr. Natesan to speak at length. On all these matters, most of them belonging to principles and policies, and a few which I am precluded from entering into, concerning the internal management of the party, the methods to be employed, etc., we have had differences, and differences which have led us to separation inevitably and naturally. Like the Peelites of old we have come out of the Conservative Party.

"Sir, for the moment I shall not refer to the subject of Ministerial reconstruction because of certain delicate personal considerations which a valued Friend of mine put before me after I came into this House. But I wish to state that it would have been far more graceful on the part of the hon. the Chief Minister if he had confronted this Council with the old Cabinet entire, taken a vote of confidence, which I believe he would not have found any difficulty in getting, and then requested one of his Colleagues to vacate his place in view of the fact that we had all agreed to include a Tamil member. But see how things are passing. It is an ugly aspect that is now presented before us. It looks as though without a reconstruction a vote of confidence from this House would be unpardonable. The hon. the Chief Minister perhaps thought the difficulty would be over by the exclusion of one Member from the Ministry and his replacement by a Tamilian Member of Tinnevely. Sir, I do not think that this was the best possible mode of dealing with an ex-Colleague who was sharing the burdens and responsibilities for three years. It is a delicate subject, and although I wanted to say something more about it I would rather refrain from further referring to it out of a duty I owe to a former Colleague of mine and out of deference to the best traditions of Parliamentary life which you, Sir, are so very anxious to introduce in

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this Council. I thought my duty required me to refer to this matter. I hope my hon. Friend, Mr. Sivagnanam Pillai, will not misunderstand me when I say that even with reference to his appointment, there is some difference of opinion. Ministerships are after all intended to be held by people of a slightly different type and antecedents."

Mr. A. RAMASWAMI MUDALIYAR :—" I rise to a point of order, Sir. The hon. Member is casting a reflection on His Excellency the Governor's action. The hon. Member is criticizing certain individual appointments apart from questions of policy or programme. I understand that the hon. Member criticizes a particular appointment on the ground that a certain class of people, retired Government servants, ought not to be chosen as Ministers. That I think is trenching on ground reserved for His Excellency the Governor. The hon. Member, I quite well see, may say that a particular gentleman does not enjoy the confidence of the House or that his programme is reactionary. But if the hon. Member says that a particular appointment is not proper, I think it is questioning the propriety of His Excellency's conduct."

The hon. the PRESIDENT :—" I do not think the hon. Member has committed a breach of the rules. The hon. Member said that a particular appointment made by His Excellency was not a suitable appointment because the individual concerned had been long in Government service."

Mr. C. RAMALINGA REDDI :—" My point was this, Mr. President: If I had thought for a moment that the appointment was the individual act of His Excellency, even if I had cause to differ, I would not have ventured."

The hon. the PRESIDENT :—" Order, order. At present I am engaged in considering the point of order raised and I allowed the hon. Member, Mr. Reddi, to rise to correct me if I had misunderstood him."

Mr. C. RAMALINGA REDDI :—" Not at all, Sir. I object to the appointment of Mr. Sivagnanam Pillai - I am sorry I entered on the subject for it brings in delicate considerations - I object to the appointment on his long service, on his age and on account of the fact that he had never been in politics."

The hon. the PRESIDENT :—" The hon. Member, Mr. Reddi, thinks that His Excellency was wrong in appointing the person concerned. Surely, hon. Members are aware that His Excellency is the head of the Executive Government who sanctions a number of things and would himself be the last man to desire that all his actions should be free from criticism. Neither His Excellency's *bona fides* nor his motives are being questioned. It is simply said that he made wrong appointments. The whole motion is that."

The hon. the RAJA OF PANAGAL :—" Sir, does my hon. Friend, the Mover of the resolution, admit that it is a reflection upon the exercise of His Excellency's right to nominate the Ministers?"

The hon. the PRESIDENT :—" So far as I am able to see, he says that His Excellency has made wrong appointments to the Ministry, and that he has appointed three men who do not possess the confidence of this House. If that is to be considered a reflection upon His Excellency and should not therefore be permitted, we need not have assembled here at all to-day." (Laughter.)

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The hon. the RAJA OF PANAGAL :—" Mr. President, I understood the Mover to say that he was not going to cast any reflection upon the Reserved subjects. But would it not be a reflection if a suggestion is made against the exercise of choice by His Excellency the Governor?"

The hon. the PRESIDENT :—" The hon. Mover did make a promise not to say anything about the Reserved subjects; but, of course, he is not bound by his own promise" (laughter).

The hon. the RAJA OF PANAGAL :—" That settles the question."

The hon. the PRESIDENT :—" Besides, it is open to the hon. the Minister to say afterwards, when his turn comes, that the hon. the Mover made such a promise and that he did not carry it out" (laughter).

Mr. C. RAMALINGA REDDI :—" Mr. President, I may point out in the first place that such an appointment is not a Reserved subject. I am criticizing only what has been done in the Ministerial half; and let me further explain that my criticism was based on the impression—I may be wrong, but am open to correction—that such appointments to the Cabinet were made on the advice of the Chief Minister. But if the hon. the Raja of Panagal says that he gave no such advice and that the appointment was made by His Excellency alone, I am prepared to withdraw what I said."

The hon. the RAJA OF PANAGAL :—" Sir, I left the choice to His Excellency the Governor."

Mr. C. RAMALINGA REDDI :—" Without mentioning names?" (laughter).

The hon. the PRESIDENT :—" Order, order. I do not think that at present we can go into a discussion of what the hon. the Chief Minister told His Excellency. The resolution as tabled is to the effect that these three gentlemen, who are now occupying the Ministerial places, and who have been appointed by His Excellency, do not command the confidence of the House. It is a plain resolution which really can be discussed upon its own merits. They have been appointed by His Excellency, and here is Mr. Ramalinga Reddi who says that they do not command the confidence of the House. I dare say the hon. Members on this side (right) are going to say that they do command such confidence. We shall know whether they do or not later on when the poll is taken. But why not allow the discussion to proceed? (hear, hear!)"

Mr. C. RAMALINGA REDDI :—" I thank you most heartily, Sir, for protecting my freedom of speech on this occasion (laughter).

" I would now refer to the administration of the local boards by the hon. the Chief Minister. I do not know, Sir, whether I shall be in order if on this occasion I refer to the speech delivered at the inauguration of this Council yesterday by His Excellency the Governor. Well, Sir, even if such a thing is not desirable, there is nothing to prevent me from repeating all that His Excellency said without quoting His Excellency's authority. I do not think anything more damning could have been better said against the administration than this one sentence, i.e., that discipline amongst the officials connected with the local boards has become considerably slackened and that the officials have been attending to other work besides their strict duties. We in this Council can hold the hon. the Chief Minister entirely responsible for

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the administration of local affairs, and he cannot divest himself of that responsibility by saying that the presidents of the different boards are responsible if the administration goes wrong. It is the Minister in charge of it that is held responsible in every country in the world, and if we want to make the principle of responsibility a reality instead of a sham, we ought to hold the hon. the Chief Minister responsible first and His Excellency afterwards. That a paper of the standing of the 'Madras Mail' should have written in its leading columns that yesterday's speech constituted an indictment by His Excellency on the purity of local board administration, is itself a matter for grave consideration by the Members of this Council. In this connexion, though I do not wish to deal with the Transferred subjects in any detailed manner whatsoever, I would like to put two questions to whichever hon. Member is in charge of the Legislative Department, i.e., whether it is a fact that a superintendent engineer canvassed during the last elections for one of the ministerial candidates, and whether his attention has been drawn to the allegations in the Press that the officials of the different local boards went about canvassing for presidents, chairmen and other dignitaries who wanted to add to their dignity by getting a position in the Council. These are allegations publicly made. I have been told also that a Government Order was issued informing them that such conduct was illegal and reprehensible. That again, Sir, raises the question whether that order was obeyed.

"I now wish to refer, Sir, to some very peculiar ways which have become current in the administration of local bodies regarding the appointment of district board presidents. I have already mentioned the case of Kistna which asked for an elected president, but Mr. Balajirao Nayudu was thrust upon it. In Coimbatore, an old party man was displaced by one who, it was thought, would be their party man. My hon. Friend, the Raja of Ramnad, and my hon. Friend, Mr. Vijayaraghavulu Mudaliyar, were re-nominated to their places almost before their terms expired, whereas in some other cases such re-nominations were not forthcoming with such lightning-like rapidity, and the place in Tanjore is being kept vacant, I do not know for how many months. (A voice :— 'Five months.') It may be that there is some explanation forthcoming, but an administration which cannot go on without daily explanations and hourly apologies is not the kind of administration we want in this Council. Again, what has happened in Bezwada in connexion with the municipality there? Hon. Members from the Kistna district would be able to tell us clearly how the people there were kept on waiting for months and months for elections. I need not remind the old Members of this Council that I tabled a series of questions on this matter.

"Sir, I rather fear also that in many ways Ministerial prestige and power have suffered, and there is only one explanation for it. Last time it was an open secret that the Ministers were consulted with reference to the nominations made to this Council for the protection of special interests—the depressed and backward classes and others who cannot get representation through election. It is also an open secret that no such consultations have been made this year."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, I do not know if the hon. Member is in order in criticizing the nominations of some Members of this Council made by His Excellency the Governor and in referring to the persons he consulted in the matter."

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The hon. the PRESIDENT :—"Am I to understand that the hon. Mover questions the nominations to this Council, made by His Excellency the Governor?"

Mr. C. RAMALINGA REDDI :—"Not at all, Sir; far from it."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, the hon. Mover began by saying that it was an open or another kind of secret that certain individuals were consulted or not consulted before nominations were made to this Council. That is a matter which is not in order in the debates of this Council."

Mr. C. RAMALINGA REDDI :—"Sir, I do not base my remarks on any secret information or on mere inference, but on what appeared in the Press. It is public knowledge that last time the nominations were made after the Ministerial appointments had been decided upon, but this time they have been made before and the party leaders and others were not consulted."

The hon. the PRESIDENT :—"Order, order. I think the hon. Member has now clearly transgressed the rules. The nominations to this Council made by His Excellency the Governor, even though he might have consulted some others, are purely nominations made by him. They are not made by the Government. At present the hon. Member's allegation is that three years ago His Excellency made the nominations after consulting the Ministers and he relies upon definite statements in newspapers and other sources of information; and this time he says from equally definite statements in equally veracious journals that such nominations have not been made after consulting the Ministers. Assuming that all this is true, I leave it to the hon. Members to consider whether it will be the proper thing for us to examine and sit in judgment on the nominations made to this Council. It means that we are saying to a number of our own fellow Members that they are not the correct people to be here. That is what it comes to, and I appeal to the good sense of the hon. Member not to pursue the matter."

Mr. C. RAMALINGA REDDI :—"Sir, I take your advice and will not press the point any further. I wanted to refer to some more questions of that type especially in view of the letter which appeared in the Press over the signature of Mr. A. Rangaswami Ayyangar in which it was alleged that a certain change has been brought about with reference to the procedure governing the higher appointments in the Transferred subjects. As you have stigmatized many of these journals as veracious . . ."

The hon. the PRESIDENT :—"The hon. Member is apparently quoting me. If so, I would ask him to quote me correctly."

Mr. C. RAMALINGA REDDI :—"I do not know whether I can repeat the exact words, but what I wanted to say was that I wanted to make inferences from certain facts which appeared in the Press regarding an alleged change of procedure with reference to the higher appointments in the Transferred subjects. But since you very nearly gave me the advice not to base the inferences on what appeared in the journals, I do not like to say anything on the matter, and I hope I am not guilty of any discourtesy when I referred to the journals."

The hon. the PRESIDENT :—"The matter is entirely in the hon. Member's discretion. He can use any information he wants. I simply stated that, if hon. Members were going to discuss all such matters, probably a lot of useful

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time which may well be devoted to the merits or demerits of the Motion, may be spent otherwise. It is entirely for the hon. Member to follow my advice or not."

Mr. C. RAMALINGA REDDI:—"Thank you, Sir. That, again, is a matter which I would ask hon. Members to ponder over."

12 noon. "In conclusion, my contention on this point is that for these various reasons the Legislative Council, in the exercise of its primary duty of seeing that the truly *de facto* responsible Ministry alone is allowed to continue in power, has to vote for this Motion. The elections have gone against the Ministerialists."

"Then, Sir, the record of the hon. the Chief Minister, on which I do not wish to dwell at greater length, is one that can under no circumstances be approved by a legislature which has the interests of the people at heart. What surprises me most is that after all the criticisms that have been directed against the administration for the last two and a half years and against what was heard in the Council itself, the hon. the Chief Minister should still continue to hold that portfolio of the department of Local Self-Government. It has been said that if this Address is carried, the Council will be dissolved. I hope, Sir, I am not transgressing the limits of prudence when I say that no such danger need be apprehended. Once again I reiterate the proposition that voting in favour of this Motion is not in any way, directly or indirectly, voting against His Excellency the Governor, still less, as some people seem to apprehend, against His Majesty King George V. We have a clear duty here, viz., to uphold the rights of the Legislative Council and to honour the wishes of the people who have just returned us to this House. If every Ministry that is formed by His Excellency be accepted as such and given confidence for no other reason except that it somehow got itself appointed, then good-bye to the principle of responsibility."

"Then again I would request my hon. Friends not to be misled by anything that might be said regarding what the hon. the Ministers would do in the future. Responsibility attaches itself only in two ways: that is, if, as a result of the general election, the people have gone against them, they too must go; and, secondly, it attaches only to the past record and not to any progress that they may make in future. On an occasion like this, about the policy of the future every one will be promising everything that is asked and everybody who cares to ask for. Responsibility, as I take it, would attach only to their past record."

"If, Sir, the terms of my address are analysed, it will be found that all that I have stated is that this Ministry is against the weight of the verdict given in the general election. I hold that if the majority of the elected members vote with me, then it means that in substance my motion is carried. If, on the other hand, it is said that it is possible for a popular Ministry not to have an elected majority and yet to possess the confidence of the House, then I leave that diarchical paradox to be solved by the liberal statesman who is at the head of the Government. If this address would secure the support of a majority of elected Members, be it the majority of one, that, so far as I am concerned, will suffice. If, on the other hand, this address is thrown out, what will be the result? The result would be that we would be expressing confidence in the Ministry, that we would be upholding all their policies and all that they have done so far and giving them a power

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of attorney to do likewise in the future, that we give them power to continue the kind of administration that has been our misfortune to witness in the local bodies and that we wish this administration to be stereotyped, as it were, for the future. If, on the other hand, the Address is carried, it means that the country at least desires to see whether a newer policy could not be attempted and whether other persons might not be entrusted with those duties. In England very often in the general elections the party in power is defeated and another party comes in, because the country is desirous of having as it were a change of climate for its health. In the same way also in the last general election our presidency has declared against the Ministry, and, if this Address is not carried, it means that all things that we have been complaining against are matters which have received the approval of the people's representatives and that we have given them a charter to continue in the same way. I honestly think that it would be in the interest of the country to see if better men and better policies should not be given preference."

"With these few words, Sir, and with your permission, I have the honour to move:

"That a humble and dutiful Address be presented to His Excellency the Governor submitting that the Ministry as now constituted by him is against the weight of the verdict given by the country in the general election and does not possess the confidence of this House."

Mr. MUHAMMAD MOOSA SAIT:—"Mr. President, Sir, I beg to second the Motion moved by my hon. Friend Mr. C. Ramalinga Reddi."

The hon. Rao Bahadur A. P. PATRO:—"Sir, I am glad that an opportunity has been given, while on this Motion, of explaining the constitutional position and the position of the Ministry during the last two years. If only the hon. the Mover had placed before the House some definite statements, some specific charges, specific charges of omission or commission, then it would have been possible for me to meet all such specific and definite statements and acknowledge or disprove them. The hon. the Mover has, as usual, and as he did in his opening speech at the Dravidian Association, started with general observations, vague statements and insinuations which it would be impossible for any one to answer. If there were only specific and definite statements upon which the hon. Member had based his case, it would have been easier for me and for my hon. Colleagues to reply to them."

"Throughout his speech he has assumed the analogy of the British Cabinet system. He assumes that the whole system of the British Cabinet has been ordered to be incorporated into the Indian system. I do not want to dispute any such convention at present, but I do want to warn the House and the hon. the Mover that he cannot assume such an analogy from the British constitution. We are governed here by a legislative measure. The Government of India Act lays down definitely how the Ministry has to be constituted. We have got provision embodied in section 52 of the Government of India Act to which I would ask your indulgence to refer. The fundamental principle that we should remember in that connexion is that the appointment of each Minister proceeds statutorily from the Governor. In England Ministers are Colleagues chosen by the Premier; the practice has been to leave the formation of the Ministry entirely to the Premier for the time being who is summoned by the Sovereign to form a Ministry."

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It is also clear that the Members of the Cabinet have no right to be consulted as to the appointment of Colleagues. Mr. Gladstone writes thus :

'I can affirm with confidence that the notion of a title in the Cabinet on the succession to a Cabinet office is absurd. It is a title which Cabinet Ministers do not possess.'

The whole doctrine of the English constitution is based upon the ultimate power of choosing Colleagues vested in one man who is responsible on the one hand to the House and on the other to the Sovereign.

"In England the real political authority is with the Cabinet, though the Ministers are in law only the Sovereign's advisers and the Government is conducted in the name of the Sovereign. In the Government of India Act the position is entirely different. We are grateful to His Excellency Lord Willingdon for the high statesmanship he has shown in trying to conform to British precedents as far as possible, but statutorily speaking section 52 conveys an entirely different principle.

"Sidney Low writes :

'In the eighteenth century Ministers were out of office because they lost the confidence of the King ; in the great parliamentary period of the nineteenth century, because they lost the confidence of the House of Commons. Under the democratic franchise they have usually taken their dismissal from the electors.'

"We are in the intermediary position between the first and the second. It is a combination of the confidence of the Governor and of the House that is necessary for the purpose of retaining and continuing a Ministry in office. The modern English Cabinet dates from the disappearance of the King from the Cabinet Council and the formation of the theory of collective responsibility was very recent. Under the Government of India Act only a partial attempt has been made to put the idea of the British Cabinet into practice. According to the Joint Committee Report, each Minister is taken to be acting separately, and a Minister will have the option of resigning if his advice is not accepted by the Governor. Each may act without reference to the other. At the same time, the Report mentions in another place that the Ministers are expected to act in concert. The Transferred subjects are administered by the Governor acting with the Ministers and not by the Ministers alone. Such being the constitutional position of the Ministers, any convention that we may establish must be carefully thought

12-16 p.m. out with reference to the future development of the Reforms in this country.

"Having explained the constitutional position with regard to the Ministers, I would now ask your permission, Sir, to go straight to the arguments advanced by the hon. Mover in support of his Motion. One of the arguments he advanced was that the results of the elections indicated that the Ministry had lost the confidence of the country. I could very well follow him and appreciate the position taken up by him, if we were in a country where there are definite political parties based on policies and principles, where you have parties like the Conservatives or the Liberals, where you have the Unionists or Unionist Liberals, where you have political parties based on definite principles and policies. But I cannot very well understand that a 'No confidence' Motion would be applicable to the state of things in this country. In this province, we have had only two parties, namely, the non-Brahman party, which has claimed to be democratic and progressive, and all the others who form another party."

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Mr. S. SATYAMURTI :—"Who are the others ?"

The hon. Rao Bahadur A. P. PATRO :—"There are only two parties, one the non-Brahman party and the other the party formed by the rest including the hon. Member, who represents the University (Mr. Satyamurti)

Rai Bahadur T. M. NARASIMHACHARLU :—"This even is not accurate, for I do not belong to the party of the hon. Member representing the University."

The hon. Rao Bahadur A. P. PATRO :—"I am very glad to be corrected by my hon. Friend that there is another party also."

Mr. A. RANGANATHA MUDALIYAR :—"Nor is it correct to say that all non-Brahmans form one party."

The hon. Rao Bahadur A. P. PATRO :—"Well, we have not had that party system obtaining in more advanced countries and my hon. Friend, Mr. Ranganatha Mudaliyar, has never declared to what party he belonged, whether he belonged to the non-Brahman party which was working with a majority, or whether there was any other party to which he specially belonged."

Mr. A. RANGANATHA MUDALIYAR :—"That statement, Sir, is not true."

The hon. Rao Bahadur A. P. PATRO :—"I have yet to know what the correct statement is. He has not made it clear to which party he belongs ; we have to ask whether he has no cult or any political faith whatsoever."

Mr. A. RANGANATHA MUDALIYAR :—"You yourself, Sir, were pleased to say some time ago why I took a position all by myself."

The hon. Rao Bahadur A. P. PATRO :—"If he is a political party by himself, well, hon. Members can imagine what his position is."

Mr. A. RANGANATHA MUDALIYAR :—"Anyhow that proves to the hilt that the statement that all non-Brahmans form one party is not correct."

The hon. Rao Bahadur A. P. PATRO :—"I say there is only one non-Brahman party, and I repeat it because there is no other non-Brahman section which has been formed into a definite party with any programme different from that of our own party."

Mr. S. SATYAMURTI :—"The party to which I belong includes many non-Brahmans."

Mr. ABBAS ALI :—"Sir, we have also formed ourselves into a party of our own last night." (Laughter.)

Mr. PEDDI RAJU :—"We in our district fought as anti-Ministerialists."

The hon. the PRESIDENT :—"It is very clear that the House is at liberty to form 127 parties within itself. I am the only man who is unable to form a party (laughter). That being so, may we not leave this question alone and proceed further with the Motion before the House ?"

The hon. Rao Bahadur A. P. PATRO :—"I am also very glad that so many parties have been formed, because each group must work as a party of its own. But I have been referring to a state of things two and a half or three years ago. We have been working in the last Council as the non-Brahman party against all the other parties. It is to that I have been referring and not to what has happened after the elections. When were the

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different parties and creeds formed? What we have to take into consideration is this: what is the plank or what is the programme with which we approached the electorate for election? What is it we have stated to them? With what principles and policies have we approached the electorate during the last elections? That is what we have to consider as of fundamental importance and not what you and I did last night. It is therefore most relevant to say that at the time of the elections when we approached the electorate, there were two parties only. Consequently, to say that particular members belonging to the non-Brahman party have now come to declare themselves as a different party or that they adopt a particular card or ticket, is entirely irrelevant to the position taken up in this Resolution."

Mr. S. SATYAMURTI:—"We fought the elections as Swarajists; for the last six months, we declared ourselves as Swarajists."

Mr. ABBAS ALI:—"We fought as Muhammadans." (Laughter.)

Mr. M. RATNASWAMI:—"May I ask whether the Muhammadans could have fought the elections as any other than Muhammadans?" (Laughter.)

The hon. Rao Bahadur A. P. PATRO:—"That only emphasizes my position, namely, that when we went to the elections we went merely as Muhammadans, Indian Christians or non-Brahmans."

Mr. PEDDI RAZU:—"It was not exactly so."

The hon. Rao Bahadur A. P. PATRO:—"I do not know what the hon. Member for Kistna means. But so far as I could see—"

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"In Coimbatore, there was no difference between Brahman and non-Brahman. We three went to the electorate as anti-Ministerialists."

Rao Bahadur C. NATESA MUDALIYAR:—"I went as an anti-Ministerialist, Sir." (Laughter.)

The hon. the PRESIDENT:—"As I have already said, each hon. Member is perfectly at liberty to do anything he likes. But the hon. Members should allow the Minister to go on with his speech without interruption and should hear what he has to say. If hon. Members should disagree with him, they will have an opportunity of explaining their views of parties and things of that sort. But we must hear what the hon. Mr. Patro has to say."

The hon. Rao Bahadur A. P. PATRO:—"Sir, as I said already, at the time of the election, we went to the electorate declaring our party programme. What was the result? On the whole, we have been more successful; our friends who have been working with us, and the non-Brahmans who have been one with us, have been returned on the whole in a majority, and we have not lost any place. If in one district we lost one place, we gained in another district; and if we lost two places in one district, we gained the two places in another district. The net result has been in favour of the party for which we have been working all these years. I would have been glad if the hon. the Mover of the Resolution had shown by any figures that the net result of the election has been that the party which was working for the last three years had dwindled down and had been reduced in numbers. On the other hand, the figures show that the party has really gained more strength and support than in its infancy, and that the party for which we have been working has on the whole gained and not lost, or that at least it maintains

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the same strength in this Council as before. I beg to ask whether any case has been made out here by the hon. Mover that the result of the elections went against the Ministry at all. No. The hon. the Mover of this Resolution has said that many of the Ministerialist candidates that have been put up have failed. I must say most emphatically that neither the Ministers nor the Ministerialist Party have ever put up any particular candidate. On the other hand, when there has been a contest between two or three non-Brahmans who have been working with us, we did not prefer one against the other, because it was immaterial whether the one candidate or the other succeeded. That was the understanding on which the non-Brahman candidates went to the last elections. Therefore, if one non-Brahman has been defeated, another non-Brahman, equally good, equally able and equally loyal to the party has been returned. So, there has not been any loss whatsoever to the party in the general election. This being the state of matters, it is perfectly clear that no case has been made out at all on the first part of this motion.

"Then, my hon. Friend has made a statement that because certain nominated district board presidents who have stood as district board presidents lost their seats, it is a great reflection upon the party. On this, Sir, I ask the question whether among the nominated district board presidents, the hon. Member, Mr. Narasimha Raju, was not one."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I did not belong to the non-Brahman Party."

The hon. Rao Bahadur A. P. PATRO:—"The hon. Member is a non-Brahman, and yet he has been successful."

Mr. A. RANGANATHA MUDALIYAR:—"May I know by whom the hon. Member was first nominated as president, district board? I think the choice was that of the last Government."

The hon. the RAJA OF PANAGAL:—"I nominated the hon. Member, Mr. Narasimha Raju."

The hon. Rao Bahadur A. P. PATRO:—"Taking the presidents of the Guntur and Tinnevely District Boards, they are gentlemen of the non-Brahman Party, and they have been returned. Therefore, I submit that it was not because they were nominated presidents that they succeeded or failed, but because of the circumstances peculiar to the districts concerned. We are all aware how elections are manipulated. The results were due to extraneous causes but not because a particular candidate happened to be a party man or simply because he was a nominated president of the district board. Otherwise, the cases of Tinnevely and Guntur are inexplicable."

The RAJA OF RAMNAD:—"North Arcot also."

The hon. Rao Bahadur A. P. PATRO:—"I thank the Raja of Ramnad for reminding me of North Arcot. Therefore, the question of the defeat of the non-Brahman nominated presidents, according to the principle advocated by the hon. the Mover, has nothing to do with the strength or loss of the non-Brahman Party, and such a contention does not at all establish his case."

"There is another point which was raised in the course of the argument of the hon. the Mover, that certain persons had actually been put up in certain districts and that because they were Ministerialists they have been

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defeated. The Ministerialist Party does not hold itself responsible for the success of every candidate. Is it a fact that every candidate put up by the Liberal Party or the Conservative Party in England succeeded in the general election? If it is not the case in a large advanced country where the elections are fought out on definite principles and policies, is it a wonder in this country that a few of the members who have been supported by the party have been defeated? The point you and I have to see is what the total strength of the party is: whether it has been reduced in the general election to such an extent as to make it impossible to carry on the administration of the country and be responsible for the Government, or to such an extent as to have lost the confidence of the House. If you look at facts, I am sure there can be no other answer than to say that the Ministerialists have gained strength and not lost the confidence of the country.

"Then, Sir, the hon. the Mover has referred to another item, and said that there were three Indian Christians who supported the party but lost their seats. I hope, Sir, I am speaking correctly when I say that my hon. Friend, Mr. J. D. Samuel, is as enthusiastic as, or even more enthusiastic a member of the party than, Mr. Palmer. Again, I find that Mr. Cruz Fernandez is even more enthusiastic in the matter of supporting the party than perhaps Mr. Periyannayakam was. Therefore, in the case of the Indian Christians, we have gained more strength in the elections. If one loyal soldier has gone, we have been able to replace him by an equally faithful soldier. Therefore, our ranks have not been thinned or weakened in any way. I welcome the new hon. Muhammadan Colleagues and I hope they will not be led away by any persuasive eloquence of the hon. the Mover of this Resolution. They are independent and able to judge for themselves. (Mr. Abbas Ali: 'Hear, hear'.) But I am sure that my hon. Muhammadan Friends will maintain their independent position and will not fall into any net set up by eloquent speeches (laughter and cheers). I am sure they will judge the facts placed before them in a dispassionate manner and I know that though the creed of some of them will not permit them to support the Government, such of them as are not against the Government will certainly support the Government. Then, Sir . . .

Mr. C. RAMALINGA REDDI:—"On a point of order. There is no question of the Government here."

The hon. Rao Bahadur A. P. PATRO:—"Sir, the hon. the Mover has said that he has been with the party, that he has been asserting himself in the party, that he has been doing this or that, in order to show that he was a living and not a dead partner but that he had kept up his life and maintained a certain amount of fire in him. But did the fire blaze up suddenly on the 13th of November after the Ministry was announced, while there were no symptoms of life before that? I pause for an answer. I am sure that you will all realize that there was no more enthusiastic supporter of the non-Brahman Party of this Council than my hon. Friend Opposite who has been working with us steadily and steadfastly, and yet—it was rather a surprise to me—he blazed up suddenly. He avowed that he would yield to none in the opinion that no Ministry that is non-Brahman should be supported. There in that important speech you have his creed and you have his political faith. Therefore, Sir, I may ask, when

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did he see the light, when did it dawn him that he should stand against it? Is it on the 13th of this month when the new Ministry was constituted that he became a convert and confined his own party to a retrograde measure, to a conservative outlook and a step which is not in the interests of the country? Until then he was a loyal supporter of the party which is now called the most iniquitous, unpractical and reactionary one though his policy and methods are fully embodied in the records of the South Indian Liberal Federation and there you may have his creed and faith. But now the light has dawned upon him and it has revealed to him that he has been in a dim atmosphere from which he should extricate himself."

Mr. C. RAMALINGA REDDI:—"Sir, I do not wish to interrupt the high flown eloquence of the hon. Mr. Patro. But I do wish to say that there were two parties, the conservatives and the progressives, and I have always belonged to the progressive radicals and I gave an account of the measures in which I differed from them. I note the insinuation underlying his observations but in reply I will only say that it is beneath my contempt to answer. My loyalty has been well recognized by no invitation to me for the meeting at Narayan Bagh."

The hon. Rao Bahadur A. P. PATRO:—"Sir, truth is a difficult thing to repudiate. I come back to the position I have been talking on. Light having dawned upon him now, he says he has come out of the dim atmosphere and he is now free. I congratulate him if he is really that. But let me also point out that he will be directly against the cult he has so long been advocating."

Mr. C. RAMALINGA REDDI:—"Sir, may I explain—"

The hon. the PRESIDENT:—"If the hon. Member has got a point of order I will certainly hear him at once. But if there is any explanation, it is a matter for consideration whether he may not explain himself later on. Apparently the hon. the Minister is not going to be the only gentleman who is going to attack him. I appeal to the hon. Mr. Reddi to consider if he cannot put off all these explanations for his reply. If he however wants to do it then and there, he is quite at liberty to do so."

Mr. C. RAMALINGA REDDI:—"I thank you for your advice, Sir, and I shall reserve my explanations to the last."

The hon. Rao Bahadur A. P. PATRO:—"Then, Sir, reference has been made to certain matters in the Local Self-Government Department. I think he is right in having referred to it. But that is, I am afraid, an indictment not on the Ministry, not on the persons who are responsible for the laying down of the policy: but on those who are responsible for carrying out the policy of the Ministers, on those in whom the Ministers have reposed some confidence; attempt was made to train these gentlemen in the Local Self-Government Department; it is an indictment upon those betters who by election come into the local boards, municipal councils, corporations or district boards—"

Mr. A. RANGANATHA MUDALIYAR:—"May I know, Sir, if all the members of the local bodies are elected?"

The hon. Rao Bahadur A. P. PATRO:—"These local bodies have been under their control and if their finances are in a state of confusion, the fault cannot be on the head of the Ministry. There have been two Acts

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passed during pre-reform days by which the local bodies were given very liberal and large powers so that they may develop their civic responsibility. Subsidies from Government were obtained to strengthen and support the confused state of their finances and if the representatives in the local bodies have not been able to avoid such confusions the Ministry cannot for one moment be held responsible. They are empowered to raise their revenue and in fact full responsible Government and full Swarajya was already in their hands. Therefore Sir, the Ministry cannot be held responsible for any confusion that is now existing. As a matter of fact, when these bodies were in a financial crisis, subsidies were got for them with a view to help them in their difficulties and to restore their normal position. Now I ask, is this an act that you should now condemn the Ministry for? There may be some defects, some irregularities. We have been responsible for the policy and any confusions in the local bodies administering it will be set right in time.

"There is another point I may mention. While the salaries of all other services were reorganized those of the local bodies have remained. It cannot therefore be said that the policy alone was responsible for these confusions. If you do not give what is their legitimate demand, there can be no contentment or satisfaction. Reforms cannot be worked with a discontented service—local or Government service.

"I have thus answered two charges on which the Mover has based his case. The last one is with regard to the future. I would not detain the House with reading to you the Administration reports; but I would only point out that it was the Ministry that was responsible for the progress in Transferred departments.

"But, Sir, when we worked the first budget we found that the allotment had been inadequate and when we pressed on the attention of our hon. Colleagues and His Excellency the Governor we were given, Sir, an increased allotment over the allotment that had been sanctioned before. Again, Sir, when we found that our expenditure was not enough to meet the demands of our principle and policy, we got more from the Reserved side. Gradually we have been gaining ground and gradually we have been getting concessions from the Reserved side to the Transferred side for the development of the various departments. Then, Sir, you will see that with regard to the provincial allocation of revenues, which is a most important and fundamental issue, we have been able to obtain an increase of two per cent. Now, Sir, I will refer to the expenditure side. Consider the expenditure on mass education or popular education. Look at the expenditure during the pre-reform days on elementary education and the education of the depressed classes and compare it with the expenditure incurred on these things to-day. There is a difference of 18 lakhs. The expenditure now is 18 lakhs more than what it was before the reforms or during the year in which we began the reforms. During the year when the Ministry took charge of these subjects, Ministers had not very much experience as to the allocation of revenues."

Mr. A. RANGANATHA MUDALIYAR :—"May I know whether the increase of 18 lakhs is due to the increase of pay to the staff in the Agency or to the staff connected with education?"

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The hon. Rao Bahadur A. P. PATRO :—"I will be able to furnish it to my hon. Friend if he only asks me otherwise. I do not want to waste the time of the Council over this question. There is an increase of 18 lakhs in the course of two years. Is this not a record to the credit of the Ministry? This sum we have been able to obtain in the midst of the financial stringencies from the Reserved side for the expansion of mass education. I would ask you to bear in mind the circumstances under which the Ministry began its life. You know the condition of the country when the first Ministry was formed. What was the condition of the country? It was a period of great unrest—a serious unrest. We had a rebellion in the west; we had non-payment of taxes in the north; we had a depleted exchequer; we had retrenchment. Retrenchment was the cry of this House, retrenchment was the cry of the public and the air was filled with the cry. It was a period of financial depression; it was a period of unrest when we began our work, and it was most unfortunate that we had to cut every thing to the bone. We wanted to retrench as much as possible and we have now created discontent amongst our ranks. It is most unfortunate from the point of view of the proper administration of the country. The report of the Retrenchment Committee will be shortly laid on the table and hon. Members will see the amount of work done by the Ministers in the matter of retrenchment. Well, I have shown you the figures which prove that we have expanded mass education. It is a national service. It is a national service because the expansion of elementary education is a national service. It has got the foremost claim on the exchequer of this province. So in these directions we have been able to advance more than the pre-reform days. Again, Sir, I wish to refer to the reform in the matter of the district educational officers. This is a scheme which has been pending for a very long time with the bureaucratic type of Government. It has not been possible to carry out this scheme which was demanded eight years ago. A resolution was moved in the Provincial Conference on this subject by myself. The scheme has now advanced so far that we now see the district educational officers and the scheme has been put into operation. You will now find that the people are associating themselves in the administration of the country and gradually this has been carried on in a manner which is consistent with the policy and principles of the Ministers and the party. There is one other progress which we have been able to achieve. It has been suggested and suggested repeatedly from platforms and Congress resolutions that it is necessary that we should raise the status of the village and that we should restore the village to its pristine condition, because without raising the condition of the village, without taking the villager into our confidence and without making him more efficient we will not be able to carry on our administration. Even the Montagu-Chelmsford Report lays emphasis on this condition, viz., the improvement of the status of the village. Let me refer to what we have done with regard to the village. There are two or three agencies that are important in order to obtain a well balanced administration, viz., the village officers, the village schoolmasters and the village panchayats. If the village officers are discontented, then there will be no proper administration. If you have a discontented set of schoolmasters they will not be able to assist you in the matter of the village organization or the improvement of the condition of the village. Realizing these two conditions we have increased the salaries of these village officers as well as the schoolmasters."

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Mr. C. RAMALINGA REDDI:—"I did not raise in my speech any point about the Reserved departments. My hon. Friend has been referring to the village officers and he has no business to take credit for it. I have already given an undertaking at the beginning that I will not refer to the Reserved subjects."

The hon. the PRESIDENT:—"I am by no means certain that the hon. Member Mr. Ramalinga Reddi did refrain himself from all reference to the Reserved departments. I have got a hazy idea of his references to some elections, which, I believe, are managed by the Reserved half of the Government."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"There are two matters which the hon. Member referred to, viz., the question of nomination and the question of election, and both are part of my portfolio."

Mr. C. RAMALINGA REDDI:—"Sir, you will kindly permit me to take the second point first. I was dealing with the subject of discipline prevailing in the ranks. I wished to draw the attention of the hon. Member in charge of the portfolio to the complaints which have appeared in the press that a certain superintending engineer directly canvassed for a Minister. Sir, was I not entitled to do that?"

The hon. the PRESIDENT:—"The hon. Member is perfectly entitled to do it. But on a motion of censure on the Ministers the hon. Member has drawn the attention of the Reserved half of Government to certain election irregularities. I only say that the hon. Member has not been abstaining from all reference to the administration of the Reserved half. I am only saying this from memory. Assuming that the hon. Member has refrained from all reference to the Reserved half, there is nothing to prevent the Ministers from so referring. They are not bound to follow the hon. Member's lead. If the hon. Member makes his attack in one way the Ministers are not bound to defend themselves in that way. They may defend themselves in any way."

Mr. C. RAMALINGA REDDI:—"There is one submission I wish to make, Sir. They are going to take credit for the things done in the Reserved departments. That is not quite fair to us. With reference to the objectionable method in the election I intended them and I do intend them as a reflection on the Ministers or district board presidents or whoever the person may be and not on the manner in which the thing was administered by the Reserved half. If you think that it bears the other construction I won't say a word more about it."

The hon. the PRESIDENT:—"At present we can deal only with questions of order. The hon. Mr. Patro is in order in referring to certain matters relating to the administration of the Reserved half."

The hon. Rao Bahadur A. P. PATRO:—"I have referred to the village officer as a strength in the unit of administration. I referred to the schoolmasters for the same reason. We have formulated a scheme for the expansion of the village panchayats. Under the scheme formulated we had already inaugurated throughout the Presidency a number of village panchayats; under section 15 of the Village Panchayats Act several powers have been conferred on the village panchayats. From these powers you will see that when they are properly exercised the village panchayats

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become practically autonomous in certain matters. We have also under consideration the amalgamation of the village munsif's court. When that is done, you will find that all the disputes, all the struggles and all the quarrels in the village can be settled by this panchayat. A scheme has been framed, though it does not relate to me directly as it relates to my hon. Colleague, for the formation of forest panchayats throughout the Presidency. In that scheme of development we have supported the Reserved side and unequivocally supported it in order to see that the villagers may settle various disputes, small quarrels that may arise in the village in regard to the forest administration. Similarly, Sir, in regard to the village school the policy that has been inaugurated forms a training ground for the villagers in matters of administration. The district educational councils have been so framed as to prepare their own courses of study. If any subject is peculiarly fitted to any local area, the district educational council can sanction its own curriculum. Therefore we have made the village more efficient. In another matter you will find that the condition of the village has been improved, viz., co-operative credit. You will find that great expansion has been made in respect of co-operative credit in rural areas. When the system has been begun in rural areas and for groups of villages, the villager can get away from the clutches of the proverbial sowcar. Now the credit society seems to be a reality. These organizations show how far the Ministry has been providing relief to the villagers so that the villages might be autonomous in administrative matters. Instructions have been given to these villagers in order that they might be able to see that they have got proper advice in matters agricultural. I have summarised all these to show that we have taken steps, effective steps, in order to improve the conditions of the villages, in order to raise their status and in order to give opportunities to the villagers to make themselves efficient and capable and to be able to take part in the higher administration of the country. Is this a very reactionary measure? Is this a progress which you do not need?

"In dealing with my own portfolio, I would respectfully submit to hon. Members that we have encouraged elementary education. 1 p.m. We have been able to carry on free and compulsory education in urban areas. We have been urging this policy of free and compulsory education from every platform. Fourteen municipalities have now got their compulsory education system. We are also trying to introduce the system in seventy local bodies. Is this a policy of reaction and is it detrimental to the interests of the country? If hon. Members of this House co-operate with us in carrying out this policy of expanding mass education, we will be able to progress very rapidly and establish practically a national system of elementary education. I want the House to consider whether under the circumstances in which we were placed, financially and otherwise, it would have been possible for any one to do better. Certainly our record is one that anybody can be proud of. The House knows the difficulties under the system of diarchy. When any new proposal is put forward, we have first to convince the departmental head as regards the soundness of the policy. The proposal will then have to be sent to the Secretariat where the history of the matter and its relations with other departments will be considered. Then the matter will be submitted to the Cabinet. After the Cabinet approves of the proposal, it has to go before the hon. the Finance Member. Under

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Devolution Rules 36-39, the hon. the Finance Member has got a potent voice in the matter. He has to finally decide whether it is financially sound or not. However excellent the scheme may be, however appealing it may be, if the hon. the Finance Member does not support the scheme, the whole thing will go to the wall. If the hon. the Finance Member accepts the proposal, it will be placed before the Legislative Council which will have to finally sanction it. Thus, when any new principle has to be evolved it takes a long time to complete it. This is unavoidable if we have to work the reforms as they are given to us. We had only two and a half years before us. If we want better results we have to change the rules and regulations. Let us all co-operate and see that the system is altered as early as possible, so that we may progress on more rapid lines and obtain full provincial autonomy. I have told you the difficulties under which we had to work. I will not take up your time in going into the larger issues in connexion with urban areas. Suffice it to say that within the short period of two and a half years that we had, we have done our best. I remember the hon. Member for the University saying at the Gokhale Hall that even if a Brahman Ministry had come into existence, it would not have been possible for them to have done better."

Mr. S. SATYAMURTI :—"I was not referring to the particular achievements of this Ministry at all. I was saying that diarchy was unworkable."

The hon. Rao Bahadur A. P. PATRO :—"I have his speech as reported in the newspapers. He says 'those of us who are in the Council must work for the day when the Ministry will stand its test. I am not saying that their record is black (that is, the present Ministry). I consider that if the Brahmans had taken office, their record might not have been better because they would have to work under a diarchy which is unworkable.' This was what the hon. Member for the University spoke at the Gokhale Hall. He throws the blame on the diarchy and the system under which we are working. This shows that he realizes the difficulties under which the Ministers have begun their work. Therefore, I say whatever may be the shortcomings and defects which have been occurred under the circumstances in which we were placed, the total record is quite sufficient to show that we have done our best and followed a progressive policy and not a reactionary policy. The remedy lies in our obtaining provincial autonomy."

"There are again some 16 points raised by the hon. Member representing the University, of omission and commission."

The hon. the PRESIDENT :—"Probably the hon. Member may not raise all the 16 points now. The hon. the Minister need not anticipate him and answer all the 16 points, which have not been raised here. The hon. Member may find the atmosphere of this House rather different from that to which he is accustomed."

The hon. Rao Bahadur A. P. PATRO :—"As I would not have another opportunity of speaking I wanted to anticipate him. But I bow to your ruling, Sir. As I have already said, there has been no decrease in the number of our party men who have been returned this time. The total strength in the last Council is the same as the total strength now. As for our record, it is impossible for any other Ministry to have done better than

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the present Ministry. We have got full sympathy and support the political advancement of the country. We have done our best to improve the condition as it was when we took charge of the office. With regard to the rural areas we have bestowed our best attention to see that the people are more efficient, more capable of relying upon themselves for their advancement. The resolutions passed in the Council to some extent show in what directions progress has been achieved. If we had not been able to go so fast as some Members wish, while I sympathize with them in their desire to move faster, the circumstances under which we were situated did not enable us to go faster. There are certain limitations beyond which we cannot go. I have said what I can say on the various points raised by the hon. Mover and I leave the issue in the hands of the House. This House consists of many new Members, Members who have not yet had opportunities to know what the circumstances were in which we are placed, and what the work of the new Ministry will be, and I would submit to them to wait and see what policy the Ministry is going to follow. If the Ministry follows a reactionary policy, then it will be time enough for them to decide one way or the other. Many have not been directly in contact with the Reforms as worked during the last two and a half years. I only submit to their consideration that we have done our best in carrying on a policy intended for the advancement of the people."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Mr. President, Sir, when I rise at this stage of the debate, I am aware of the difficulties in which I am placed. I know I am coming after the philosophical speech made by the Member who was at the head of Education in Mysore followed by the oratorical speech of the head of Education in Madras. I am aware of the fact that there are going to be several speeches by several hon. Members of the House. The hon. Mover of the resolution referred to various things in support of his motion. I may say that a vote in favour of this resolution does not mean agreement with all the views of the Mover of the resolution and of two others that sit with him."

"Our position to-day is that so far as this Ministry is concerned, i.e., so far as their past record is concerned, whatever may be their future programme, we are not at all satisfied. We shall not be satisfied with the Ministry until and unless the whole attitude of the party is changed. I may once more say that the passing of this motion does not necessarily mean that we mean anything personal against the Ministers who are occupying the front bench. We are here to condemn the procedure and principles that the Justice Party has been pursuing. To begin with, the hon. the Minister in charge of Education said that 'we are better off now than we were before; Justice Party men defeated non-Justice Party men'. I challenge him to give examples. Are there not examples where the Justice Party men have been defeated by people who belong to other parties? (Cheers.)"

"Sir, I remember there was a time in the old Council when attempts were made by some of our non-Brahman friends to form themselves as a separate party called 'the non-Brahman Independents' under the leadership of my hon. Friend Mr. Krishnan Nayar. It collapsed, it failed, thanks to the patronage of the Ministers and thanks to the claims of the Justice Party on people who wanted to belong to other parties. Then, Sir, we tried

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to form an independent opposition consisting of Brahmans and non-Brahmans, but we did not succeed. The Swarajists and the Nationalists do form one strong party in giving opposition to the Ministry. Our friends, the Muhammadans, whom the Justice Party claimed to be their own, have absolutely nothing to do with it. Then how does the hon. the Minister say that 'we are better off after the election than before election'? Let him name half a dozen non-Justice Party men who have been defeated by Justice Party men. I say once again that the Ministry is not having the confidence of this House or of the people outside it. The Ministry is supposed to represent whom?—the Justice Party including the Leader of the Opposition (cheers). I also say once more that, so far as the election result shows, it has proved to the hilt that the Justice Party has lost all confidence that they ever had or that they pretended to have.

"Sir, I shall not base my support for this motion merely on the result of the elections. The result of the elections after all must be considered to have had some connexion—good, bad or indifferent—with the work done by the Ministers. So far as the work of the Reserved half is concerned I am not sensitive to say anything about it. I am not sensitive to say anything even about the work of His Excellency himself. But so far as the Justice Party is concerned, I am sorry to say that His Excellency took a wrong view that that party represented the people of this Presidency. He made a mistake—you will excuse me when I say that—in nominating the Ministers."

The hon. the PRESIDENT:—"Is the hon. Member referring to the present Ministry or to the late Ministry?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"To the present Ministry as judged by the work of the late Ministry (cheers), and what is more the present Ministry as judged by the Justice Party to which they claim to belong. They are in a miserable minority, and are unfortunately strengthened by the nominations which His Excellency the Governor was pleased to make. If the Ministers had been a little more democratic the result of the last three years' working would have been far far different. The hon. the Minister for Education said that the Ministry had only 2½ years for its working. I do not know how many more years are required for the proper working of the Ministry. Assuming that they had only 2½ years, is it such a short period in the history of the country and of the Ministry, in the history of ours, within which the Ministers would not be able to show their good record of work?"

"I do not wish to enter into the communal question which the Justice Party advocates. I am one of those who think that when recruitment for appointments is being made non-Brahmans may reasonably be given a large number of posts provided they are qualified. I am of opinion that the Ministry and the Council committed a serious mistake in overlooking the vested rights of officials already appointed and who had naturally some rights of promotion if they were honest and efficient. I will not press that question very much. I do say that the appointments that have been conferred whether on Brahmans or non-Brahmans, Hindu or Christian or Muhammadan, have been conferred in several cases on persons who are not adequately qualified for such posts, and the hopes and aspirations of those who have already been working in the departments have not been fulfilled and their claims have been overlooked by the Ministers.

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The hon. the RAJA OF PANAGAL:—"May I ask the hon. Member to give me a few instances?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"I would ask the hon. the Minister to take the lists of appointments made in the various departments and see whether in a number of cases the juniors were not promoted over seniors simply for the reason that the former were non-Brahmans and the latter Brahmans. It may be that many of these non-Brahmans deserved such promotions. However, I only said that we, as a party, do not want communalism to enter into every aspect of public life. My complaint is that bureaucracy has increased. Instead of four bureaucrats before the introduction of the Reforms, we have seven now. Some of us humbly proposed that the pay of the Ministers might be reduced. It was announced last year just on the eve of a general election that a magnificent sum of Rs. 1,000 was reduced in each of the Minister's salary, i.e., from Rs. 5,000 and odd to Rs. 4,000 and odd. It is these Ministers who call themselves democrats. Shall we know how much has been spent on the higher appointments? The number of appointments has been increased with very largely increased salaries."

The hon. Rao Bahadur A. P. PATRO:—"I must say that it has been in the negative. The cadre was fixed. No appointments were increased."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I was only going to say that 2,000 and odd clerks were sent away, and I appeal to the gentleman who is the leader of this House. There is no use of pretending that we have dismissed here and there a few hands while the number of higher appointments has increased."

The hon. Rao Bahadur A. P. PATRO:—"There has been a saving of Rs. 1,25,000 in the re-organization of Inspectors of Schools."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I do not at all refer to personalities. I should simply like to say that in every department, the number of appointments, Imperial or Provincial, has increased."

The hon. the RAJA OF PANAGAL:—"Sir, I may mention that in the Medical Department a large number of appointments, which have been hitherto held by Indian Medical Service officers, have been thrown open to Provincial Service officers on a smaller pay?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"I am not now saying that these appointments have been given to non-Brahmans or Brahmans or Europeans or Indians. I only state that the number of higher appointments has increased from what it was before the Reforms. We have the sorry spectacle of crores and crores of rupees being spent upon establishments in this Presidency. The Transferred half might say that they are spending only 4 crores upon establishment while the Reserved portion was spending much more than that."

At this stage the Council adjourned for lunch.

The Council re-assembled after lunch at 2-30 p.m.

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I am now going to refer to another aspect of the question, that of the reactionary character of the Ministry and their followers during the last three years they were in power. I am not referring to the resolutions that were either tabled, carried or

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thrown out so far as the general administration of the country was concerned. The one thing that the country wants them to explain is their attitude towards the resolution of Mr. Vellingiri Gounder to induce the Minister for Development to encourage hand-spinning and hand-weaving to some extent by introducing these in the schools in our Presidency. The hon. Minister, who was in charge of the department speaking on behalf of the Ministry, thought that it was a step that was likely to drown the whole Presidency in the Bay of Bengal. He was of opinion that, if a small mild form of spinning was introduced in the schools, our children would all become rebels and therefore he opposed it vehemently and with the strength of the Ministerialists it was thrown out.

"Now I come to the question of according better treatment to the political prisoners. Of course this question was dealt with as a Reserved subject, but I have no doubt whatever that the Reserved half might have been made to give a little more consideration to this question if only our Ministers had suggested some compromise between us and the Reserved half. I do not want to say anything more on this question.

"The same thing might be said of the question of separation of executive and judicial functions."

The hon. Rao Bahadur A. P. PATRO:—"Sir, with regard to the separation of judicial and executive functions, the whole House unanimously agreed to the first proposition, viz., the principle of the separation of judicial and executive functions. There was some other portion in the resolution which was moved by my hon. Friend and it was that which was not accepted. Mr. Tanikachala Chettiyar speaking on that resolution said 'we are all unanimously agreed to the principle of separation of judicial and executive functions in the Presidency'."

MR. C. V. VENKATARAMANA AYYANGAR:—"My time has been cut down as much as possible by these interruptions and therefore I do not propose to reply to every word that has been said, but if it is a question of order I would reply. I believe what Mr. Tanikachala Chettiyar said was different from what the hon. Mr. Patro now says. The hon. Mr. Patro, one of the leading lights of the Congress, one of the leading lights of democracy—at least he said so once, has he moved one finger during the last thirty months he has been in charge of the Excise portfolio, to do anything useful? It may be, he has appointed a committee, a moving committee, a roving committee, to spend a lot of money, to go to different provinces and to produce a report which would throw light where there is no darkness. Has he done anything to reduce the consumption of drink? The only thing that was done was to make a few prostitutes big people by giving them police escort to and from toddy shops."

Diwan Bahadur Sir P. TYAGARAYA CHETTIYAR:—"I did not hear the last word? May I know what it is?"

MR. C. V. VENKATARAMANA AYYANGAR:—"I said that in many of the villages prostitutes were selling toddy."

MR. ABBAS ALI KHAN:—"Barmaids."

MR. C. V. VENKATARAMANA AYYANGAR:—"I shall use the big word 'barmaids'."

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"Sir, I and some others on this side tabled resolution after resolution to give some little power to the municipalities to have local option. The resolutions of the municipalities in this matter were thrown to the winds and we see to-day that the income from liquors has gone up by leaps and bounds over what it was three years ago."

The hon. Rao Bahadur A. P. PATRO:—"It is not a fact, Sir, that the recommendations of the municipalities or the advice of the licensing committees in the rural areas were thrown to the winds. The report of last year would show that the recommendations of the licensing committees were very much respected and that in a large number of cases their opinions were given effect to."

MR. C. V. VENKATARAMANA AYYANGAR:—"Sir, it is a reply and not a point of order. Sir, the Coimbatore municipality by a resolution asked for the removal of certain toddy shops, but the Government refused to accept that resolution.

"I shall now come to the achievements of the Ministry in respect of the Local Boards Amendment Act and the District Municipalities Act. In these Bills they insisted upon every municipal councillor taking the oath. I said then, and I repeat it now, that there was absolutely no meaning in that and that there was absolutely no necessity for such a measure. Has there been a single instance in which the amended Act has had to be put in motion? Has there been a non-co-operator or swarajist who has been affected by that amendment? The hon. the Chief Minister at the time of the passing of the Act said that there would be a number of cases of that sort. But it has not been so. Can he show one case where such power as is taken in that Act has been used in the case of non-co-operators? I am afraid absolutely none. The time of the Council and the money of this country have been wasted in these two pieces of evil legislation. The other achievement of the Ministry is of course the Religious Endowments Act. I do not want to say anything about that. Even those who supported that legislation are now saying that, in spite of the various defects in the Bill, they supported the Bill on account of party unity. They themselves have admitted that there are plenty of defects. Our complaint is that it should not have been treated as a party measure and that it should not have been thrust upon this House at the fag end of the session."

The hon. the RAJA OF PANAGAL:—"If I remember aright, Sir, the hon. Member in possession of the House was one of those who congratulated me on passing that Bill."

MR. C. V. VENKATARAMANA AYYANGAR:—"I congratulated the hon. the Raja of Panagal for having introduced a Bill which gave us an opportunity to discuss the religious endowments in general. But I had warned the party not to consider the Bill as a party measure and not to rush it through."

The hon. the RAJA OF PANAGAL:—"The hon. Member had asked for an adjournment for a day and I allowed him three days."

MR. C. V. VENKATARAMANA AYYANGAR:—"That does not show that I dotted every 'i' and crossed every 't' in that Bill. The hon. the Minister forgets the large number of amendments that were brought to the Bill. That Bill should not have been brought as a party measure and should not have been passed at the fag end of the session."

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"The hon. Mr. Patro in spite of his 1½ hours' speech has not been able to show any useful work which this Ministry has been able to do. He said that the circumstances were such that they were not able to do much. The House was prepared to support them and still we must say that the whole of the record of the Ministry is practically zero."

Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, when I first read the motion tabled by my hon. Friend, Mr. Ramalinga Reddi, 2.45 p.m. I thought it was a motion which called for a searching of one's political conscience and for an examination of the political principles to which one adheres. Now, these are things that cannot be put on or put off like one's dress. They are so much a part of oneself that something more than a mere sentimental objection to a policy or programme, some great dereliction of duty, or some serious objection is necessary to justify a thorough change of political views. I have kept an open mind. I have been all attention to what was said by my hon. Friend, Mr. Ramalinga Reddi, and the other hon. Members who have supported him. I have been looking for some clear, definite policy, general political programme, but beyond a vehement reiteration of some constructive charges that the policy to which the Ministry has been pledged is not sufficiently democratic or progressive, I fail to see any very serious charges, any grave political or economic blunders, such as would justify the moving of a No-confidence resolution. Speaking for the minority which I represent, the main reason why the minority has adhered to the political programme of the Ministerialists is that the Ministerialists stand for the progressive political evolution of this country in co-operation with the Government, crediting them with honesty of intention and purpose, putting faith in the Montague-Chelmsford reforms and regarding them as marking an important stage in well-ordered progress towards Self-Government. That is a programme that appeals to the minorities. It is most practical and business like that one should take existing institutions, the Government which obtains, and by adjustments or by adaptations to new requirements, to new political aspirations, to the growing fitness of the people and to the growing demands made by new democratic ideas and ideals for evolving a new Government without doing violence to the old.

"Side by side with this political programme there is another which is equally important, namely, the economic policy for promoting the prosperity of this province: that encouragement should be given to industries, indigenous industries, and nascent industries, that new industries should be started for which the province is fit and for which there is abundant raw material, that facilities should be afforded for research work, that the talents of Indian youths should be fostered for industrial, technical and commercial pursuits, that their minds should be diverted from purely literary or academic callings into new walks of life which would enable them to contribute more and more to the economic prosperity of this province and also to solve the question of unemployment or of unproductive or unremunerative employments. For this reason I should think that the State Aid to Industries Bill which was passed by this House was a right step in the right direction. This measure, if properly worked out, would certainly result in the economic salvation of this province.

"There is also another point which appeals to minorities. The Ministry is working for the elevation of the politically and socially backward classes.

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Now, Sir, in the translation into action of their intentions it might be that they have laid themselves open to criticism; it might be that in their eagerness to have a majority and to keep the solidarity of their party they have not bestowed sufficient attention on the claims of these minorities and that their interests have not been adequately safeguarded. But human institutions are not perfect and human agencies are not without their imperfections and in especially the practical work of Government, where attention should be paid to the temper, the feelings and passion of the individuals composing the State, difficulties arise and mistakes are made owing to lack of experience or foresight. These are mistakes which admit of being easily rectified. I do not think that they are of such a magnitude as would justify the passing of a 'No-Confidence' Resolution. My hon. Friend, Mr. Ramalinga Reddi, told us that it was a mark of political advancement for the Ministry to take the Vote of Confidence and that it was usually and habitually resorted to at certain stated periods. I think I must differ from him. I should look upon a No-Confidence Resolution as something reserved for an extraordinary occasion, as a weapon to be used on occasions of great emergency. This is what is done in England. When there are certain questions of foreign policy or certain questions of home policy, on which the Ministry is not quite sure of having a clear majority, of carrying the party with it, or on questions like the housing problem or the tariff problem or protection or free trade or labour on which the Ministry would like to have a clear mandate, this means is resorted to. I do not think that we are justified in regarding this No-Confidence Resolution as a sort of test which can be applied under normal conditions.

"Two arguments were made use of by my hon. Friend. First of all, he made an analysis of the election figures and said that it was clear that the Ministry had not a majority. I fear it was rather straining the point. It is true that in elections very many influences are brought into play and one important influence that came into play in this election is that a strong political party which had, on the previous occasion, refrained from contesting the seats of the provincial councils and assemblies had this time made up its mind to enter the councils. Therefore, it was a foregone conclusion that the Ministry was not going to have an overwhelming majority. Now, even granting for argument's sake that the Ministers have not a very large majority, is it not enough for all practical purposes that they have a working majority? Was it necessary for my hon. Friend Mr. Ramalinga Reddi to table this Resolution of No-Confidence at the beginning of this session when we are in the dark as to the political programme to be followed by this Ministry or by any considerable section of this Council. Can he not have waited for some time and seen the strength of the opposition when certain measures came up for consideration and when certain resolutions were taken up for discussion and then on a definite point of policy, moved this resolution?

"Secondly, he referred to the way in which Local Self-Government was carried on and he put the blame for mistakes which were found, on the hon. the Chief Minister. He said that discipline was very lax. The complaint has been that discipline was rather very rigid and that municipal chairmen and municipalities wanted to be altogether free from control or dictation. Apart from these considerations, I think the objections raised by my hon.

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Friend with regard to this branch of administration may very well be raised against any and every kind of administration. It is easy to offer criticisms, and, if I were to offer criticisms, I should take much of your time and pass in review the past failings of every branch of administration, but it is difficult to substantiate them and fix the blame. We must bear in mind that these are human institutions, that human agencies are at work, and that we have to take into consideration the feelings of the men who form these local bodies. It is necessary that every case should be proved for the head of the department or the hon. Minister in charge to take serious notice of it. My hon. Friend, Mr. Venkataramana Ayyangar, was just now giving some specific instances where abuses had crept into the Excise administration. I do believe that these are real, and if he would have the courage to prove these instances and bring them to the notice of the local authorities and to the notice of the hon. Ministers, he would thereby enable them to take effective measures for putting a stop to the practices complained of. I think I too have grievances which are of the same nature, but the difficulty is to prove these things to show that the Excise officers abuse their powers and that they do not discharge their duties properly. That is what the law demands; everything has to be proved. It will not do to indulge in general criticisms and say that the entire blame is with the hon. Minister.

"Then, Sir, there is the other question. I do not know what has made hon. Members criticise the policy of the Ministry. I do not attribute any motives to them but judging from the actual work of the Ministry in the Council I think I may be permitted to state that they followed a liberal policy in inviting and meeting criticism. I had the freedom to criticise them and even to oppose them. A motion is now brought forward by my hon. Friend who, I believe, uniformly and consistently supported the Ministry. If they differed from it with regard to certain minor matters and if they thought that the Ministry was not sufficiently progressive, it was open to them to have made their position clear and to have their influence felt in the House. I, for one, never felt this action necessary, and I was never called upon to conceal my views. I had always the courage of opposing the Ministry and when I saw that the Ministry brought forward measures which were calculated to prejudicially affect the interests of the constituency which I represented I did oppose them. On the question of the University Bill my position was very clear. From the moment it was introduced into the House down to the last moment it was passed, I opposed the Bill. But when the majority passed the Bill I had to bow to the will of the majority."

Mr. S. SATYAMURTI:—"Why?"

Mr. S. ARPUDASWAMI UDAYAR:—"That is what is expected of every law-abiding citizen when the majority expresses its will. But if to-morrow certain measures are introduced which would be prejudicial to my constituency I may give the assurance that I would certainly not feel bound to support the Ministry. Before we are asked to vote we must have a clear policy and a clear programme before this House. Who are those who are going to

3 p.m. form the new Ministry, those who are going to help in its formation? Suppose the present Ministry is defeated, what is to be the political programme of the new Ministry which has to begin its work in this House? I represent a minority in this House, Sir. What are

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the pledges given by the Members of the Opposition to the minorities? What guarantee is there that their interests will be adequately safeguarded, that their claims will be properly recognized? Where are those pledges, where are those guarantees that we need? In the absence of these, in the absence of a clear knowledge of the constructive programme to be adopted, to ask us to vote against the Ministry is to ask us to take a leap in the dark. I, for one, would not incur the great responsibility of making this wild plunge. I, for one, am not prepared to incur the responsibility of lightly handling a political weapon which, I believe, is to be used only on occasions of grave emergency, when a serious economic or political blunder has been committed attended with serious consequences to the welfare of the nation. I, for one, am not prepared to play at that dangerous game of constitution-mongering and ministry-making, setting up a ministry or abolishing a ministry, for that may land our province in a chaos and ultimately result in the Reforms being rendered unworkable, nugatory and void. In the interests, therefore, Mr. President, of the minorities and in the interests of well-ordered progress and in the interests of that spirit of seriousness which ought to characterise our deliberations, I cannot support this motion. I must necessarily vote against it."

Mr. T. ADINARAYANA CHETTIYAR:—"Mr. President, to my humble mind the issue seems to be a very clear one, although attempts have been made to confuse, so to say, many a new-comer like myself with questions, which I believe, really do not arise. Attempts have been made to show that this proposition, if carried, means disrespect to the head of the Government, probably even to His Majesty the King-Emperor. Attempts have been made to confuse the Members by the issue: 'suppose you vote for this, then what next?'. Attempts have also been made to confuse the Members with the other proposition, namely, what are the constitutional precedents and what are the consequences of carrying such a motion? Mr. President, Sir, I am afraid these are quite unnecessary and irrelevant to the issue. The one question before the House embodied in this proposition is this. The Members are called upon to express the opinion of the electorate upon the administration of the province as carried on by what may be called the party in power during the last three years. Sir, for reasons which need not be entered into here, at the time of the first elections under the Reforms Scheme in 1920 a large body of us stood aloof from the polling booths as well as from the Council. During these three years, Sir, the lives, liberties and privileges of a large section of our people were entrusted to a certain set of people whom for convenience sake we may call the party in power. And to-day, Sir, the motion brought forward by my hon. Friend, Mr. Reddi, gives us a chance to express our opinion on and to review the work that has been done by the Ministry during the last three years. That is the only issue before us and, if we confine ourselves to that, there can be no confusion in the matter.

"Sir, the acts of omission and commission of the Ministry are so fresh in the minds of all present here that they do not require much detailing on my part. It is only a day since we had the privilege of listening to the opening address of the head of the Government in which he laid very proper stress upon the administration of the local institutions. And yet let us see what

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the outgoing Ministry has done for fostering the self-governing institutions. Instances have been given earlier to-day of how in the nomination of District Board Presidencies much partisanship has been shown. In the district which I have the honour to represent, the re-nomination of the District Board President was made, as my hon. Friend has already pointed out, even before the expiry of his term. Why, Sir? Because the elections were taking place at that time. In the district of Tanjore, on the other hand, the place has been allowed to be vacant for five months. Again, Sir, where was the need for the amendment of the Local Boards Act by the insertion of the oath of allegiance? I need not refer to the other harassing interferences with the fostering of local self-government here. Take the case of the village officers, the very foundation of all government. The attempt to interfere with the hereditary nature of the office and the harassment, and inconvenience and other manifold evils caused to that useful lot of people by the system of re-grouping is best seen in the district which I represent."

The hon. Rao Bahadur A. P. PATRO:—"It does not refer to the Transferred departments. It is a matter belonging to the Revenue Department."

Mr. T. ADINARAYANA CHETTIYAR:—"Although I am not referring to an act done directly by the Ministers, the public are aware how the ryots were even threatened with the cutting off of the irrigation water. I do not say that the Ministers have done it. But they have never come forward with one word of regret about it. Nor is there an indication that they did not support such a policy. Take again the case of political prisoners. The public cannot forget poor, middle-aged, frail Vasudevayya of Salem grinding out oil under the cool rays of the April sun in the Coimbatore jail compound, or Dr. Varadarajulu Nayudu being asked to grind out the regulation quantity of ragi, and yet the Ministry has gone on unconcerned. Worse than that, remarks came from some of them saying that the usual punishment for felons was not sufficient for politicals. These are only some of the achievements of the Party in power that is now tottering."

The hon. Rao Bahadur A. P. PATRO:—"Sir, may I know which Minister made that statement?"

Mr. T. ADINARAYANA CHETTIYAR:—"Sir, the Leader of the Party which has furnished the Ministry has said it in the most unequivocal terms and it was very widely commented on in the press at that time. Then, Sir, in the matter of the forest grievance, which is one of the most widely felt grievances as the hon. the Deputy President knows, the Ministry has not come forward with any measure of relief to that large body of sufferers who have been so useful in raising a portion of the Viceroy's salary from behind the plough."

"Well, Sir, I may commit a few mistakes, being new to the place, but I hope I will be pardoned. I wish to say that the Ministry which has been in power has not done anything to earn the confidence of the people. Sir, to add to these, the unsatisfied souls of the Wagon Tragedy cry out for justice. And yet I do not think the Ministerialists have ever come forward to give any word of consolation."

The hon. Rao Bahadur A. P. PATRO:—"Sir, it is again a Reserved subject. The Ministers have nothing to do with the Mappilla Rebellion or the Wagon Tragedy."

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Mr. T. ADINARAYANA CHETTIYAR:—"Excuse me, Sir. It may be a technical blunder and yet, rightly or wrongly, the public associates the Transferred half with such acts."

The hon. Rao Bahadur A. P. PATRO:—"I believe that section of the public which my hon. Friend represents."

Mr. T. ADINARAYANA CHETTIYAR:—"It may be so, Sir, but I am afraid that it is a large section. Mr. President, these are some of the indications, clear and unmistakable indications, that the Party in power hitherto has not been representing the people's feelings and the elections have shown very clearly, as has been pointed out on more than one occasion earlier to-day, that the confidence of the people as indicated at the polling stations, has not been with the Ministers. When an attempt is made to perpetuate the same Ministry with a slight modification naturally it is time for the public, for the people whom we have the honour to represent here, to tell the head of the Government that the Ministry does not represent the feelings of the people. I am very sorry that, in giving my support to the Resolution of my hon. Friend, I am wounding many a personal friend. But, Sir, it is my clear duty, my emphatic duty, to associate myself with the Motion before the House. Unconcerned with the politics of my hon. Friend, the Mover, or of his associates, unconcerned equally with the constitutional consequences of the measure, as representing a large body of voters, I give my unstinted support to this Motion."

Mr. R. VIRAYAN:—"Mr. President, Sir, after hearing so many speeches from several of my hon. Friends here I feel it necessary to plead for toleration. I have been listening very carefully, watching very carefully both sides of the question and feel that the Opposition must show a certain amount of toleration. There is no use of criticising the actions of others. I must show that I am free from all defects. It is very easy always to criticise others. But I must show that I am perfect. Before I begin to show that, I have no right to criticise others. Sir, 'forget and forgive' is a golden maxim. We should have some amount of toleration. We should also have a genuine sympathy and love towards human society. Only through love we can work wonders. Sir, we should even love our enemies. That is the ideal, and it is with that spirit that we have come here. Unless we learn to tolerate the defects of others, how can we hope to continue to be of good to the public at large?"

"I should like much to emphasize this."

"Sir, certainly, I shall be committing a great sin if I fail to voice the feelings of my community on this occasion. Certain members of my community are not given due and adequate representations, and I believe there is a good amount of discontent as regards not giving them greater educational facilities also. I trust the hon. Ministers concerned will give due effect to the sentiments of the depressed, oppressed and neglected classes, and it is for the purpose of voicing the feelings of the Depressed Classes that I have come here. I would be committing a grave sin against Divine law, and a sin from which there is no escape for me, if I do not press the claims of my community. Therefore I should frankly say that the sentiments of my community should be respected. In my opinion, the bird that is actually now in our hands is worth two in the bush. Therefore, I have no hesitation in supporting the existing Ministry. There is some

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amount of feeling that certain people come to us to persuade us and promise to us that we will all be sent to heaven if we are to follow their lead, but where is the guarantee, Sir, for their doing so? (Laughter and 'hear, hear'.) Whether we will be sent to heaven or hell we do not know. (Renewed laughter and cheers.) Any change may mean worse for our community, and we cannot be fed upon pious hopes. I may repeat once more that we are becoming quite tired, quite deaf, to such promises. For the time being they may come and tell us a lot of things, that they will lift us up to the highest pitch, but where is the guarantee, and where is the assurance that they will act up to their promises? They may say that they will get licences from Providence even for a new status in life. I have no belief in all this. This is why I would support the existing order of things."

Mr. ABBAS ALI KHAN:—"Mr. President, Sir, I rise to discharge a most unpleasant duty which has been imposed upon me by the unanimous voice and suffrage of my Muhammadan fellow countrymen in this Council. Sir, when we came into this Council last term, we wanted to form a party of our own, but one of our then members who was our leader, or who chose to call himself the leader, told us that he would get whatever we wanted from the Justice Party, and asked us to help that party. (Hear, hear.) We, after a great deal of deliberation and hesitation, came to the conclusion that a small community like the Muhammadan community, in fact an insignificant minority, should join the Justice Party whose cry from the pulpit and platform has been the elevation of the Depressed Classes, protection of the interests of minorities and pulling down of vested interests which stood in the way of the progress of other communities. The Justice Party, Sir, swore with bell, book and candle that they were out to lift up the Muhammadans to their deserved place and pull down caste Government. The Muhammadans believed them, although the principal communities which formed the Justice Party were only Nayudus, Chettiyars, Mudaliyars and Pillais, and we, after a good deal of hesitation, consented to assist them and made up our mind to join the Ministerial Party. Sir, we entrusted our destinies into their hands, and we committed ourselves entirely to support them. It was a trust which was entrusted to their hands—a sacred trust—and it was their duty to administer that trust honourably and to the satisfaction of the whole Muhammadan community, but not to the benefit of particular communities. What have they done with regard to that trust? Their record is summed up in one word 'cipher', so far as the Muhammadan interests are concerned. I am sorry to say, Sir, that this is the unanimous opinion of our community, and we are going to support the Motion made by Mr. Ramalinga Reddi to-day. Very well, Sir, we supported the Ministry strongly for three years. I have been a Member of this House for the last three years, and I cannot recall any one instance where a Muhammadan has been nominated to a high place by the Ministry. Is this not acting contrary to the principles of the Party? Sir, in many instances the Muhammadans were asked to give their entire support. For instance, in regard to the Religious Endowments Bill, we gave our full support to the Bill because we were assured that the hon. the Raja of Panagal would see that our interests would not be touched. And in view of that assurance, we, Muhammadans, though as a body we were inclined to strict neutrality, yet, on account of his persuasions and in support of the Party principles, we voted for the Bill. And for the sake of Party principles we

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effaced ourselves. The hon. Mr. Patro was aware what the attitude of the Muhammadans was going to be. I expect to be enlightened as to what he has done for the Muhammadan community so that it may feel proud of him."

The hon. Rao Bahadur A. P. PATRO:—"Sir, if he searches the appointment lists in every department in my charge, he will find that Muhammadans have been encouraged in every way."

Mr. ABBAS ALI KHAN:—"Sir, the Civil List will show whether he has discharged his duties to the satisfaction of the Muhammadans or not. That satisfaction has been long delayed, and it may be delayed for years. Then again, we find that wherever Muhammadans wanted anything the reply has been that the party wanted to benefit their own people. At one time though we were small in numbers, we were considered to be politically so important that in every department we had our due share. But to-day where are we? What is our position? We are absolutely nowhere. We are absolutely denied high appointments in the public services. Even among non-officials, there is no single district board presidentship given to a Muhammadan even in districts with large Muhammadan populations. In Bellary where there are more than 30 members there is only one Muhammadan nominated. Recently four vacancies occurred among the nominated members, and all the four have been filled up by non-Muhammadans. In Madura out of 40 or 50 district board members, only three are Muhammadans. But whenever we asked for representation, the Ministers and their party have always been anxious to secure nominations to other communities who were said to share the views of the Justice Party. I have found from actual experience that whenever the question of appointments came in, they always preferred a Mudaliyar, a Nayudu, a Chettiyar or a Pillai but not a Muhammadan (hear, hear). The Muhammadans have always found that when this process of elimination was over, there was nothing left for them. When the Muhammadans ask for anything, the reply is 'நாளைக்கு' and this நாளைக்கு will never come. That has been our fate for the last three years. For three years we have been ignored and neglected, and after trying the Ministry for three years, the Muhammadan community which has been silently and unobtrusively watching their actions, their sins of commission and omission, without voice or protest, has found that the Ministry have done nothing and to-morrow the Muslim community is going to give its verdict for them. That is how the Ministry has discharged the trust entrusted into its hands by a community which has loyally, staunchly and religiously supported the Ministry!"

The hon. Rao Bahadur A. P. PATRO:—"Sir, may I rise to explain a point? It is the question of appointments referred to by the hon. Member. They are not in the hands of the Ministers. Appointments of non-gazetted officers and appointments below a certain rank are in the hands of the heads of departments. The appointments to gazetted offices and the higher services are in the hands of the Governor."

Mr. ABBAS ALI KHAN:—"I am talking, Sir, of appointments or nominations to taluk boards, district boards and other local bodies."

The hon. the RAJA OF PANAGAL:—"Well, Sir, due representation has been given to the Muhammadan community in all the boards where the nominations are made by the Government."

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Mr. ABBAS ALI KHAN :—" You will derive satisfaction from the unanimous verdict of 13 members against you. Again, I ask what is their number to-day? Further, as regards appointments in the Transferred departments we find that almost all appointments have been given to caste Hindus who were said to be in a minority. That is again a charge which I make, and I am prepared to substantiate it if there is time enough for me to-day. Is not the Muhammadan community a community that has stood by the Ministry, when they were in trouble, when their party was threatened with destruction? And yet what has been done for them? Four of us who were members of the old Council have now been returned to this House, and how comes it that our attitude is now different and changed? We are not Swarajists; we are not out for wrecking the constitution. We have got our own grievances, we have got our own motions to bring forward, and we think, and rightly think, that we would gain nothing by supporting a party which has done nothing for us in the past. Sir, the Muhammadan members of all the constituencies in the Presidency are determined to stand by themselves and organise themselves into a party as early as possible, and for this purpose we convened a meeting and decided to form a party of our own, so that we may march forward putting our trust in our cause in God and in ourselves, and not put our faith in this party or that party (cheers). We want to fight our own battles, and it is my hope that if the thirteen Muhammadan members present a united front, they will succeed better; so we are going to present a united front and it will be found that they are not such as the hon. Mr. Patro described them."

The hon. Rao Bahadur A. P. PATRO :—" I did not mean that Muhammadans are such people as my hon. Friend describes them to be."

Mr. ABBAS ALI KHAN :—" The Muhammadans that have now come to this Council are clearly seeing only one thing, and that is three years of neglect and three years of disappointment. I would ask hon. Members to pause and consider carefully why the Muhammadan community that stood by them right loyally in all their actions should now observe hostility towards the Justice Party and vote against the continuance of their Ministry. I would also ask all the parties, the Swarajists, Independents, anti-Ministerialists and others, to join together and vote for no-confidence. In some places, Sir, for instance, in the Ceded Districts we find in regard to the appointments of Assistant Registrars of Co-operative Societies, Assistant Inspectors of Schools and other higher appointments, they are always given to the party men, Nayudus or Mudaliyars, and the Muhammadans are only thrown a few crumbs here and there. And if I ask what the Ministry have done for the Muhammadan community for the last three years, it may be replied 'We have appointed four Knights'. But in the matter of other appointments, i.e., in the Public service, we find that even if an old Tahsildar who is a Muhammadan is promoted, he is shown as having been conferred a new appointment. I do not want to waste any more the time of this Council, and there are several other hon. Members anxious to speak. I only want to say this much, that we Muhammadans in this House want to show to this Presidency and the whole country that we are determined to stand by ourselves and repose trust in our cause and our God, but not this particular party, and I would ask hon. Members to vote for the Motion."

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Diwan Bahadur M. KRISHNAN NAYAR :—" Sir, I will only say one or two words on this resolution. I must oppose this resolution. 3-30 p.m.

We have been hearing a great deal recently not only in this Presidency, but throughout India about the Indianization of the services. I believe that the Madras Ministry has done more for Indianization of services than the Ministries in other parts of the country. It is during the tenure of office of the Madras Ministry that an Indian was for the first time appointed as the Chief Engineer. It was again during the tenure of this Ministry that an Indian was appointed for the first time as the head of the Health Department. So far as I am aware, no similar appointments have been made in any other part of India. Then again, Sir, there was a large number of highly-paid appointments which were reserved exclusively for officers of the Indian Medical Service. A large number of these appointments—I believe about 22 or so in number—have on account of the exertions of the hon. the Raja of Panagal been thrown open to the officers of the Provincial Service. This by itself, I consider, is an achievement.

" I would like to refer, Sir, to one constitutional aspect of this question. I wish to draw the attention of my hon. Colleagues to the serious consequence that will ensue if this Resolution be carried and that is this. What will be the result if the resolution of my valued friend, Mr. C. R. Reddi, be accepted by this House? The inevitable consequence will be that the existing Ministry will fall and another Ministry will be installed in its place. Now, Sir, having regard to the constitution of this House, can there be any doubt that the Ministry which will be installed in the place of the present Ministry will also have only a very short lease of life? Some of our friends here in this Council, if I understood my friend Mr. Venkataramana Ayyangar correctly, are likely to oppose any Ministry that is likely to come into power, and if the Ministry which is installed in the place of the present Ministry also falls, a third Ministry—also a new one—will come into power to be knocked down again very soon. And what will be the consequence, Sir, I ask my hon. Colleagues of this Council, if we go on playing at this game of making Ministries and knocking them down? What will be the consequence if the inquiry contemplated under the Government of India Act in 1929 or, as many of us wish, at an earlier date comes to be undertaken? To my mind there can be only one consequence. And that will be that we the people of this country shall be found unfit for Self-Government. That will be the inevitable result. I do not want to be a prophet, but I am almost certain that that will be the conclusion of the Committee that will be appointed in 1929. My friends may differ from me, but that is my opinion. If that be the case, the day when we shall have dominion status will be put off for a long time. I feel confident that my friend Mr. C. R. Reddi and many of those who think with him on this resolution are of opinion that, in spite of the defects and blemishes of these Reforms, there are some good points in them, and I am also certain that my friend and many of us want to work these Reforms to the best advantage. I ask my friend, does he think that if this resolution be carried, the result will be the working out of these Reforms to the best advantage? I believe not. I believe, Sir, that this point is one which should be seriously taken into consideration by my hon. Colleagues of this Council before they vote upon this resolution. For this constitutional aspect, if not for anything else, I am going to vote against my friend's resolution."

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Mr. S. SATYAMURTI:—"Mr. President, Sir, it is with very great pleasure that I rise to support this Resolution. But, I sincerely regret, Mr. President that my maiden speech in this House should be on such a highly controversial question. I should have very much wished that I should have been privileged to speak on the first occasion in this House, on a much less controversial question, which would not rouse passions, on one side, or the other. But I find the situation as it is, and I have got to make the best of it.

"In supporting this Resolution, I have only to draw the attention of some of the hon. Members of this House that this Resolution enunciates but two bare statements of fact, first, that the present Ministry as now constituted is against the verdict of the country as given in the last general elections, and, secondly, that it does not command the confidence of this House. If hon. Members are satisfied on these two statements of fact, I beg of them to vote for this Resolution irrespective of the political views of the person or persons who are the sponsors of this Resolution.

युक्तियुक्तं वचो ग्राह्यं बालादपि शुकादपि ।

"It does not matter to us what the political views of the hon. Mover of this Resolution are or are not. The only question for every honest Member here to answer, not according to individual predilections, but according to the views of the electorate whom he represents here, is whether we want this reactionary Ministry, which has sat as a nightmare for the last two-and-a-half years upon the public of this Presidency, to continue in power. If we are satisfied that the electorate does not want it, I am certain, Mr. President, that our duty is to vote in favour of this Resolution.

"My hon. Friend from Malabar raised terrors of what might happen to us if that calamity befalls us and this Ministry is defeated. My humble answer to that, Sir, is this:

देशो विशालः प्रभवोप्यनन्तः

"These three Ministers do not exhaust the possibility of all Ministerial talent in this Presidency. There will be other people coming forward to take their place and may I suggest that, even according to my Malabar Friend, they are not the last word in Ministerial perfection? But there is another matter, and that is with regard to the Malabar Tenancy Bill. I leave it to my Friend and his constituents who are so anxious about the Malabar Tenancy Bill to settle as to how he will be able to introduce the Bill and win for it the enthusiastic support he wishes to have, when it was only the other day, that it was declared in a public meeting that the Ministry would not support the Bill."

Diwan Bahadur M. KRISHNAN NAYAR:—"May I say one word of personal explanation, Sir? I, together with some of my friends from Malabar who are Members of this Council, had a conversation on this subject of the Malabar tenancy with the hon. the Raja of Panagal and he has given us an assurance that he is in favour of the principles of the Bill, viz., the grant of occupancy right to cultivating tenants."

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Mr. S. SATYAMURTI:—"I am very glad indeed, Sir, that I have been the instrument of getting the hon. the Chief Minister committed—I see he does not contradict me yet—to the principle of Mr. Krishnan Nayar's Bill."

The hon. the PRESIDENT:—"The hon. the Raja of Panagal cannot be said to have committed himself, simply because of a conversation across the floor of the House between Mr. Satyamurti and Mr. Krishnan Nayar."

Mr. S. SATYAMURTI:—"Well, Sir, you have left it in such a delightfully vague way and I am content to leave it there, and I need not pursue it further. But the point I want to urge upon this House is that the present Ministry as now constituted is exactly the same as the old one. The hon. the Education Minister in his somewhat excited and broken English told us for one hour this morning the various principles of responsibility which ought to govern the actions of Ministers in this House. He referred us to section 52 of the Government of India Act. May I refer him and the hon. Members of this House to an important paragraph in the Joint Committee Report of the House of Lords and the House of Commons who considered this Bill in which they enunciated in the most unambiguous terms the principle of collective responsibility of Ministers under the Montagu-Chelmsford Reforms? This is what the Joint Committee say: 'They think that it should be recognized from the commencement that Ministers may be expected to act in concert together. They probably would do so and in the opinion of the Committee it is better that they should.' I therefore put it to the House that the Joint Committee which is the most competent authority to pronounce upon the matter, has made the hon. the Education Minister responsible for the acts of commission and omission of the last Cabinet. He cannot ride off on this principle of individual responsibility of the Ministers. It is a negation of all responsible government and I do hope that it will not appeal to the hon. Members of this House. I do not propose to follow the hon. Mr. Patro in his many charges against the Opposition. But there is one statement which he made and I hope the hon. the Law Member will answer him when his turn comes and he speaks. The hon. the Education Minister said 'we all know how elections are manipulated.' Now, Sir, I know our constituencies are not perfect, the franchise is not as wide as it ought to be; but still I am yet to learn that the Government or any body else in any manner manipulates the elections. Perhaps the hon. the Education Minister knows more than I do. If he does, he will tell the House. But, so far as I am concerned, I am perfectly certain that these elections have not been manipulated."

The hon. Rao Bahadur A. P. PATRO:—"What I meant was, manipulated by candidates by all sorts of influence being brought to bear at the elections."

Mr. S. SATYAMURTI:—"I know the hon. the Minister for Education himself did so and many others also did so, but they manage to forget it when they come to this House. The hon. the Education Minister told us with great pride that during the last two and a half years they have succeeded in increasing the expenditure under the various Transferred heads by the glorious sum of 2 per cent. Now, Mr. President, I hope it will be conceded by everybody in this House that the expenditure on the Transferred departments can easily be doubled and ought to be doubled to the great

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advantage of the people of this Presidency. If, therefore, the present rate of progress is continued and the Ministry also continues in office, it will take, say, more than fifty years before we can get that standard of expenditure in the Transferred departments. If the Ministerial half is satisfied with that rate of expenditure, may I say that some of us here are not satisfied with that pace?"

The hon. Rao Bahadur A. P. PATRO:—"I referred, Sir, to the allocation of the provincial revenues that was made before the Reforms and what we gained during the two and a half years."

Mr. S. SATYAMURTI:—"I should have expected, Mr. President, the rate to have gone much higher than that. I am not so easily satisfied with the rate of progress and that is why I said that at the rate of 2 per cent for two years, it will take us fifty years to get to the required standard of expenditure."

3-45 p.m. "Mr. President, I will not follow my hon. Friend, the Christian Member from Trichinopoly, who has appealed to us to forgive our enemies. It is a Christian virtue to be practised elsewhere; but when we face political parties here, we have got to remember our electorate and not to develop sudden sentimental considerations that those who are in power must for ever continue in power, lest we offend their sentiments. Ministries might go, Ministries might come. And unless we are going to act in a Christian spirit of charity, and say that all that is best, and that we ought not to lay profane hands on the Ministers, we ought not to swerve from our duty, by this homily on Christian charity towards the Ministers, whatever their acts of commission or omission may have been in the past."

"Sir, on the constitutional question of the introduction of a new Minister, I want to say one thing. My position is this, Sir. I would ask the hon. the Chief Minister to contradict me if I am wrong. I take it the Governor in this constitution with reference to the Transferred departments occupies the position of a constitutional Monarch in a responsibly governed country. The King can do no wrong. So the Governor can do no wrong with regard to the Transferred departments. Every action of His Excellency is governed by the advice of the Ministers. When the hon. the Chief Minister and the Leader of the party were jointly invited by His Excellency to give him advice with regard to the formation of the Ministry, what was the advice they gave him? They owe it to this House to state it. It is not a matter of a private conversation. They are elected by the people and they are bound to state what the advice was. Why did they want to sacrifice a colleague of theirs for no fault of his, and how did they find that the opinion of this House would favour a Ministry with a Tamilian, and did they give that advice? I know that they should have given advice, and that is why they were sent for. Were they sent for merely to be told that His Excellency had made up his mind? I challenge the hon. the Chief Minister, who is yet to answer to this debate, to say what is the advice he gave and why he sacrificed one Minister to whom the hon. the Minister for Education paid a passionate tribute of respect for the work he had done in connexion with the co-operative societies. May I ask the hon. the Chief Minister to say . . ."

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The hon. the RAJA OF PANAGAL:—"Mr. President, I am afraid, Sir, that with due deference I should point out to my hon. friend, the Member for the University, that the interpretation of the constitutional law he has given is not quite correct. He says that the Governor is more or less in the position of a Monarch. He really is not in the position of a Monarch alone. But in him are combined both the Premiership as well as the Crown."

Mr. S. SATYAMURTI:—"I will not take my lessons in constitutional law from the hon. the Raja of Panagal. I have read the Government of India Act, I have read the report of the Joint Parliamentary Committee, and I can understand them as well as he. The Governor in an Indian province with regard to the Transferred departments does not occupy the position of the Premier and the King, but he is a mere King, and I do not think that the hon. the Chief Minister can so easily seek to share with His Excellency Lord Willingdon the responsibility of his administration for the last three years."

The hon. the RAJA OF PANAGAL:—"In every act of the Ministry, the Governor is expected to be acting with the Ministers, whereas the English Monarch does not bind himself to the actions of the Ministers. That is the difference."

The hon. the PRESIDENT:—"So far as the constitutional position is concerned, it is up to hon. Members to each hold his own opinion. The House is not, however, called upon to decide this question."

Mr. S. SATYAMURTI:—"With regard to another matter, however, on which the point is absolutely free from doubt, i.e., as to how a new Ministry or an old Ministry after the elections ought to face this House, I have the high authority of Mr. Toad, and I will just read two sentences of his which will convince this House: 'The verdict of the county having been pronounced against the Ministers at a general election (and I submit that the case here is *a fortiori*) it is nevertheless competent for them to remain in office, until the new Parliament has met and given a definite and final decision upon their merits. For the House of Commons is the legitimate organ of the people, whose opinions cannot be constitutionally obtained except through their representatives in Parliament. It is necessary, however, that under such circumstances the new Parliament should be got together without delay'. Now, Sir, all these conditions prevailed in Madras; a motion for a vote of 'No-confidence' had been tabled; the House was meeting in a few days; so it was perfectly open to the hon. the Chief Minister to come here with his old Cabinet and face the music and take the verdict of the House. I challenge him to tell me what are the channels, secret or public, by which he found out the opinion of this House that they would not tolerate the hon. Mr. K. V. Reddi but that they would tolerate the hon. Mr. Sivagnanam Pillai in his Ministry."

The hon. the PRESIDENT:—"That is a matter of detail. Was not the Motion tabled after Mr. Sivagnanam Pillai's appointment? Mr. C. R. Reddi will be able to enlighten us."

Mr. C. RAMALINGA REDDI:—"It was technically tabled after the appointment. But I gave notice of my intention to do so in case the Raja of Panagal continued to be the Chief Minister."

The hon. the PRESIDENT:—"To whom was the notice given?"

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Mr. C. RAMALINGA REDDI :—"In a public speech."

The hon. the PRESIDENT :—"Oh ! That is a different matter."

Mr. S. SATYAMURTI :—"I accept your correction, Sir. But it was in the newspapers, and I find from the hon. the Education Minister's protests in his speech that Ministers are not reading newspapers (laughter). If they had read newspapers, they should have known that this Motion is going to be tabled. To say that it was not technically tabled is something which we cannot swallow so easily. Now the position is that, so far as the present Ministry is concerned, it is exactly the same as the old Ministry. They have not told us whether they have a new policy. It is the same old reactionary policy which has produced nothing, and which is likely to produce nothing, but which has so led the Council as to betray its trust to the country."

"The hon. the Minister for Education gave away the whole case when he said that the Ministry did not put forward any candidates. Has any one ever heard in any country with Parliamentary institutions, of any Ministry which wants to be in power and which goes to the electorate, bankrupt of policy, bankrupt of programme, and bankrupt of candidates and comes back to the House, stretches its net wide, to trap in new recruits and then says 'we are the party in power'?"

The hon. Rao Bahadur A. P. PATRO :—"What I said was that when there were two non-Brahman candidates who were working with us, standing for the election, we did not want to support either of them because both of them were friends."

Mr. S. SATYAMURTI :—"The point is that the Ministry dared not put forward and did not put forward a sufficient number of candidates before the electorate. Why, Sir, in the City of Madras, which is supposed to be the stronghold of the Justice Party, they put forward only three candidates for four seats, one of whom was ignominiously defeated and the other two came second and third. My figures of the voting are these, Mr. President: the votes cast in favour of anti-Ministerialists including the Independents and Swarajists in the general electorate excluding Muhammadans and Christians, is 303,755; and the Votes cast in favour of the Ministerialist candidates is 145,554. I know that Ministers can manipulate things as they please after the elections. People have been changing their minds after the elections. Might I implore in all humility that theirs is a sacred trust not to be exchanged for mutual compliments or smiles? The question is: in what garb did they face the electorate? That is the garb that you ought to wear in this Council, in spite of the Ministerialist frowns or smiles. I say to this House that we have defeated the Ministry hollow in the elections, whatever they might say now."

"So this Ministry being the same as the old, it is our bounden duty to examine the record of this Ministry, and if the record does not command the confidence of this House, it is the duty of the House to pronounce its verdict against this Ministry and support this motion. Before I go to enumerate a few particular acts of commission or omission—I want to mention only a few of them—I should like to suggest to this House that for the last three years this House has not been allowed to be a faithful echo of the pulsating life of the nation in this Presidency, as in any other part of this country. All new impulses were shut out, and a reactionary policy was put

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into force, and any man who dared to get up and say something progressive, national or patriotic, was laughed out as an eccentric man who has no place in this Council which was against all progress.

"I only now want to say a few words on a few specific charges which the hon. the Minister for Education wants to answer. With regard to the treatment of political prisoners, the matter has been already referred to. I want in this connexion to respectfully remind the Reserved half that I am not encroaching on them at all now, although I may have to pick some bones with them later. To-day my object in saying what I say is that the Transferred half, whatever the policy of the Reserved half may have been with regard to the political prisoners, did nothing, but that the old Leader of the party in power who has called upon the Almighty God to protect him . . ."

Diwan Bahadur Sir P. TYAGARAYA CHETTI :—"May I ask the protection of the President?"

The hon. the PRESIDENT :—"I am not able to catch the hon. Member."

Diwan Bahadur Sir P. Tyagaraya Chetti was observed to say something inaudible from his seat without rising.

The hon. the PRESIDENT :—"If the hon. Member wants to say anything, he should stand up and address me."

Diwan Bahadur Sir P. TYAGARAYA CHETTI :—"This gentleman is just attacking me, and I wanted your protection."

Mr. S. SATYAMURTI :—"Mr. President, may I expect to be addressed according to the usual practice in this House?"

The hon. the PRESIDENT :—"Mr. Satyamurti will proceed."

Mr. S. SATYAMURTI :—"I was referring to the speech delivered by the hon. the Leader of the Party, who is anxious to proclaim from the housetops that he was still functioning as the King along with the Chief Minister, that he so far forgot his age, his sense of chivalry, his sense of political right thinking, as to say in this House that political prisoners should be treated worse than dacoits and robbers. Surely it is up to the members of this House . . ."

Diwan Bahadur Sir P. TYAGARAYA CHETTI :—"I said so and I say so even now." (Tremendous cries of 'Shame, shame').

At this stage, the cries of 'Shame, shame' were observed to have emanated also from the strangers' gallery just above the President's chair, and the hon. the President therefore ordered the police to clear the gallery immediately.

Mr. S. SATYAMURTI :—"I am very glad that the hon. the Leader of the Party has come out in his true colours, and I appeal to him and to my hon. Friends who follow him to lay their hands on their hearts and say this, as before God, whether they can support a party whose head says categorically that political prisoners are worse than dacoits and robbers. Surely, Sir, it is up to you Mr. President to say that the members of this House should remember that they owe a duty to the electorate, and after all there is an end to everything, and even to this Council. Three years later, they will have to answer this question to the electorate, and I will ask them in all humility before they make up their minds whether they would not

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hesitate twice, aye, many times, before they subscribe to such a reactionary policy with regard to political prisoners, and whether a party with such a dangerous policy with regard to political prisoners is worthy of a civilized country.

"Then, Sir, I was particularly privileged to listen to the eloquent speech of my hon. Friend who spoke as a depressed classes representative. He said that he would gladly have a bird in the hand rather than two in the bush. I am afraid human memory is short (laughter). I would remind him and the other hon. Members of this House of what Mr. M. C. Raja said as a Member of this House. He said that the process of a non-Brahman oligarchy perpetuating itself in office ignoring the claims of the depressed classes has come to pass. But my hon. Friend is a new Member and he does not know the ways of the Justice Party, and when he does he will regret the speech he has made to-day. The attitude of the party . . ."

Mr. R. VIRAYYAN:—"I stick to my statement."

The hon. the PRESIDENT:—"I understand the hon. Member to say that he sticks to his statement. It is presumed that every hon. Member when he says anything will stick up to it (laughter). An interruption of that sort is wholly out of order."

Mr. S. SATYAMURTI:—"Then, Sir, their attitude with regard to the resettlement of revenue in districts requires examination. With regard to one district, it had to be postponed; with regard to another district, they went back on that. Again I say to the Reserved half that I am not dealing with the position which the Government as a whole took up with regard to this question, but with that of the Ministry, who did not speak out the mind of the people. If they had, I am not going to say what the Reserved half might or might not have done. But did the Ministers express their opinion as they ought to have done? They trifled with this question and to-day they want that they should be continued in power. In Tanjore, Sir, which is the district most affected by the resettlement, for none of the three seats did the three Ministerialists dare to show their faces before the electorate; they ran like rats into their holes. There Swarajists gained the day, and that is an eloquent testimony to the position of the Ministerialists, as to whether they deserve to continue in power or not. Besides this, however, there were three capital issues, Sir, on which the Ministry might have asserted itself. But did they? This House, Sir, was fretting and fuming with regard to the iniquitous impost of the provincial contribution, and passed a unanimous resolution that the contribution should be cancelled. If I had the leadership of the party in power, and if I had the majority in the House, I would have asked the Ministers to resign, would have compelled a dissolution and shown to the Government of India how strong the feeling in Madras was in the matter. But the Ministers stuck to their posts like leeches, whatever happened, and the Government of India flouted them and they took it lying down.

"Then, Sir, there is one other matter which I want the Ministers to explain if they can. The hon. Mr. Moir, as the official Member representing Madras in the Legislative Assembly, said with regard to the proposed raising of the salt duty to Rs. 2-8-0 a maund that responsible opinion in Madras supported that step. I want the Ministers to give to this House a full and accurate account of the negotiations which took place at that time."

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Mr. A. RAMASWAMI MUDALIYAR:—"May I correct the statement? Mr. Moir has been quoted in a wrong sense. What Mr. Moir said was that responsible public opinion in Madras would have supported the raising of the salt tax if there was any diminution in the iniquitous impost."

Mr. S. SATYAMURTI:—"I do not propose to take the counsel of Mr. Ramaswami Mudaliyar who is keeping the conscience of Mr. Moir. If Mr. Ramaswami Mudaliyar wants to take that opinion, I will be perfectly glad to see whether this Ministry would stand or fall upon this question, viz., that for the sake of a reduction in the provincial contribution, which is bound to come sooner or later, the poor man's salt should be taxed two and a half times over what he was taxed before. If that is the policy of the Ministry, I would wish them joy of that.

"As regards the Public Services Commission, I understand that the Madras Government was consulted. What was the attitude of the Ministry with regard to the bringing of the Public Services Commission? Did they protest against it and did they say anything on it? The Ministry is responsible to this House and they should explain to us what they did. In the words of the Joint Committee Report, the function of the Ministers is not to convert themselves into so many brown or black bureaucrats travelling about in saloons, but to bring to the notice of the Government, the people's wishes and susceptibilities. But they have not done that. They never stood up to the Reserved half of the Government and stated the people's wishes. That is my indictment so far as the general administration is concerned.

"I now come, Sir, to say a few words with regard to the Education Minister and the Chief Minister. With regard to the Education Minister, his one achievement is said to be the University Bill. The less said about it, the better. On a historic occasion, Lord Palmerston said, with regard to a European war, there were three men that knew anything about the war—a Belgian Professor, a German General and himself. The Belgian Professor had gone mad, the German General had died, and he had forgotten all about it. And to-day there are in Madras only three men who know anything about the University Bill, viz., the Education Member, the University Registrar and Mr. C. R. Reddi. The University Registrar, Mr. Dewsbury, is going away in January, Mr. C. R. Reddi has crossed the floor and Mr. Patro, I believe, never understood the real principles of the Bill. I challenge him even now to give us a complete and accurate definition of what a teaching and residential university means. He does not know that and he has passed the Bill, by which he has thrust a costly system of education on the poor students. Again, in the place of an honorary Vice-Chancellor, we have a highly-paid Vice-Chancellor. This is his contribution towards the cause of higher education.

"Their attitude towards the Conscience Clause is another indelible blot on the administration of the Education Minister. Even in our country the European schools have such a clause. With this Ministry which is supposed to represent the party, no doubt—"

The hon. Rao Bahadur A. P. PATRO:—"Here, again, we have a newspaper politician. You will find, Sir, that the Ministry has left the whole question to be decided by the University on the Conscience Clause. And

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the party stood with the hon. the Mover, Mr. C. V. Venkataramana Ayyangar, who wanted not to press it to a division but only wanted to elicit a discussion on it. He was entirely satisfied with the nature of the opinions expressed by the party and others representing the Ministry. That is not therefore the fault of the Ministry. A reading of the report will clearly show what the state of matters was, viz., that the hon. Mover said that he is perfectly satisfied with the views expressed on the debate and that he did not want to press it to a division."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I think the whole position is perfectly wrong—"

The hon. the PRESIDENT:—"I think we are plunging into a discussion of what took place in this Council some time back. I believe the proceedings are printed and copies given to all hon. Members. And I would propose to let them read the proceedings and verify the facts." (Laughter).

Mr. S. SATYAMURTI:—"Sir, you have given it a delightful turn and I will leave it there. I plead guilty to the charge of being a newspaper politician. But I am confident that I shall now begin to improve as I have begun to hear political harangues from the hon. the Education Minister. But I repeat my charge that by not giving a lead to the House and by abdicating his functions on a matter of this kind, the Minister has failed to discharge his duty on this matter. Either he had no ideas on the matter or he had not the courage to express them."

"The other achievement of the Minister which I want to refer to is the appointment of Selection Committees to the Government Colleges. In this matter I speak not as a Brahman, but as an Indian. For the last two and half years we have been talking in this House, as if we were Brahmans and non-Brahmans and Christians. I think I am right, Mr. President, in saying that when once we cross the doors of this House we are no longer Brahmans, non-Brahmans or anything of the sort, but Indians, and ought to transcend all harness of caste and creed. Speaking as a Member of this House, as an Indian, in all humility I protest against this nefarious attempt to deny the benefits of education to a section of the people because they have the misfortune of being born in a particular community. I perfectly agree that such facilities as are necessary ought to be provided to all classes of His Majesty's subjects. If they did not find funds for doing so, this House surely would have gladly voted more funds for more colleges for boys and girls who come to receive education, but to say you shall not come in because you belong to a particular community is a dangerous precedent and inconsistent with the high principles of democracy. As a result of all this, education though it has been transferred, has remained in the same old bureaucratic rut; no national life has been infused into it and the bureaucratic machinery has remained unchanged except that an Indian has been getting the five thousand rupees which might have been paid to a European; no other change has been made."

"I want to conclude by saying a word about the Chief Minister. His achievements form the main point of the impeachment of my hon. Friend, Mr. Reddi. With regard to the Religious Endowments Bill, I do not want to enter into the merits of this Bill; but I know that in no country except in India a measure of this kind would have been introduced, unless it had been placed as a definite issue before the electorate in an election. But the Minister's

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sense of loyalty to the electorates was so great that he began to burst out when he was asked to postpone it till after the new elections. He said 'if the elections were to intervene during the pendency of the Bill, I am afraid those who are reported to be not very scrupulous as to how they use the trust funds would have an opportunity to try to tamper with the electorate and the result will be disastrous to the interests of these unfortunate institutions.' I forgive him because he does not know what he is talking about. The Chief Minister has no acquaintance with any electorates whatever. He carries about him his small electorate in his pocket consisting of 65 people, of whom only 39 voted for him. Therefore, I can understand his ignorance of electors. But speaking as one who has been returned by a wide and democratic electorate, may I resent this charge of the possibility of corruption on the part of the elector? And I ask the Chief Minister to say if the sequel, when the Bill had remained pending the election, has not shown that his charge was baseless. Will he have the fairness to withdraw that?

"Next with regard to his achievements relating to the Chirala Municipality. It ranks with the most bureaucratic achievements of any bureaucratic administration in Madras. He said 'there are people who are against a Municipality, but they do not know what they want.' I thought, Sir, the Reforms were intended to make people for the first time realize their duties. Mr. Montagu and Lord Chelmsford have set it down in their report that the only way of making people realize their responsibilities is to let them commit mistakes and reap the results of those mistakes. But the Minister wanted still to play the Mahab 'father and mother' to the unfortunate people of Chirala by telling them 'you do not know what is good for you; I know because, I am Providence; therefore I will force a municipality upon you.' I want to know if this is the type of Minister whose very conception of Local Self-Government is so primitive that is going to be useful for the people."

"The last thing about the Chief Minister is this. There was a great man in the Tamil nadu by name Bharathi. If he was only born in England he would have been made the Poet Laureate; his songs are so elevating and patriotic. The hon. the Law Member himself knows them and he will bear me out when I say that these songs are some of the most moving in our language and still when the Tinnevely Taluk Board introduced the teaching of these songs in the schools under their management, the hon. the Chief Minister's anger was roused and he saw revolution in those songs. Is he the Minister who is going to guide the future destinies of the local boards and municipalities and the education and discipline of the boys and girls of the schools under their management? His party has no political programme, has no political faith, has no political opinions. It depends for its existence upon party bias and upon the bogie of the Brahman. I have the honour to belong to a party which does not care for the loaves and fishes of office. We realize the truth of the Upanishadic saying न कर्मणा न प्रजया धनेन त्यागेनैकेन

अमृतत्वमानुः. Some of us at least hope that we may rise to that level. We do not want the loaves and fishes of office. We believe one can best serve our country by remaining out of office at least for some years."

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"We support this motion, because we believe that in the best interests of this Presidency this clique of office-hunters which has been masquerading as a political party should no longer be allowed to poison the very springs of public life and should be replaced by a patriotic and non-communal Ministry.

"The question, however, has been asked 'What will happen if this resolution is carried?' In principle what will happen is that the constitution of this Ministry will change altogether. And whoever the new Ministers may be, there is no doubt whatever that, once the breach is effected in this phalanx of communalism, there is every probability of the breach becoming wider and wider. I do not take the hon. Mover's threat seriously, viz., that whatever may happen there should for ever be a communal Ministry. Let us not lose heart. For even in this matter he is not omnipotent. Any Ministry which comes will have to put forward most necessarily a well-thought-out programme before the country. I appeal to the country to demand that programme. We are now condemning the Ministry and asking the House to vote in such a way that they should go out of office. To say that before you ask me to do that, you will have to produce a programme which will satisfy me simply shows that you are content with the present Ministry as it is. If you are so, please do not ride off on the side issue that you will not support the motion, unless you produce something better. The present Ministry is so bad, that nothing can be worse. We, therefore, as members of the Swarajya Party, support this motion; and I may say this in conclusion that though we are absolutely indifferent as to the fate of this motion, we are certain that if honesty and good sense were to prevail in this House and if Members have no axes of their own to grind, this motion would be carried by a large majority of this House. I already see the hand of death upon this Ministry. It is not permanent. It is bound to die. When this Ministry dies, it will die, unwept, unhonoured, and unsung." (Loud cheers.)

Mr. J. A. SALDANHA :—"I regret I shall not be in a position to support the present Ministry unless satisfactory explanation is forthcoming on certain points. The first question is, what is the principle of the convention under which the old Ministry resigned and on what basis the new Ministry was formed with the replacement of one with another from among Tamilian non-Brahmans. I feel sick of these communal and linguistic distinctions for political purposes and hope they will only be of use to me for a paper to be read before the Anthropological Society of Bombay of which I am the President. If the communal and linguistic basis be a sound one, which I do not admit, I have been wondering whether a worthy Minister could not be found from among the Tamilian Christians or Muhammadans and why the representatives of the Kanarese and Malayalam districts were not even thought of for this choice. Further I have grave doubts whether the Ministers are representatives of the large section of the electorate which forms the intelligentsia of the Presidency.

"There cannot be any doubt that the Ministry does not command such a large majority as it did during the last tenure. If the opposition from among the elected members be not a majority, it will be a powerful minority. With such an opposition the further question is whether the record of the recent Ministry gives promise of a very useful tenure in the future for the present

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Ministry. I join with the previous speakers in an emphatic protest against the Religious Endowments Bill on which the Ministry sets its heart so much involving as it does undue interference with the autonomy of religious institutions. It seemed to me that the Indian Charitable and Religious Trusts Act, XIV of 1920 provides a cheap remedy for checking abuse of trust, by an application to a District Court and obtaining a certificate in case a breach of trust is *prima facie* established, for necessary litigation at the cost of the institution concerned. Such legislation as is embodied in the Bill in question has been attempted in certain countries of Europe and South America in connexion with religious endowments but has been vehemently opposed by Catholics; and if that Bill passes into law what is there to prevent a similar Bill being brought in connexion with Christian institutions?

"There is then the Madras University Act of which the Ministry is so proud. But as one of the alumni of two mufassal Catholic colleges, I fully realize the injustice and mischief it has done and is likely to do in future to such colleges affiliated on account of their high standard of equipment and education to the University on a footing of equality with those in Madras City by a treatment which is a distinct breach of faith on which the original affiliation had taken place and on the basis of which vast sums and energy have been spent for worthily equipping those institutions. There is absolutely no indication that the Ministry is repentant as to these measures and proposes any substantial amendment of the Religious Endowments Bill and the University Act.

"Further I may mention that I am pledged to a large section of my constituency to support legislation aiming at fixity and permanence of tenure to longstanding tenancy with a due *solatium* for loss of legitimate vested rights of landlords especially in Malabar. I understand that the Malabar Tenancy Bill drafted by my hon. Friend Diwan Bahadur Krishnan Nayar received very lukewarm support from the Chief Minister. As to its future there is a reference in His Excellency's speech in the Bill to amend the Tenancy Act. I am not aware of any such Tenancy Act in this Presidency. If it means the compensation of Tenants' Improvements Act (Malabar), I am afraid, the proposed legislation will be on wrong lines.

"The question has been raised as to the efficiency and purity of administration by local boards which I surmise depend upon the Presidents and Engineers nominated by the Ministry. Is the patronage in this connexion properly exercised? Fear has been expressed as to what would happen if the vote of censure be carried. I think it is a premature question and I am sure in case the motion is carried the different groups would through their leaders place before His Excellency the Governor the choice of the proper Ministers who could command the confidence of the majority of the House."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I may at once say, Mr. President, that I desire to make a statement in regard to the matter which formed the subject-matter of a query of one of the hon. Members. The hon. Member who spoke last referred us to the resignation of the Ministers and wanted to know how it came about. I think it is due to the House, and in order to prevent further misconceptions and debate on the basis of that misconception I may inform the House by means of a statement, that His Excellency the Governor in consultation with His

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Excellency the Viceroy decided to lay down a convention that after the elections are over the Ministers should resign and hence they were called upon to resign."

The hon. the PRESIDENT :—" I presume the convention has been laid down for the whole of India."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" It is expected to be uniform in all the provinces."

Mr. J. D. SAMUEL :—" In my opinion the word 'therefore' in the resolution should really come after 'and'. The real reason is because the appointments were against the verdict of the general elections. What is the real verdict? People are called by different political names and we have no fixed labels. Nobody knows what I am and unless the political label is certain and definite nobody can say what really is the verdict. The way to judge about the verdict is to see with what principle the people went to the election and won their seats. Certainly it was not the Ministry and certainly it was not any particular general principle. In this respect our election is quite different from the English one where the Minister calls the country about a particular point, say tariff or protection. We are merely trying to copy it. I know two districts. There the chief question was not the Ministry but the cry was Kapu v. Kamma. Under those circumstances it is wrong to say that there was any specific verdict as to the Ministry except it be that it was for the non-Brahman. Don't you think His Excellency who gave us such an address yesterday would turn round and ask us what is your real verdict?"

Mr. P. ANJANEYULU :—" Sir, I first thought that it would be unnecessary for me to speak on this occasion when hon. Members have definitely and conclusively expressed themselves. But here I am to contradict the last speaker. He referred to the district which has returned me—Guntur. He said that it was the spirit of Kapu v. Kamma that influenced the electors. I am neither a Kapu nor a Kamma but a Brahman and it fell to my lot to head the polls in my district. I assure this to the House lest it be misled by the information supplied by my hon. Friend, the previous speaker, that in my district it was the spirit of Kapu v. Kamma that influenced the voters. It was not the sense of Kapu or Kamma that influenced them but it was a higher principle of trying to get nationalism out of the clutches—or meshes of communalism into which it has fallen. It was on this principle that a compact was formed in our district based on a political principle and not on communal interest. It was the reason why a Brahman also was taken into confidence, and as a proof of the good faith of my district, here I am heading at the polls. This shows that hereafter it shall not be communalism that will succeed but nationalism, and the party to which I have the honour to belong, the Nationalistic party, is also based on this higher principle.

" If to-day we are voting in favour of this motion let it be understood that we are not voting against the action of that towering personality for whom we have got every regard and respect, but we are doing so because we wish, as it were, to elevate politics from communalism to nationalism and to purify the atmosphere of this House. With these words I support the motion."

Mr. P. PEDDIRAJU :—" I heard Mr. Samuel referring to the district of Kistna which returned him. No doubt in that district the parties were

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Kamma and Kapu but I do not belong to either of these parties. We are working on cosmopolitan lines for achieving nationalistic ends. We have fought together. No doubt we belong to different communities. No doubt one of the Kammas was elected but the real question before the electorate was whether to vote for those who would support the existing Ministry or for those who would oppose it. We have a particular grievance against the present Minister, but as my learned friend Mr. C. R. Reddi has referred to the District Board administration I need not refer to the details of the District Board administration. Suffice it to say that we have worked together to see that we got the franchise for the election of the President of the District Board. We have passed resolutions and sent them to the Government but our resolutions were unheeded. We sent a telegram too, before the nomination was made, to the Government asking them to receive a deputation of the District Board members but that telegram was not replied to. Shortly afterwards the nomination was made and we protested against that nomination but it was of no use. I may say in this connexion that the administration of the District Board of Kistna is anything but satisfactory for these two years. We wanted to hold a special meeting but that special meeting was disallowed by the Minister but subsequently I was glad to note that the Minister had been kind enough to pass an order that a special meeting should be called for. A special meeting was called for on the 24th of October and about 2,000 people representing all sorts of public opinion came to the meeting and asked all the members present and my friend Mr. Seethayya to vote against the Ministry in favour of this motion. In this connexion I must refer to one matter which the hon. the Minister in charge of Education referred to, i.e., that the passing of the Local Boards Act and District Municipalities Act, gave Swaraj to the people. I am sorry to say that the views of the Education Minister are very narrow. The Education Minister was democratic but as soon as he got into the Treasury Bench he became autocratic. No doubt the Act was a liberal measure considering the time when it was passed, but there is always an unfortunate provision in every Statute which gives power to the Governor in Council or the Governor to frame rules. The rules framed under this Act were all ill-conceived and I must say in this connexion that certain rules were framed which gave powers to the president of district board to interfere with the administration of taluk boards even with regard to the transfer of clerks, etc., and that this sort of interference by the district board is highly injurious to the interests of taluk board administration.

" Now I wish to refer to the Bezwada municipality to which Mr. Satyamurti also referred. We have had questions put and resolutions moved in this Council regarding the election of the chairman. The present Ministry had been promising to hold an election, but they were postponing it time after time, and after all postponed it. They now say that the wishes of the people are against election. I may also add here that the present Ministry who have been uplifting the non-Brahmans wanted to support a Brahman friend of mine because they saw that my friend was inclined to support the continuance of the present Ministry.

" Sir, I may say that we have come here to represent the cause of the ryots. We have not come here for loaves and fishes of office. We are the representatives of the ryots and we must discharge the trust reposed in us. Lay your hands on your heart and see whether the electorate wanted you to vote in favour or against this motion.

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"One other matter to which I should like to refer is this: my friend Mr. Moore knows that a resolution regarding the ayacut in our district was passed in this Council some time back and that this subject had been the burning topic in our district for some time. I am not attacking the Reserved departments. All that I say is that the members of the party who belonged to the Ministerial Bench opposed that resolution brought by Mr. Ramachandra Rao. When they asked for the vote of the electorate they said they would represent the cause of the ryots. But when they entered the Council they voted against their cause. I am sorry that my district has suffered owing to the passing of this resolution to the extent of 10 lakhs of rupees. I may say here that the ryots in the neighbouring area who had also the same advantage as ourselves are in an advantageous position and consequently the ryots of our district have got a heart-burning because the Ministerial party voted in favour of this resolution.

"With those few words I heartily support this motion."

Mr. M. SEETHAYYA:—“సభాద్యక్షా: నేను కృష్ణా జిల్లా తరఫున ప్రజలవల్ల ఎన్నుకొనబడిన ప్రతినిధిని. నాకు తెలుగు తప్ప యింగ్లీషు రాదు. నేను వక పట్టెటూరు గ్రామ రయితునై యున్నాను. ఇంగ్లీషు రాకపోయినప్పటికి నేను ప్రజాభిప్రాయము యింగ్లీషు వచ్చిన ప్రతినిధులకంటె ఎక్కువగట్టిగా చెప్పగలను.

“మంత్రులను నిర్ణయించడము విషయంలో ప్రజాభిప్రాయమును అనుసరించి ఏర్పాటు చేయవలసిన విధి గవర్నరుగారిదయినప్పటిని సంస్కరణలలో చెప్పబడినట్లు మికందరికి తెలిసిన విషయమే. అట్లుగాక ప్రజాభిప్రాయమునకు వ్యతిరేకముగా మంత్రి వర్గమును యేర్పర్చుట చాలా అన్యాయమనినీ సదరు మంత్రివర్గమందు ప్రజలకు విశ్వాసములేదనినీ భువపాదించబడిన తీర్మానమును నేను ఆహ్వానించుచున్నాను.

“ఈ మంత్రి వర్గములోవారు యిరువురు గత మంత్రి వర్గములోవారైయున్నారు. గత మంత్రి వర్గములోని చర్యలనుబట్టి యీ మంత్రివర్గమునందు ప్రజలకు సమ్మతిలేదని తెలుపుటకు కొన్ని సంగతులు మనవి చేయుచున్నాను.

“అందులో ముఖ్యమయినది కృష్ణా జిల్లా స్థానిక పరిపాలనవిషయము. జిల్లా ప్రజలకు అనుకూలమైనది బి|| టి|| మోచర్ల రామచంద్ర రావుగారిని గవర్నరు మెంటువారు ఎడ్యుకేషను కమిటీ పని నిమిత్తము యింగ్లాండుకు పంపి చూడు నెలలు జిల్లా బోర్డు మీటింగులకు హాజరు కాలేదనే నెపముమీద వారిని తొలగించి స్థానిక పరిపాలనా చట్ట విధుల ప్రకారము వారిని తిరిగి మెంబరుగానుంచుటకు ఆర్డులు అవునా కాదా అనుసంగతి బోర్డులో తీర్మానం పెట్టకుండా వారిని ఆ పదవినుండి తొలగించియున్నారు. ఆ సందర్భములో ప్రెసిడెంటును యెన్నుకొనే అధికారమును యిప్పించవలసినదని బోర్డులో తీర్మానంచేసి యీ మంత్రివర్గమువారికి పంపించి నప్పటికి దానిని విశ్వసించక పోవుటయే కాక జిల్లా బోర్డు మెంబర్లు డిప్యూటీ కమిషనరుగా వచ్చేద మని పానగల్లు రాజాగారికి తెలిగ్రాము యిచ్చినప్పటికి ఆ తెలిగ్రాముకు సమాధానము యివ్వక వారి అనుచరయినట్టియు స్నేహితులు అయినట్టియు బోర్డు మెంబర్లకు వ్యతిరేకులయినట్టియు బి|| టి|| తక్కిన చాలాజిరావునాయుడుగారిని ప్రెసిడెంటుగా యెర్పాటుచేసి కృష్ణా జిల్లా ప్రజలకు పూర్ణముగా అసంతృప్తి కలుగజేసినారు. అప్పటినుండియు జిల్లా బోర్డు, తాలూకా బోర్డులలోని నామినేషనులు అన్నియు, నిమ్న జాతీయులకున్నా మైనారిటీ సంఘములవారికిని యివ్వక ఎలక్షన్ లో వోడిపోయినవారి అనుచరులయిన కాండిడేటులకున్నా అందులో

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[Mr. M. Seethayya]

బి.వి., బి.మోను, చారిస్టర్లకు యిచ్చుచూవచ్చినారు. ఒక పర్యాయము నిమ్నజాతుల లానివారిని నామినేషన్ చేయవలసినదిగా చాలాజిరావునాయుడుగారితో నేను ప్రసంగము చేయగా మంత్రిగారివద్దనుంచి చారిస్టరుగారు ఒకరు తాలూకాబోర్డుకు నామినేషన్ నిమిత్తము సిఫార్సు వుత్తరము తీసుకవచ్చినారని వుత్తరమొకటి కనుపరచినారు. ఉత్తరము ఇంగ్లీషున నుండుటచే అందులోని సంగతులు నేను వదున వీలులేకపోయినది. అంతేగాక బోర్డు పరిపాలనా విషయములో నిరంకుశ పరిపాలనముచేసి బోర్డును కలవరపరచినారు. ఆ సంగతులన్నియు క్షత్రికులు తెలియచేయుచు ఫోషించుచునేయున్నవి.

“మెంబర్లు ప్రత్యేక సమావేశమును యీ నెల 24 వ తేదీని కృష్ణా జిల్లా భీమవరంలో జరిగినప్పుడు జిల్లాలోవున్న రయితులు సుమారు రెండువేలమంది సదరు సమావేశమునకు హాజరయి అచ్చటివారి అసమ్మతిని తెలుపుచు యీ మంత్రివర్గమువారియందు విశ్వాసములేనట్లునన్ను యీ సభవారియొద్ద గట్టిగా విన్నవించవలసినదని వుత్తరవుచేసియున్నారు.

“జిల్లాలన్నిటిలో కృష్ణా జిల్లా పెద్దదిగావున్నది. సదరు జిల్లా ప్రజల అభిప్రాయము మీరందరు పాటించుట కర్తవ్యమని నేను మనవిచేయుచున్నాను.

“అంతేగాక మా జిల్లాలోని బెజవాడ మునిసిపాలిటీ సంగతిని అందు విషయమై మంత్రుల చర్యలు తమ కందరకు విశదమే. మ్యూనిసిపల్ ఆధ్వర్యము ప్రజలకు వ్యతిరేకమయియుండి మంత్రులను ఆశ్రయించియుండుటచేత మంత్రులు బ్రాహ్మణేతర భద్రమయైనను కట్టిపెట్టి ప్రజలను బాధించుటయే కర్తవ్యముగా పెట్టుకొని చట్టముకు రాజినీతికి వ్యతిరేకముగా వుత్తరువులను ఒసంగుచూవచ్చి జనులను అనేకవిధములయిన కష్టములపాలు చేసి ప్రజాభీష్టకొరకు పాటుపడిన వారిని జయిల్లకు పంపించి వారి నిరంకుశాధికారతవలన ప్రజల నమ్మకముగోల్పోయిరి. ప్రస్తుత తీర్మానంవలన బ్రాహ్మణేతర భద్రమయినను సప్టమని మంత్రివర్గమువారు యీ శాసనసభ్యులను తమ పార్టీలోనుండవలసినదని కోరుచున్న సంగతి తమకు తెలిసినదే. బెజవాడలో తాముచేసిన చర్య బ్రాహ్మణేతరభద్రమయినకొరకా, ప్రజాభీష్టముకొరకా, లేక వారి నిరంకుశాధికారం తెలియచేసుకొనుటకొరకా?”

Mr. M. GANGARAJU:—“అగ్రాసనాధిపా, నేను కృష్ణ జిల్లా కాపురపుడను. నేను బ్రాహ్మణుడనుకాను. నేను బ్రాహ్మణేతరుడను. నాకు కష్ట, కాలి, బ్రాహ్మణ, బ్రాహ్మణేతర భేద అభిప్రాయము లేదు. ఆ కారణంవల్లనే నాకు అన్ని సంఘములవారు మున్న జరిగబడిన ఎలక్షన్ లో నన్ను యెన్నుకొన్నందున నాకు 1st వోట్లు వచ్చినవి.

5 p.m.

నేను మా జిల్లాలో జస్టిసు వార్డ్ కి వ్యతిరేకంగా నిలిచినాను. నన్ను మొదటివానిగా యెన్నుకోబడినందువల్ల మా జిల్లాలో సాంఘిక భేదం లేదని స్పష్టమగుచున్నది. ఏలూరు డివిజన్ డిప్యూటీ కమిషనరుగారు నిమ్నజాతివారిని ఏర్పాటుచేయవలసినదిగా represent చేయగా అట్టి వారిని చేయక Ministers తమ జస్టిసు వార్డ్ లో చేరిన కొందరు B.A., B.L.'S ను అప్పాయింటు చేసినారు. నామినేషన్ షీట్ లో vacancies వున్నప్పటికిని నిమ్నజాతివారికి అవకాశం యివ్వలేదు. ఇటువంటి ఆక్రమములు మంత్రులవల్ల జరుపబడుచున్నందున ప్రజలకు మంత్రులయందు ఏ విధమైన భక్తివిశ్వాసం లేదు. ఈ హంశములచే సదరు motion ను నేను బలపరచుచున్నాను.”

Mr. B. VENKATARATNAM:—“I request your permission, Sir, to speak in Telugu.”

The hon. the PRESIDENT:—“Does the hon. Member know English?”

Mr. B. VENKATARATNAM:—“I know a little, Sir, but not much” (laughter).

[Mr. B. Venkataratnam]

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The permission was given and the hon. Member spoke as follows in Telugu :—" Sir, although the motion as tabled speaks of want of confidence in the Ministers, in my opinion, it asks in reality for a vote against the Justice Party which has been in power for the last three years. Now, the Justice Party has been in power for three years, and we find schisms and divisions in the party ranks. The reason for this state of things is that the party is not based on any established political principles, it has no political programme, and it has not worked on any political principles (hear, hear!). If the party tried to put into practice the ideals, principles and intentions which actuated its members at its inception, all these difficulties would not have cropped up. But what has actually happened is this: this party has got only one idea and that is communal representation, and it has been carrying on its work for the last three years on a communal basis and that is why all these difficulties arose. In our country where there are so many communities, it is not possible to conduct the Government on communal lines. To-day the non-Brahman cry is raised; the cry to-morrow may be non-Kshatriya, and day after to-morrow it may be non-Vysya, and so on. Therefore this prefix *non* has no meaning. Though their election promises and manifestoes were different, many members after their election joined the Justice Party. The record of the Justice Party does not show that any attempt was made at political advancement. As soon as the party came into power, the fight of the party was only confined to appointments in the Government service. But they do not seem to have any other programme and no attempt was made to work out their promised programme. My hon. Friend Mr. Krishnan Nayar fears that if this motion is carried, it might be said that we are not fit for self-government. But what I would submit is that if we defeat this Ministry the House will form into definite political parties and form a Ministry on political principles. Personally, I am not concerned with regard to the Ministry. My hon. Friend Mr. Samuel has said that there were sharp differences between Kapus, Kammas, etc., and that several parties are coming into existence. But I may tell him that though I am a Kamma I fought as a Swarajist and I have come to sit in this Council as a Swarajist (hear, hear!), and therefore I am not much concerned as to what particular party is in power. But still we are grieved to see that in the Madras Presidency communal Raj has come into being but not political Raj. Once we take up this communal principle, there can be no end to it, and I would therefore appeal to hon. Members not to support communal parties but only such parties as are guided by definite political principles."

Mr. A. RAMASWAMI MUDALIYAR :—" Mr. President, Sir, I feel I am rather in an embarrassed position to-day. For, I am speaking under a very grave sense of responsibility on a matter which has been dealt with by many a previous speaker. We have drifted very far from the resolution which was moved by my hon. Friend, Mr. Ramalinga Reddi. Issues have been clouded fast one after another—issues which I am afraid have confused many of the Members here. From a review of the work of the Ministers, we have gone into a review of the work of the party and into unmentionable things to-day. I therefore think that a certain amount of freedom should be given to me if I am to give expression to my views freely."

" Sir, I cannot congratulate the hon. Mr. Ramalinga Reddi on the resolution that he has brought forward to-day. I am sure that he has done a

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[Mr. A. Ramaswami Mudaliyar]

great dis-service to this Presidency and also to himself by the motion that he has made. It is to this dis-service that I am going to refer now. I am not concerned with the issue whether the Justice Party will outlive this motion or not. I am not concerned even with the issue whether the Ministers will outlive this motion or not. This is a very small matter to me. Though I am a staunch adherent of the party, I say emphatically this is a small matter to me. The greater issue is whether the Reforms, for which I went to England among others, the Reforms for which we have been pleading for the last so many years, the Reforms which we have got not without travail and with the greatest difficulty, should be continued or not. I know there is a certain set of persons who have entered the Council, fortunately or unfortunately, with no other programme than that of wrecking the Council. These gentlemen started in the year of grace 1920 by saying that they were Non-co-operators who would not co-operate with the Government and would not have anything to do with the Council. Their liberal programme was the triple boycott—boycott of councils, boycott of courts and boycott of schools."

Mr. S. SATYAMURTI :—" On a point of order, Mr. President, may I ask how all this is relevant to the motion on hand? What has this motion to do with the programme of the Congress in 1920?"

The hon. the PRESIDENT :—" I presume that the hon. Member has some responsibility for these programmes."

Mr. S. SATYAMURTI :—" May I say that he may refer to me and not to the Congress?"

The hon. the PRESIDENT :—" I understood him to say that he referred to a body of people among whom the hon. Member is one."

Mr. S. SATYAMURTI :—" I would suggest that he might have the courage to say so. He referred to the party. He is indulging in a kind of attack upon the Congress programme. If his point is to attack some of us who are called Swarajists with a particular programme, let him address us in this House as the gentlemen who belong to the Swarajya party and not indulge in an attack upon the Congress."

Mr. A. RAMASWAMI MUDALIYAR :—" Sir, I referred to these gentlemen and to one individual in particular who is the whip of the party, who are sitting in those two benches who call themselves Swarajists to-day, and who called themselves in the year 1920 Non-co-operators. I am going to try to show to this Council how they evolved themselves from the chrysalis stage of Non-co-operators to the butterfly stage of Swarajists. I told this House, Sir, that in the year 1920 they had a programme of boycott of schools, boycott of courts and boycott of councils. The boycott of schools was found to be a miserable failure, the boycott of courts was another ghastly failure, and the boycott of councils, after three years of patient thinking, they have come to realize, is unfortunate. I congratulate them. They appear on the opposition to-day. The Justice Party which entered the Council in the year 1920 were making their voice felt and now the Non-co-operators have come to realize that the ideals of the Justice Party in the year 1920 are the ideals which they must stand for now. That is my point. Sir, they have now come to the Council with the idea of obstructing the Reforms."

Mr. S. MUTTAYYA MUDALIYAR :—" Sir, I rise to a point of order. The hon. Member is saying that these gentlemen have come into the Council with the

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idea of wrecking the Council. The first item on the Council's agenda yesterday was taking the oath, and they have solemnly sworn that they will faithfully discharge the duties on which they entered, viz., to carry on the work of the Council whatever other programme they had had before. Since they have taken the oath of the Council most faithfully, the hon. Member is perfectly out of order in saying that they have come to wreck the Council."

The hon. the PRESIDENT :—"The hon. Member may be unreasonable, but he is not out of order" (Laughter).

Mr. A. RAMASWAMI MUDALIYAR :—"The hon. Member who has interrupted me is a Tamilian and does not unfortunately understand the language (Telugu) in which the previous speaker spoke. The previous speaker said that whichever Ministry is on the Treasury Bench, they were out to oppose it. If that is not what is meant by wrecking the Councils, I fail to see what it is. I must say that three years hence, in the year of grace 1926, these gentlemen will come and say that co-operation with the Government, wherever possible, is better than senseless obstruction and that a place among the comity of nations is better than nationalist applause.

"Sir, very grave charges have been made against the Ministry. I would have easily refuted them if they related to the Transferred subjects alone. But it is very unfortunate that the issues have been clouded by dragging in the party also, the party which the gentlemen opposite are anxious to wreck.

"I want this House to realize that their object, their ideal, their policy, their hope and their prayer is that the party which has stood by the country for the last three years should not continue. We have seen the work of the Councils in other provinces. We know that the Ministries in other provinces are not able to make their voice felt on the administration of the Reserved side. We know that they are impotent to make their voice felt—"

Mr. C. RAMALINGA REDDI :—"A point of order, Sir. It is not courteous to say that the Ministers in other provinces are impotent or that they do not make their voice felt."

The hon. the PRESIDENT :—"It is not out of order to say that a person is impotent."

Mr. A. RAMASWAMI MUDALIYAR :—"Whatever progress we might have made in this Presidency, whatever difficulties we might have overcome is because we had a solid party working with the Ministry. It is because we had a number of steadfast gentlemen who backed the Ministry up. If hon. Members are going to wreck all that, take it from me that it will be the bureaucracy that will be exalted, that will come into power. It will mean reaction in this Presidency. It will mean that the hands of the clock will be set back by many years. I want this House to realize the gravity of this situation even more than the gravity which attaches either to the out-going Ministry or to the in-coming Ministry. The hon. and learned Member for the University referred to many sins of commission and omission. He referred to the Chirala municipality. I ask him—'Is there a single municipality in which the richer classes would like to participate in municipal administration? Municipalities are mainly intended for ameliorating the condition of the poorer classes. Municipalities are an unmitigated nuisance to the rich. It is the rich that pay the taxes and it is the poor that benefit by the existence of

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municipalities. If this Ministry had thought it worth while to follow the dictates of the richer classes and abolished the Chirala municipality, if the hon. the Chief Minister had for a moment thought of abolishing the municipality, I for one would have crossed the floor of the House and terminated my connexion with such a Minister, such a reactionary Minister as would join hands with the richer classes of the country. The hon. Minister stood by the side of the poorer classes, and what is the result? The Chirala municipality stands there to-day. The men who were out against this municipality have come back to their senses. They realize the benefits of a municipality. They realize that they can have compulsory elementary education, only if the Chirala municipality continues to be a municipality. To-day the Chirala municipality has requested the hon. the Education Minister to introduce compulsory elementary education in that municipality. I shall give the House another instance of what the Chirala municipality is to-day. The results of the elections of the Chirala municipality are known to me. The hon. Member for Guntur, Mr. Etirajulu Nayudu, who opposed the abolition of the Chirala municipality, and who made a tremendously big speech on the Guntur repressive measures, said that the Chirala municipality should be continued and that the agitation was engineered by the richer classes. He comes at the top of the polls from the Chirala municipality getting 260 votes as against my hon. Friend, Mr. Anjaneyalu, who got 61 votes."

Mr. S. SATYAMURTI :—"A point of order, Sir. I presume that the votes are counted together and there is no means of knowing correctly what the vote from a particular constituency was."

The hon. the PRESIDENT :—"That is not a point of order."

Mr. A. RAMASWAMI MUDALIYAR :—"I shall give him that information. The information I got was from a vernacular paper which published the results, polling station after polling station. From the published records of a vernacular paper I got that information. I make a present of this information to my Swarajist Friend and ask him whether the country stood behind my Friend who jumped into the Swarajist Party or whether it stood behind my hon. Friend, Mr. Etirajulu Nayudu, who says that he stands for orderly progress and orderly development of the Government.

"I propose to have much more freedom this time than I had last. I propose to have as much freedom to oppose my Swarajist Friends who are here as to criticize the Government on the Treasury Bench. I ask again is the verdict of the country against the Ministry? My hon. Friend, Mr. Ramalinga Reddi, quotes some statistics. Ganjam returned one ministerialist to the last Council. It returned two anti-ministerialists who were sitting on the opposite benches. They objected to every measure the hon. Minister brought forward. Ganjam is in the same condition as it was last time, with this difference that the hon. Minister topped the poll with a difference of 5,000 votes which is a little more than double the number of votes for the second candidate. Is it not an evidence of how the country stood by the Justice Party? Godavari returned an ex-Minister who is certainly a ministerialist. Godavari returned last time a late Colleague of mine Mr. Subbarayudu and Diwan Bahadur Seshagiri Rao Pantulu. This time it has returned an ex-Minister and a Swarajist. If it shows anything at all, it shows that the Liberals have no place in the country. It shows that Liberalism is gone.

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"Did any of the hon. Members opposite say to the electorate that they disowned the communal principle for which we have been fighting for the last three years? Did any of these gentlemen, did the hon. the Mover of this motion himself tell the electorate that they would not stand by their communal principle, that they were against the preferment of non-Brahmans, that they were against school committees being appointed and that they were against college committees being appointed? I should like to ask these gentlemen whether they have set any other policy."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"So far as Coimbatore was concerned I said that all the three might be supported."

Mr. A. RAMASWAMI MUDALIYAR:—"I have read a great deal about the elections in Coimbatore. I am not going to traverse the ground. I ask them whether they fought the elections on the communal basis."

Rao Bahadur C. NATESA MUDALIYAR:—"I fought the election as an avowed enemy of the leader of the ministerialist party."

Mr. A. RAMASWAMI MUDALIYAR:—"I do not talk of ministerialists or anti-ministerialists or of leaders or ex-leaders. I am speaking only of the communal principle that was observed during the last three years."

Mr. S. SATYAMURTI:—"A point of order. May I suggest that this resolution is certainly against the Ministry and not against the Justice Party?"

The hon. the PRESIDENT:—"I believe we have been hearing a great deal about the Justice Party. It is true that the hon. Member now wants that the discussion should be confined to the Ministry, but a number of hon. Members who have already spoken made various attacks on the Justice Party. The hon. Member who spoke in Telugu made a very vigorous attack on the Justice Party. I know Telugu well. It would have been more appropriate if this objection had been taken at an earlier stage."

Mr. A. RAMASWAMI MUDALIYAR:—"I have got the hon. Member's (Mr. Satyamurti) speech in his own words. He said that he wanted to make a breach in the ranks of the non-Brahman phalanx. If that is his principle, I have no quarrel with him."

"Well, Sir, a great deal has been said about the appointment of district board presidents. I think that during the last few minutes much has been made of this very simple matter. It is said that district board presidentships have been given to persons belonging to the Justice Party. It is a very trivial matter. These nominated appointments are honorary appointments which, after all, have to go to party men. Burke in one of his masterly speeches controverts a similar objection. I stand for the principle laid down by him. It is a party cry that party men ought to be appointed. The Ministry cannot nominate men who do not agree with its principles, in whom it has no confidence and whose policy may be antagonistic to that of the Ministry. Is the hon. Minister going to nominate non-co-operators as presidents of district boards? Is he going to nominate Swarajist gentlemen to work these district boards? As I said, this cry about district boards is, after all, a party cry. It is a very trivial matter."

"Now, Sir, I do not wish to take very much of your time. I see that a great, bitter and a most vituperative attack has been made against the hon. Chief Minister. He has been subjected to such criticism as is unprecedented in Parliamentary debates. I am not here to say anything in defence of him."

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He needs no defence. But in defence of myself I shall give expression to my own feeling. I am sure that he will outlive all this. Men who have been in power, men who have tried to do their duty according to their innate conscience, with fear of God and fear of no man, these men are subjected to this sort of criticism. We must remember that criticism is a necessary ingredient to progress. In the very nature of things there must be such vituperation as an accompaniment to progress. He will therefore put up with these attacks which have been levelled against him, most provocative attacks, attacks of the grossest character, unfair attacks on matters for which he is not responsible. He has been traduced and abused for his supposed motives. He will remember that obloquy is a necessary ingredient in the composition of all true glory. He will remember that it is not merely in the Roman customs but it is in the very nature and constitution of things that calumny and abuse are essential parts of triumph. If he has been made an arbitrator of things in which he never arbitrated, he must remember that this is but the necessary ingredient and a necessary consequence to a political campaign. I am not afraid of these criticisms. Years hence when people look back upon the first Council and the first Ministry, generations of my countrymen yet unborn will review the work of the last Council and say that we have progressed. Years hence when all this vituperation, when all this jargon of party and influence, patronage and the rest of it are swept into oblivion, people will have a better appreciation of the character of the work which the Ministry has carried out.

"The Ministry were there for three years in the face of the greatest difficulties. They have had a most revolutionary career but they have done work of a most independent character, work which has really advanced the condition of the Presidency, made it progressive, put it on a substantial basis. You may in a spirit of despair, in a spirit of revenge, in a childish spirit, in a spirit of partisanship, try to destroy the Ministry but surely there is something which lives after all these loud talks, all these catchwords and shibboleths of patriotism of fear of party union and party life, something will outlive, the solid good work that has been done by the last Ministry."

"My hon. Friend, Mr. Venkataramana Ayyangar, referred in particular to a matter which I thought a gentleman of his standing should not have done. He referred to hon. Ministers travelling in saloons. I have heard a good deal said about it, that it is an idea inherently opposed to democracy, to growing principles of socialism for which Mr. Venkataramana Ayyangar stands in this Council. I am sorry that a Member of his standing should have referred to the matter in that spirit. Even in Bolshevik Russia, Lenin and Trotsky travelled in special trains."

A VOICE:—"Wherefrom does the hon. Member get this information?"

Mr. A. RAMASWAMI MUDALIYAR:—"I have read it in the English press. I say it on the authority of the English newspapers. My hon. Friend says that hon. Ministers should not travel in saloons. May we ask him: 'Does democracy stop short with double first-class or with one-and-three-fifths which the hon. Member gets now?'"

Mr. C. V. VENKATARAMANA AYYANGAR:—"I repeatedly moved in this Council that the first-class allowances should be reduced and my hon. Friend and his Colleagues have opposed that at every time except on the last occasion."

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Mr. A. RAMASWAMI MUDALIYAR:—"Yes, Sir, we did so because we are members of the City and have no necessity for these railway allowances. It was however open to the hon. Member, Mr. Venkataramana Ayyangar, to say that he would not have double first-class; it was open for him to decline to receive the higher fare and to take less. It was open for him to say that he must have less fare realizing his responsibilities, as he says, as a Member of this House. It was open to him, a born democrat coming from the people, blooming from the ryots, brimming with democratic fervour to say that he would only travel in a third-class like the Mahatma Gandhi himself and decline to receive more. But look, what is the fact? I have got here a question which was answered the other day from which I find that the hon. Member himself—I mean Mr. Venkataramana Ayyangar—has drawn between 14th of November 1921 and August, 1922, no less than a sum of . . ."

Mr. S. SATYAMURTI:—"I protest against such personal reflections as to what a particular Member has drawn as allowances and so on."

The hon. the DEPUTY PRESIDENT:—"If the saloon argument for the Ministers is telling why not the reference that Members should receive third-class fare?"

Mr. S. SATYAMURTI:—"I do not object to that, Sir. I object to the hon. Member saying that a particular Member has received a particular amount as allowances."

The hon. the DEPUTY PRESIDENT:—"I think the hon. Member had better omit it."

Mr. A. RAMASWAMI MUDALIYAR:—"That is an answer given in public, Sir. I am not however anxious to take such trivial issues. I believe, Sir, that democracy is not inconsistent with treating our honoured citizens in the most respectable way. I know that the English Premier goes by special trains. These are after all trivial, childish notions which school boys may give expression to and not a member of the standing and position as my hon. Friend here."

"Sir, I do not wish to go into all the other points raised, of which there are a good many, as a good deal of time will be taken up for reply. I say this in this House, that on this Motion will depend the future progress of this Presidency, on this Motion will depend the future development of that political life which every one of us here wishes to develop in this country (cries of 'Hear, hear'). On this Motion will depend the advance towards that goal of Dominion Home Rule as my friend, Mr. Ramalinga Reddi, has called it, and Colonial Self-Government as we always termed it. I do not indeed realize how both these differ from each other. Every Member will realize before deciding the question the grave responsibility that he owes to the country and his constituency and to the Member himself who brought forward this particular Motion. I will only say, in the language of the poet:

'Though the mills of God grind slowly
Yet they grind exceedingly small;
Though, with patience He be waiting
Yet with exactness grinds He all'."

The House then adjourned to meet again at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

27th November 1923]

APPENDIX A.

[Vide page 15 supra]

Return of officers in the non-gazetted service of the Government of Madras who held permanent appointments on Rs. 35 and upwards on 1st April 1923.

[PRESCRIBED BY G.O. No. 658, PUBLIC, DATED 15TH AUGUST 1922.]

SECTION I.

Officers drawing Rs. 100 and over.

Office.	Number of officers.					
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhamedans.	Europeans or Anglo-Indians.	Others.

(i) *Collectorates including Divisional Offices.*

Anjengo	1	1	..	..	..	..
Anantapur	24	6	1	1	..	..
Arcot, North	25	9	4	1	..	..
Arcot, South	18	10	4	1	..	..
Agency Commissioner, Waltair	16	4	..	1	1	..
Bellary	21	6	..	2	..	..
Chingleput	18	7	2	2	..	..
Chittoor	19	5	1	..	..	..
Coimbatore	21	2	5	4	..	3
Cuddapah	23	8	..	1	..	..
Ganjau	21	6	2	..	..	..
Godavari	20	9	..	1	..	..
Guntur	25	9	..	1	..	..
Kanara, South	15	7	1	2	..	..
Kistna	28	11	2	1	..	..
Kurnool	25	4	1	4	..	..
Madras	4	2	..	..	2	..
Malabar	16	22	1	..	..	..
Madura	22	2	6	..	..	..
Nellore	23	8	..	1	..	..
The Nilgiris	5	4	..	..	..	..
Ramnad	8	7	..	..	..	..
Salem	20	13	6	..	1	1
Tanjore	30	13	5	..	..	..
Tinnevely	20	7	5	2	..	1
Trichinopoly	15	9	5	1	..	..
Visagapatam	18	4	..	..	..	..

(ii) *District Courts.*

Anantapur	2	1	..	..	..	..
Arcot, North	4	..	..	..	..	..
Arcot, South	3	1	1	..	..	..
Bellary	3	..	..	..	..	..
Coimbatore	5	1	..	..	..	..
Chingleput	5	..	..	..	..	..

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Officers drawing Rs. 100 and over—cont.

Office.	Number of officers.					
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhammadians.	Europeans or Anglo-Indians.	Others.
(ii) District Courts—cont.						
Cuddapah	3	..	..	..	..	..
Chittoor	4	1	..	..	..	..
Godavari	3	8	..	..	..	..
Ganjam	3	1	..	..	..	..
Guntur	4	1	1	..	..	..
Kanara, South	5	..	..	..	..	..
Kistna	7	1	..	..	..	..
Kurnool	3	..	..	..	..	..
Madura	7	..	1	1	..	..
Malabar, South	2	3	..	..	..	..
Malabar, North	3	2	..	..	..	..
Nellore	4	..	..	..	..	..
Ramnad	8	..	..	..	..	..
Salem	4	..	..	..	..	..
Tanjore, East	5	..	..	..	..	..
Do. West	3	3	1	..	..	..
Trichinopoly	2	2	..	1	..	..
Tinnevely	3	2	1	..	..	..
Visagapatnam	3	2	..	..	..	..

(iii) Heads of Departments.

Secretariat—						
Chief Secretariat	13	5	5	..	..	..
Law Department	15	6	1	..	..	..
Legislative Council Office	13	2	..	..	..	..
Revenue	9	2	2	..	..	..
Development	5	2	..	..	..	..
Finance	5	4	..	1	..	..
Local Self-Government	14	2	1	..	..	..
Public Works Department	219	38	13	4	10	..
Board of Revenue—						
Land Revenue and Settlement, including also Survey and Settlement Parties	46	18	7	2	1	..
Separate Revenue and subordinate offices.	52	43	11	10	43	1
Office of Inam Commissioner	1	..	1	..	..	..
Registrar, High Court	89	23	1	1	1	1*
Court of Small Causes	3	2	..	1	..	..
Inspector-General of Police (and sub-offices).	369	213	34	46	155	..
Commissioner of Police	12	16	1	5	70	..
Inspector-General of Prisons	7	6	2	1	10	..
Director of Public Instruction	245	38	17	36	38	..
Commissioner for Government Examinations.	1	1	..	..	..	..
Inspector-General of Registration	221	95	18	18	..	..
Private Secretary to His Excellency the Governor's office.	1	2	..	..	..	..
Persian and Hindustani Translator to Government.	..	..	..	1	..	..

* Parsi.

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Officers drawing Rs. 100 and over—cont.

Office.	Number of officers.					
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhammadians.	Europeans or Anglo-Indians.	Others.

(iii) Heads of Departments—cont.

Registrar-General of Births, Deaths and Marriages.	..	..	..	..	..	..
Registrar of Joint Stock Companies.	1	1	..	..	..	..
Director of Industries	10	10	1	..	..	..
Director of Fisheries	2	5	2	..	..	..
Chief Conservator of Forests	82	65	18	10	8	2
His Britannic Majesty's Consul, Pondicherry.	..	1	..	..	..	..
Resident in Travancore and Cochin.	..	1	..	..	1	..
Director of Agriculture	48	19	11	1	1	..
Deputy Director of Agriculture, Cinchona.	..	1	1	..	1	..
Registrar of Co-operative Societies.	4	1	..	..	..	..
Registrar-General of Panchayats	1	..	..	..	..	..
Surgeon-General	70	92	44	21	35	..
Director of Public Health	14	13	1	..	1	..
Presidency Port Officer	2	1	1	..	..	..
Examiner of Local Fund Accounts	14	7	..	..	..	..
Administrator-General	1	..	..	..	1	..
Political Agent for Pudukkottai	..	..	..	..	..	..
Chief Presidency Magistrate	3	2	..	..	..	..
Madras Record Office	3	2	1	2	..	..
Principal, Madras Veterinary College.	6	..	1	..	..	..
Paymaster, Carnatic Stipends	..	..	..	..	..	..
Chemical Examiner to Government	1	..	..	..	..	..
Superintendent, Government Press	4	4	2	..	3	1
Superintendent, Civil Veterinary Department.	31	21	6	2	2	2
Board of Examiners	..	1	..	..	..	..
Superintendent of Stamps	2	1	..	..	..	..
Superintendent, Government Museum.	3	2	..	..	..	..
Sheriff of Madras	..	1	..	..	..	..
Senior Translator to Government	4	2	..	..	..	..
Commissioner of Labour, Factory Offices.	..	..	..	..	..	..
Bishop of Madras and Commissary in charge of the Diocese.	..	..	..	..	..	..
Public Prosecutor	1	..	..	..	..	..
Archdeacon of Madras	..	..	..	..	..	..
Deputy Port Conservator, Madras.	1	3	..	..	..	..
Advocate-General	1	..	..	..	..	..
Government Pleader	1	..	..	..	..	..
Total	2,227	1,003	259	190	385	12

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SECTION II.

Officers drawing from Rs. 35 to Rs. 100.

Office.	Number of officers.					
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhammadans.	Europeans or Anglo-Indians.	Others.
(i) <i>Collectorates including Divisional Offices.</i>						
Anjengo	4					
Anantapur	186	43	8	10		
Aroot, North	228	63	9	18		1*
Do. South	196	77	11	12		
Agency Commissioner, Waltair	58	65	1	6		
Bellary	167	33	12	12		
Chingleput	165	54	9	9		
Chittoor	128	68	4	7		
Coimbatore	231	50	9	11		12
Cuddapah	184	34	4	25		
Ganjam	146	86	4	4		
Godavari	183	57	2	14		
Guntur	230	58	6	11		
Kanara, South	116	46	30	12		
Kistna	273	105	2	14		
Kurnool	170	62	7	34		
Madras	28	14	5	9		
Malabar	103	210	9	13		
Madura	168	59	15	8		6
Nellore	206	41	10	24		
The Nilgiris	34	23	10	3		
Ramnad	116	49	9	1		
Salem	225	57	6	18		
Tanjore	236	88	15	13		1
Tinnevely	171	102	22	9		1
Trichinopoly	178	57	17	8		
Visagapatam	150	49		5		
(ii) <i>District Courts.</i>						
Anantapur	23	4		3		
Aroot, North	66	65	6	2	3	
Do. South	78	37	9	5		
Bellary	26	5		1		
Coimbatore	71	20	8	3		
Chingleput	49	13		1		
Cuddapah	34	6	1	3		
Chittoor	40	16	3	2		
Godavari	91	26		7		
Ganjam	44	12				
Guntur	81	9		4		
Kanara, South	51	11	8	3		
Kistna	116	30	2	6		
Kurnool	20	12		5		
Madura	76	21	5	4		
Malabar, South	81	82	5	4		
Malabar, North	27	81	4	5		
Nellore	45	5	4	2		
Ramnad	70	22	7	1		
Salem	48	9	2	6		
Tanjore, East	53	7	1	3		1†
Tanjore, West	85	13	5	2		3†
Trichinopoly	80	15	3			
Tinnevely	62	41	10	3		
Visagapatam	44	29		3		

*1 Adi-Dravida.

† Jains.

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Officers drawing from Rs. 35 to Rs. 100—cont.

Office.	Number of officers.					
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhammadans.	Europeans or Anglo-Indians.	Others.
(iii) <i>Heads of Departments.</i>						
Secretariat—						
Chief Secretariat	17	23	6	3		
Law Department	5	3	1			
Legislative Council Office	5	1		1		
Revenue Department	3	4	3			
Development Department	3	3	3			
Finance Department	10	7	2	1		
Local Self-Government Department	10	8	1	1		
Public Works Department	543	203	24	6	2	2*
Board of Revenue—						
Land Revenue and Settlement including also Survey and Settlement Parties	357	234	24	15		
Separate Revenue and subordinate offices	849	488	83	105	39	7
Office of Inam Commissioner	2	3		1		
Registrar, High Court	130	55	5	9		
Court of Small Causes	17	30	2	4	3	1
Inspector-General of Police (and sub-offices)	734	968	105	268	8	5
Commissioner of Police	33	218	8	37	12	3
Inspector-General of Prisons	34	42	15	11	22	3
Director of Public Instruction	756	185	90	123	14	1
Commissioner for Government Examinations	8	3				
Inspector-General of Registration	1,304	852	147	78	3	2
Private Secretary to His Excellency the Governor's Office		1				
Persian and Hindustani Translator to Government				5		
Registrar-General of Births, Deaths and Marriages			2			
Registrar of Joint Stock Companies	4		1			
Director of Industries	53	39	14	5	2	3
Director of Fisheries	8	31	7	1		
Chief Conservator of Forests	349	390	72	105	2	17
His Britannic Majesty's Consul, Pondicherry		1	1			
Resident in Travancore and Cochin	4	3	2			
Director of Agriculture	169	85	21	4		
Deputy Director of Agriculture and Cinchona	1	2	9			
Registrar of Co-operative Societies	221	143	22	6		3
Registrar-General of Panchayats	1		1			
Surgeon-General	247	224	76	30	77	2
Director of Public Health	139	71	3	2		
Presidency Port Officer	31	24	15	5	2	
Examiner of Local Fund Accounts	31	7	2	1		
Administrator-General	4	5			2	
Political Agent for Pudukkottai		1	1			
Chief Presidency Magistrate	8	11	4	4		

* Depressed classes.

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Officers drawing from Rs. 35 to Rs. 100—*cont.*

Office.	Number of officers.					
	Brahmans.	Non-Brahman Hindus.	Indian Christians.	Muhammadans.	Europeans or Anglo-Indians.	Others.
(iii) <i>Heads of Departments—cont.</i>						
Madras Record Office	4	1	3	..	..	..
Principal, Madras Veterinary College.	..	6	1	1	1	..
Paymaster, Carnatic Stipends ..	1	..	..	1	..	..
Chemical Examiner to Government.	2	1	..	..	..	..
Superintendent, Government Press.	30	77	8	3	5	5
Superintendent, Civil Veterinary Department.	88	49	11	5	..	..
Board of Examiners	2	1	..	..	..	..
Superintendent of Stamps	25	13	..	9	..	1
Superintendent, Government Museum.	2	4	5	..	..	..
Sheriff of Madras	..	1	..	..	2	..
Senior Translator to Government ..	9	1	1	..	..	..
Commissioner of Labour, Factory Offices.	3	10	1	..	..	..
Bishop of Madras and Commissary in charge of the Diocese.	1	..	5	..	..	..
Public Prosecutor	2	..	..	..	..	..
Archdeacon of Madras	..	1	..	..	2	..
Presidency Senior Chaplain	..	1	..	..	..	..
Deputy Port Conservator, Madras ..	2	14	1	1	2	..
Advocate-General	1	..	..	..	..	..
Government Pleader	1	..	..	..	..	..
Total ..	11,983	6,786	1,127	1,234	204	80

APPENDIX B.

[Vide page 15 supra]

Proceedings of the First meeting for 1923-24 of the Standing Finance Committee of the Madras Legislative Council held at Fort St. George on Monday, the 23rd April 1923.

PRESENT:

- (1) The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I. (Chairman).
- (2) M.R.Ry. Rao Bahadur C. NATHA MUDALIYAR Avargal.
- (3) " " T. A. RAMALINGA CHETTIYAR Avargal.
- (4) Khan Bahadur MUHAMMAD USMAN SAHIB.
- (5) Dr. P. SUBBARAYAN.
- (6) Mr. C. E. WOOD.

(Messrs. TANIKACHALA CHETTIYAR, RANGANATHA MUDALIYAR and MacDOUGALL did not attend.)

Read proposals for the grant from Government towards the cost of a Women and Children's Hospital at Kanadukathan (the Hon'ble Diwan

[27th November 1923]

Bahadur S. R. M. Annamalai Chettiyar has proposed to meet one-half of the initial and recurring charges).

The Committee are of opinion that the Government might undertake the payment of a grant equal to half the non-recurring charges of the hospital, subject to a maximum of Rs. 50,000, and half the annual recurring charges, provided the institution is handed over to the management of the District Board. Otherwise, they do not recommend any payment towards the recurring charges.

FORT ST. GEORGE,
23rd April 1923.

C. G. TODHUNTER.

Summary of the Proceedings of the Second meeting for 1923-24 of the Standing Finance Committee of the Madras Legislative Council held at the Cabinet Chamber at 12 noon on the 13th August 1923.

PRESENT:

- (1) The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).
- (2) Mr. A. M. MacDOUGALL.
- (3) M.R.Ry. A. RANGANATHA MUDALIYAR Avargal.
- (4) Khan Bahadur MUHAMMAD USMAN SAHIB.
- (5) M.R.Ry. Rao Bahadur O. TANIKACHALA CHETTIYAR Avargal.
- (6) Mr. C. E. WOOD.

The following recommendations were made :—

1. *Lecturer in History, Training College, Rajahmundry.*—The post of Lecturer in History at the Training College, Rajahmundry, may be transferred from the Subordinate Educational Service to the Madras Educational Service with effect from the financial year 1924-25.

2. *Sericultural Assistant.*—The appointment of the Sericultural Assistant may be made permanent on a salary of Rs. 250—25—650.

3. *Pallapalayam Sugar Factory.*—The Committee are not satisfied with the results of the ten years' experiment that has been carried out with regard to cane-crushing. They are, however, of the opinion that a final experiment should be made on the lines put forward in the Development Department note. The experiment should be made during the current year, provided that the money is found from the Rs. 48,000 which were placed at the disposal of the Hon'ble the Minister for expenditure in 1923-24.

4. The following papers were placed on the table :—

(i) G.O. No. 1188, P.H., dated 17th July 1923, regarding payment of arrears of provincial contribution for 1918-19 and 1919-20 for the Malabar District Board.

(ii) Note on contributions to local bodies on account of the loss of fishery rentals.

[27th November 1923]

5. The revised Travelling Allowance Rule with regard to the travelling allowance of members of the Madras Legislative Council was accepted.

FORT ST. GEORGE,
14th August 1923.

C. G. TODHUNTER.

*Proceedings of the Third meeting of the Finance Committee, 1923-24,
dated 17th August 1923.*

PRESENT:

The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).
A. M. MACDOUGALL, Esq., M.L.C.
Dr. P. SUBBARAYAN, M.L.C.
Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur, M.L.C.
M.R.Ry. A. RANGANATHA MUDALIYAR AVARGAL, M.L.C.

(1) *Fee concessions to indigent pupils.*

Recommended that the concession may be allowed in the case of secondary schools managed by local bodies provided that no claim is put forward for a Government subsidy to cover the consequent loss of fee income. With regard to secondary schools under local bodies, the net cost of which is now defrayed from provincial funds, the Committee consider that the cost should be dealt with under the scholarships scheme.

(2) *College of Engineering, Guindy.*—Project course.

The Committee are unable to recommend the proposal for acceptance.

(3) *Sub-Jail, Koraput.*—Construction of cellular blocks at a cost of Rs. 54,800.

The Committee request that information may be supplied as to the strength of the jail population and as to the possibility of reducing the estimate which appears to the Committee to be excessive.

(4) *District Jail, Palamcottah.*—Raising compound wall.

The Committee are unable to recommend the expenditure.

(5) *Mental Hospital, Calicut.*—Appointment of a Civil Assistant Surgeon.

The proposal is recommended for adoption.

(6) *Local Self-Government Department.*—Temporary Assistant Secretary.

The proposal is recommended for acceptance. A supplementary demand for Rs. 3,000 may be moved at the next meeting of the Legislative Council.

(7) *Kistna anicut.*—Installation of new shutters.

The Committee would be glad to know whether the shutters cannot be manufactured in Madras at a cheaper cost.

(8) *Koraput.*—Improvement of drainage system.

The consideration of this question was adjourned.

(9) *Finance Department.*—Reorganization scheme.

[27th November 1923]

The proposals for reorganization which had been previously circulated to the members of the Committee were discussed. The Committee approved of the proposals and recommended them for acceptance.

FORT ST. GEORGE,
17th August 1923.

C. G. TODHUNTER.

*Proceedings of the Fourth meeting of the Finance Committee, 1923-24,
dated 1st September 1923.*

PRESENT:

The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).
A. M. MACDOUGALL, Esq., M.L.C.
C. E. WOOD, Esq., M.L.C.
Dr. P. SUBBARAYAN, M.L.C.
Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur, M.L.C.
M.R.Ry. A. RANGANATHA MUDALIYAR AVARGAL, M.L.C.
" Rao Bahadur O. TANIKACHALA CHETTIYAR AVARGAL, M.L.C.
" Rao Bahadur T. A. RAMALINGAM CHETTIYAR AVARGAL, M.L.C.

(1) *Commercial Accountant.*—The Committee was informed of the arrangement made as to the employment of Messrs. Fraser and Ross as Commercial Accountants and Auditors to Government and approved of the action taken in the matter.

(2) *Kistna anicut shutters.*—At a previous meeting of the Committee it was suggested that the shutters could be manufactured in Madras. The Committee were informed that Government propose to obtain from Messrs. Ransome and Rapier one set of shutters and a lifting machine and that the other sets will, if possible, be manufactured in the Public Works Department Workshops.

(3) *Sub-jail, Koraput—Enlargement.*—The Committee were not prepared to recommend the scheme for acceptance without further information on the following points:—

(i) The figures of jail population for 1923.
(ii) The classification of the jail population under the following heads:—

- (a) Remand and under-trial prisoners.
- (b) Convicts serving less than one month.
- (c) Convicts serving for longer periods.

(iii) The circumstances under which the jail population showed an abnormal increase between September 1921 and June 1922.

(iv) The extent to which the jail population has been affected by increasing the period of detention in Koraput sub-jail so as to include convicts serving sentences up to 12 months.

(4) *Koraput Anti-malarial measures.*—The Committee recommended the proposal for acceptance as a class II scheme to be carried out in 1924-25. They suggested that the actual cost to Government might be reduced by the employment of jail labour.

[27th November 1928]

(5) *Bridge over the Hagari river.*—The proposal to construct a joint road and railway bridge was recommended for acceptance. The cost of the bridge should be met by a loan which may, if necessary, be found during the current year.

(6) *Formation of a Cauvery gauging division.*—The action taken for the formation of a division met with the approval of the Committee.

(7) *Secretariat and Council Chamber—Sewage reconstruction.*—The Committee desired to be informed whether the estimate includes provision for sanitary arrangements for the whole of the Secretariat establishment and to be provided with a detailed explanation of the proposal.

FORT ST. GEORGE,
2nd September 1923.

C. G. TODHUNTER.

*Proceedings of the Fifth meeting of the Finance Committee, 1923-24,
dated 10th September 1923.*

PRESENT:

The Hon'ble Sir CHARLES TODHUNTER, K.C.S.I., I.C.S. (Chairman).
C. E. WOOD, Esq., M.L.C.
Khan Bahadur MUHAMMAD USMAN SAHIB Bahadur, M.L.C.
M.R.Ry. Rao Bahadur T. A. RAMALINGAM CHETTIYAR Avargal,
M.L.C.
Dr. P. SUBHARAYAN, M.L.C.

The minutes of the previous meeting were read and confirmed.

2. The Committee were informed by the Chairman that it was the intention of Government to appoint a special officer to prepare the necessary statements and collect the requisite information for the Public Services Commission. They were informed that no final decision had yet been taken but that, as the Finance Committee would be dissolved after the 11th September and it would not be possible to place any specific proposal before them prior to the expenditure being incurred, it was considered advisable to inform them of the proposed expenditure.

3. *District Registrars.*—The Committee were informed that the Hon'ble the Minister had decided not to take action on the recommendation of the Committee to abolish two posts of District Registrars, in view of the fact that the question of the transfer of duties connected with the record-of-rights to the department had not yet been disposed of.

4. *Travelling allowance.*—The Committee were informed that Government had decided to reduce the rate of allowance for travel by rail to $1\frac{1}{2}$ ths of the rail fare except in the case of subordinates entitled to double third-class who would in future draw $1\frac{1}{2}$ ths fares.

5. *Special pay to the senior clerk in the Registration branch of District Registrars' offices.*—The Committee recommended that in District Registrars' offices in which there are five or more clerks of the lower grade in the Registration branch of the office a class II allowance of Rs. 5 a month should be granted.

[27th November 1923]

6. *Deputy Collectors on settlement and adangal revision duty.*—The Committee approved of the proposal to grant a special pay of Rs. 100 a month as a class III allowance.

7. *College of Engineering.*—

(1) *Proposed course in Architecture.*

(2) *Post-Collegiate course in Sanitary Engineering.*

The Committee did not consider that the institution of these courses would be treated as a matter of urgency. They would therefore class the proposal as a new scheme for 1924-25 under class III.

8. *Government College, Coimbatore—Opening of group (ii) of the Intermediate course.*—The Committee would recommend the acceptance of the scheme and with reference to the budget for 1924-25 would place the scheme in the second class.

9. *Presidency hospitals.*—The appointment of a special officer to secure economy in hospital expenditure.—The Committee recommended the proposal for adoption.

10. *Veterinary dispensaries—Kumbakonam and Negapatam—Appointment of compounders.*—The Committee did not consider that the question was urgent and would place the scheme in class III.

11. *Chlorination experiments at Kilpauk.*—The Committee were not prepared to recommend that a contribution should be made towards the cost of these experiments from Provincial Funds.

12. *Victoria College, Palghat—Opening of Commercial classes.*—The Committee did not recommend the proposal for acceptance.

13. *Training School for Muhammadan Women, Guntur—Opening of a higher elementary training class.*—The Committee did not consider that the proposal was urgent and would class it in class III. They would also call attention to the recommendation of the Retrenchment Committee that lower elementary and higher elementary training should not be differentiated.

FORT ST. GEORGE,
10th September 1923.

C. G. TODHUNTER.

APPENDIX C.

[Vide page 15 supra]

Statement of resolutions passed by the Madras Legislative Council during the third session and the action taken thereon by the Government.

(12th September 1922 to 3rd April 1923.)

Serial number and subject of resolution.	When passed by the Council.	Nature of the action taken by Government.
1. Reduction of the price of each day's proceedings of the Council to two annas.	13th Sep. 1922.	Price reduced to two annas per copy—G.O. No. 242, Law (Legislative), dated the 25th October 1922.

[27th November 1923]

Serial number and subject of resolution.	When passed by the Council.	Nature of the action taken by Government
2. The British Empire Exhibition.	14th Sep. 1922.	All arrangements connected with the Exhibition have been entrusted to a general committee which has in its turn appointed an executive committee with the Director of Industries as the Chairman. On this committee's advice the proposal to hold a local exhibition has been abandoned. Arrangements for participation in the British Empire Exhibition are in progress. The Legislative Council has since voted 1½ lakhs for the purpose.
3. Powers of the Agency Commissioner to deport individuals.	Do.	Accepted by Government. Draft Bill on the subject is pending the repeal of the State Prisoners' Regulation by the Central Legislature.
4. Appointment of Indians as Conservators of Forests, Deputy Inspector-General of Police and Members of the Board of Revenue.	Do.	Resolution recorded by Government, there being no chance of giving effect to it in the near future.
5. Separation of judicial and executive functions.	Do.	A committee of 13 members was appointed under the presidency of Mr. F. A. Coleridge to consider the question in the terms of the resolution. The report has just been received. It is under consideration.
6. Increase in the number of Government Audit Certificate-holders.	Do.	A press communiqué has been issued explaining why effect could not be given to the resolution—G.O. No. 410 L., dated 5th February 1923.
7. Construction of the Palghat-Manantoddy railway.	15th Sep. 1922.	The preliminary survey of the Shoranur-Manantoddy line having been completed, the Railway Board sanctioned a detailed survey of the Shoranur-Nilambur section and have also accorded permission to land being notified for acquisition. The survey was completed on the 15th June 1923. The Government have under consideration the question of financing the project and are taking steps towards the early construction of the line which awaits the Secretary of State's sanction.
8. Appointment of a Retrenchment Committee.	16th Sep. 1922.	Orders have been issued in G.O. No. 796, Finance, dated the 22nd September 1922.
9. Postponement of re-settlement in Anantapur and Bellary districts.	Do.	Resolution as amended was accepted by Government. Instructions issued accordingly.
10. Appointment of a committee in each district to investigate into the grievances of the ryots in respect of the reserves lying within a mile of the village-site or the cultivated area of a village.	6th Feb. 1923.	Committee appointed for Chittoor district only—vide G.O. No. 742, Development, dated the 23rd May 1923.
11. Appointment of a committee to examine the forest grievances in the Kurnool district.	26th Feb. 1923.	Committee appointed—vide G.O. No. 435, Development, dated 23rd March 1923.
12. Addition of a section to the Presidency Administration Report relating to members of the depressed classes in Government service.	Do.	Resolution which was withdrawn by the mover has been accepted by the Government. Orders have issued in G.O. No. 563, Public, dated 21st July 1923.

27th November 1923]

Serial number and subject of resolution.	When passed by the Council.	Nature of the action taken by Government.
13. Repairs to Srirangam temple.	26th Feb. 1923.	The Committee appointed by the Council met at Trichinopoly and discussed the question with reference to past records. The Committee has appointed a sub-committee to investigate certain pleas of the temple trustees and report.

L. D. SWAMIKANNU,
Secretary to the Council.

APPENDIX D.

[Vide page 15 supra]

G.O. No. 1482, Development, dated 11th October 1923.

READ—the following papers:—

I

G.O. No. 326, Development, dated 3rd March 1923.

II

Letter from E. F. THOMAS, Esq., C.I.E., I.C.S., M.L.C., Director of Industries, to the Secretary to Government, Development Department, dated Camp Ootacamund, the 9th June 1923, No. 528-A/23.

In section 8 of the State Aid to Industries Act, reference is made to form of application to be prescribed. Rule 10 also requires applications to be in a specified form. I am receiving a fair number of applications for State aid in one form or another and it seems to me that it is now time to prescribe a form. The Act is silent as to the authority which should prescribe the form and I assume that the prescription should be by Government. I enclose for approval or criticism a tentative form * of application which I have drawn up and request the orders of Government.

III

Official Memorandum No. 1468-II/23-1, Development, dated 28th June 1923.

The Director is requested to report what is the intention of item 17 of the questionnaire, whether it is to find out if any arrears of land revenue are due. The Government observe however that no such information is sought in respect of the collateral security referred to in item 16 and there is no item in the whole questionnaire intended to elicit information as to the nature and extent of the encumbrances, if any, on the immovable property offered as security.

(By order)

O. J. PAUL,
Assistant Secretary to Government.

To the Director of Industries.

* Printed as finally approved at pages 92-93.

[27th November 1923]

IV

Letter from E. F. THOMAS, Esq., C.I.E., I.C.S., M.L.C., Director of Industries, to the Secretary to Government, Development Department, dated Madras, the 6th July 1923, No. 528-A/23.

With reference to Government Memorandum No. 1468-II/23-1, dated the 28th June 1923, I have the honour to state that the term 'arrears' as used in item 17 of the questionnaire is general in signification and intended to include not only arrears of land revenue but arrears of any other kind as well, e.g., balance due under a prior loan, balance of purchase money in respect of the property remaining unpaid by the applicant, etc.

Items 16 and 17 of the questionnaire may be modified to read as follows:—

Item 16.—Nature and extent of encumbrances, if any, on the immovable property offered as security—primary or collateral.

Item 17.—Whether any arrears are due on the immovable property offered as security—primary or collateral—and if so, the nature and extent of such arrears.

The production of an encumbrance certificate will of course be insisted upon whenever immovable property is offered as security.

V

Memorandum No. 1468-II/23-4, Development, dated 4th August 1923.

Section 8 (1) of the Madras State Aid to Industries Act (Act V of 1923) lays down that any person desiring to obtain a loan or other aid for any industrial business or enterprise shall make his application to the Director of Industries in such form as may be prescribed. Rule 10 of the rules framed under section 19 of the Act lays down that every application for aid shall be made to the Director of Industries in the specified form. No form has been specified in the rules and the Government now propose to prescribe one under section 8 (1) of the Act. The question has been raised in this connexion whether the form can be prescribed by an executive order of the Government or whether it should form part of the rules and for that reason, be laid on the table of the Legislative Council as required by the proviso to section 19 of the Act.

2. It may be argued that the words "in such form . . . as may be prescribed" occurring in section 8 (1) of the Act can only mean a form to be prescribed by the Government and that the words "specified form" occurring in rule 10 can only refer to the form mentioned in section 8 (1) and that therefore the form can be prescribed by an executive order of the Government. On the other hand, it may be contended that the form has not been specified in the rules themselves and that the omission should be now supplied and that, as it would then form part of the rules, it should be laid on the table of the Legislative Council as required by the proviso to section 19 of the Act.

3. The Advocate-General is requested to be so good as to favour the Government with his opinion on the question.

F. NOYCE,

Acting Secretary to Government.

To the Advocate-General, through the Government Solicitor (with copies of the Act and Rules).

[27th November 1923]

VI

From C. MORESBY, Esq., Government Solicitor, Madras, to the Secretary to Government, Development Department, dated the 4th September 1923, No. 1303.

ABSTRACT.—Forwarding the following opinion of the Hon'ble the Advocate-General:—

OPINION.

No. 149.

[Reference.—Memorandum No. 1468-II/23-4, Development, dated 4th August 1923.]

Section 8 (1) of the Madras State Aid to Industries Act says that any person desiring to obtain a loan or other aid for any industrial business or enterprise shall make his application . . . in such form as may be prescribed. The Legislature, by section 19-B (4), has invested the Local Government with power to make rules regulating the manner of making applications for State aid, etc.; but the Local Government has not as a matter of fact prescribed any form in pursuance of this rule-making power which is the only method by which the Local Government has been authorized to prescribe such forms. In my view, this omission on the part of the Local Government cannot be supplied by an executive order of the Government prescribing form for the application.

The words "in such form as may be prescribed" occurring in section 8 (1) of the Act cannot, taken by themselves, mean that the form is to be prescribed by the Local Government. They can only mean that the form is to be prescribed by the Legislature, and since the Local Government has not prescribed any such forms in compliance with the power bestowed upon it by the Legislature, it cannot, as I have said above, prescribe a form by issuing an executive order. I am of opinion that the prescribed form should be a part of the rules and for that reason be laid on the table of the Legislative Council as required by the proviso to section 19 of the Act.

MADRAS,
30th August 1923.

C. MADHAVAN NAYAR,
Advocate-General.

Order—No. 1482, Development, dated 11th October 1923.

The following notification will be published in the *Fort St. George Gazette*:—

"NOTIFICATION.

In exercise of the powers conferred by section 19 of the Madras State Aid to Industries Act, 1922 (Act V of 1923), the Government in the Ministry of Development are pleased to make the following amendments to the rules framed under the Act and published in the *Fort St. George Gazette Extraordinary*, dated 3rd March 1923:—

(1) In rule 10 of the rules for the words 'in the specified form' the words 'in the form annexed' shall be substituted.

[27th November 1923]

(2) At the end of the rules the following form shall be added as an annexure:—

*Form of application for aid under the State Aid to Industries Act, 1922
(No. V of 1923).*

1. Name of applicant and his full address.
2. Nature of the industrial concern for which aid is sought.
3. The administrative, technical and executive staff existing or to be appointed with qualifications.
4. The facilities available for the development of the industry.
5. The nature of the processes to be employed.
6. Details of plant and machinery installed or proposed to be installed at the works.
7. The total estimated cost of the undertaking and the probable time that will be occupied in its execution. (Details of recurring and non-recurring expenditure should be furnished separately.)
8. Approximate number of operatives employed or to be employed.
9. Estimated net expenditure per annum in running the works.
10. Estimated net profits accruing.
11. Reasons why the business cannot be financed without State assistance.
12. Nature and extent of State aid applied for. (The particular clause of section 6 under which the aid is applied for should be stated.)
13. Security offered—
 - (a) If land,
 1. Survey No.
 2. Extent
 3. Assessment
 4. In whose name registered.
 - (b) Nature and description of other security, if any, offered.
14. Nature and extent of the applicant's right in the concern whether as co-sharer or proprietor or otherwise and his financial resources.
15. Nature and extent of the applicant's right to the property offered as security.
16. Nature and extent of encumbrances on the immovable property offered as security—primary or collateral.
17. Whether any arrears are due on the immovable property offered as security—primary or collateral and if so, the nature and extent of such arrears.
18. Period within which and the number of instalments in which the applicant proposes to repay the loan.
19. Approximate additional net income expected to be earned as a result of the proposed expenditure.
20. If the application is from a joint stock company, the amount of capital actually subscribed and paid up and the number of shares held by each of the Directors and their salary and fees and other perquisites should be stated.

NOTE.—The application should also be accompanied by a copy of the prospectus and memorandum and the Articles of Association with a list containing the names and descriptions of the Directors.

[27th November 1923]

21. Any other remarks.

Declaration.—I declare that the statements made above are true to the best of my information and belief."

2. The Secretary to the Legislative Council is requested to lay a copy of the above notification on the table of the Legislative Council at its next meeting as required by the proviso to section 19 of the Act and to report in due course the exact date on which this was done.

(By order of Government, Ministry of Development)

F. NOYCE,
Acting Secretary to Government.

To the Secretary to the Legislative Council, through the Law (Legislative) Department.
 " Director of Industries.
 " Law (Legislative) Department.
 " Superintendent, Government Press (for publication of the notification in the Gazette).

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, 28th November 1923.

The House met at 11 o'clock, the President (the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E.) in the chair.

I

NEW MEMBERS.

The following Members were sworn in :—

- (1) Mr. BRADFORD LESLIE.
- (2) Mr. J. L. P. ROCHE VICTORIA.

II

MOTION FOR AN ADDRESS TO HIS EXCELLENCY THE GOVERNOR
REGARDING THE CONSTITUTION OF THE MINISTRY.

The House then resumed the discussion on the above motion.

Dr. P. SUBBARAYAN :—“ Mr. President, when the results of the general election were known, I thought that I would generally support the Ministry, but since then circumstances have altered and after what the hon. the Leader of the Party said yesterday in reply to my hon. and learned Friend the Member for the University that political prisoners were dacoits and robbers and deserved to be treated as such, I must say I have considerably altered my views for the simple reason that political prisoners are prisoners because of their conscience. Putting it personally a time may come when I myself may, on a matter of conscience, go to prison. I think it inhuman that a person who is prepared to sacrifice himself for the sake of what he thinks is the interests of his country should be treated as a dacoit. I must enter my emphatic protest against such a sentiment.”

The hon. the PRESIDENT :—“ Which hon. Member called you a dacoit or robber ? ”

Dr. P. SUBBARAYAN :—“ I did not say that I was called a dacoit or robber, but I simply said a time might come when as a matter of conscience I might go to prison as a political prisoner and be treated like a dacoit or robber. If it is said that political prisoners should be condemned to the penalties that are due to robbers and dacoits, then I must vote for the motion merely because of such sentiments being expressed by the Leader of the Party.

“ When the Justice Party came into power last time, its leaders, though they had won leadership outside, had still to win it inside the House, and I thought that time would teach them lessons which would go considerably towards giving them the political experience which they needed ; but I find I have been sadly mistaken. Mr. President, in my opinion, all this trouble would not have arisen if it was not for the dual leadership as has existed during the last three years, one man leading the party and another man being the Chief Minister. This experiment was tried in England and proved a failure. During the war, Mr. Lloyd George was the Prime Minister, and Mr. Bonar Law the Leader of the House of Commons, and the

[Dr. P. Subbarayan]

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fall of the Coalition Ministry was chiefly due to the dual leadership. And if this Ministry is going to fall to-day, it is, I think, owing to the dual leadership—of a leader leading the party and another the Ministry.

“Next, Sir, on what principle, I would like to know, was Sir K. V. Reddi Nayudu left out of the Ministry? If the hon. the Chief Minister thought that they had the confidence of this House, then I think it was due to my hon. Friend Sir Kurma that he should have been retained as a Minister. I have not the least objection for the inclusion of my hon. Friend, Mr. Sivagnanam Pillai, for I have the greatest respect for that gentleman. But what I say is that as a matter of principle they ought to have retained my hon. Friend Sir K. V. Reddi Nayudu. I have been told—I think he can correct me if I am wrong—that he did not know that he was going to be left out of the Ministry even an hour before the new Ministry was formed. If that is so, I ask the hon. the Chief Minister why a Colleague who had been with him loyally for the last three years and who had been an ardent and loyal member of the Justice Party should have been thrown overboard merely because of a Tamilian revolt. If there was a revolt on the part of one section of the party, I think the hon. the Chief Minister should have told the party that there was such a revolt and consulted his followers as to the course he should adopt. If he had acted in this open manner, or if he had only told my hon. Friend here (Sir K. V. Reddi Nayudu) that he felt considerable diffidence about the Ministry continuing in power without a Tamilian in it, then I am sure my hon. Friend will have willingly sacrificed himself at the altar of a party unity.

“Another thing I would like to say is this. If there was anybody here who was loyal to the party, it was my hon. Friend Mr. Tanikachala Chettiyar. He stood loyal to the party throughout, and I would call him with due deference the prize boy of the party. I might compare him to Mr. Lloyd George and Mr. Winston Churchill at the end of the general election of 1906, when the Liberals came into power. Fancy a Liberal Cabinet of 1906 without either of them in it! And yet, what was done? He was simply left out merely on the supposition that the Tamilian support might not be obtained if my hon. Friend had a place in the Ministry. It is no good blaming the Governor for the formation of the Ministry. I would say this, that His Excellency has tried to be a constitutional Governor during the whole time he has been in this country (cheers). If there is one man who has tried to follow liberal principles which have been put forward in the Government of India Act, it has been Lord Willingdon. He has tried his best to introduce the principle of the British constitution into this country, and I think to throw this blame on His Excellency just because he assented to the choice of the hon. Mr. Sivagnanam Pillai as his Minister is, to say the least, uncharitable. I do not think that a blame like that can be so easily thrown on His Excellency when he has been acting in the most constitutional manner.

“I would like to say in conclusion, Sir, that in this matter of political prisoners, I come from a constituency which, though it may be called backward and illiterate, Salem, is yet politically conscious, and I do not think that any of two hon. Friends who represent the Salem rural area—Mr. Ellappa Chettiyar and Mr. Appavu Chettiyar—can dare to face their constituency to-morrow at a general election if they were to cast their vote to-day in favour of the Ministry in this House. I would appeal to my two

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hon. Friends that they should cast their vote against the Ministry merely on this question of political prisoners, if not on anything else. I am sorry I have to say this, Sir, because I have the greatest admiration for the hon. the Chief Minister, and I have always thought that he would do his best by his country, but on account of the attitude taken on the question of political prisoners, I have no other alternative but to vote for the motion.”

The hon. the PRESIDENT :—“Before we proceed further, let us clear the ground. Does the House want to have a general discussion upon every branch of the administration, both Reserved and Transferred, during the last three years, or does it want to have a discussion only on the merits or demerits of the Ministry during the last three years? I understood the hon. Member Mr. C. R. Reddi to say that he would confine himself to the Ministerial branch of the administration and that he would advise his followers also to confine themselves to that branch. From the speech of the hon. Member Dr. P. Subbarayan I understand that he is going to vote against the Ministers because of their action in regard to the political prisoners. I believe the treatment of political prisoners is a matter with the Reserved half and it will be absolutely impossible for me after this to make any attempt to restrict the discussion to the Ministerial half. It has become a general discussion with regard to every branch of the administration, and if, after this, the hon. the Executive Members of the Council tell me that they want to have an opportunity of defending their branch of the administration, I will have to say ‘yes’.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“Mr. President, Sir, arising from your remarks, may I be permitted to make an observation? I am not here for one moment concerned with the question of political prisoners which portfolio belongs to my hon. Colleague, Mr. Knapp, who is not present here now, but who was present yesterday. In the course of the discussion certain suggestions were thrown out regarding the mode of conducting elections and the mode of exercise by His Excellency of his prerogative regarding nominations. Therefore, Mr. President, I crave your leave”

Mr. C. RAMALINGA REDDI :—“May I, with your permission, Sir, explain the situation a little more clearly. If I understood my hon. Friend, Dr. Subbarayan aright, he was not attacking the Ministers for their attitude towards the political prisoners. But he said that he changed from one side to the other on account of the sentiment with respect to the treatment to be accorded to the political prisoners thrown out here, reiterated and affirmed yesterday by the Leader of the party, the hon. Member, Sir P. Tyagaraya Chettiyar. It is that personal statement that is under discussion and not the attitude of the Ministers towards political prisoners.”

The hon. the PRESIDENT :—“I would point out that we are now concerned only with the Ministry and not with any sentiment of the hon. Member, Mr. Tyagaraya Chettiyar, however eminent that gentleman may be.”

Rao Sahib U. RAMA RAO :—“Mr. President, Sir, I never intended to take part in the discussion on this Motion, for I did not want to waste the time of the House. As for my political view on this question, it is patent: for the last three years I have been opposing the Ministry. But, yesterday, my hon. Friend from Chingleput attacked the Swarajists and that has dragged me out of my silence. Sir, he has attacked the Swarajists as non-co-operators who have come to the Council to wreck it. I am not going to answer that

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question, and I shall leave it to his electors to settle with him when he faces them after three years, or in a bye-election, or, if the Council is dissolved earlier, which God forbid. As for Swarajists, they are honest; they have the courage of their convictions; they have a large following in the country; they have been following the mandate of the large number of their electors outside this Council. They have come into the Council at a great sacrifice, and, fortunately, the Congress gave them permission to enter the Council, though rather very late, as otherwise this Council must have had a large number of men sitting on this side of the House.

"Then, Sir, as for the Ministry, the same old Ministry continues with the exception of one who has been chucked out and who has been replaced by another gentleman. It is the same old Ministry, and in fact, the present Ministry is less strong than the previous one. They have only been drawing a fat pay and travelling in luxurious saloons. Now, the work of four is being done by seven gentlemen. The only things they have produced are the three Bills. One Minister brought forth a child, which I may call in the medical language, *hydrocephalus*, a child with a big head containing more water than brain and a small body, which is of no use to the world except to its parents and that too to look after it till it dies. The second Minister has brought forth a child which is still-born, a child with no life. So there is no money to go on with his scheme. The third Minister, i.e., the Chief Minister, brought forth a child which was prematurely born, a child which has not finished its full term of pregnancy because it was ill-conceived. With regard to that measure people were not given sufficient time to express an opinion in the matter and it is still in a dying condition. A child born premature cannot live. It is still kept in the incubator for the arrival of His Excellency the Viceroy, and unless undue influence is brought to bear on him the Bill may not be passed, and the child may not live long."

The hon. the PRESIDENT :—"I understand the hon. Member to suggest that undue influence might be brought to bear on the Viceroy. May I know whether it is alleged by the hon. Member that any hon. Member of this Council will bring to bear any such undue influence?"

Rao Sahib U. RAMA RAO :—"Some people who are outside this House may bring to bear undue influence on His Excellency."

The hon. the PRESIDENT :—"If that is so, the hon. Member is in order in so stating it."

Rao Sahib U. RAMA RAO :—"As for Local Self-Government, the hon. the Minister in charge has sacrificed Local Self-Government efficiency for the purpose of party programme. So far as the medical portfolio is concerned, he has not extended medical relief. On the other hand, he has sent away numbers of assistant surgeons and sub-assistant surgeons, and, instead of extending medical relief during his last tenure of office, has really stopped any such extension. Ministers have opposed every popular measure which was intended to advance the interests of this country, and my predecessors have spoken in detail on that. I do not want to take the time of the House by enumerating all that."

"As for my hon. Friend from Chingleput, he warned us that, unless all the Swarajists completely co-operated with the Government and became toadies like himself, there was no chance of our doing any work in the Council in

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future. I may tell my hon. Friend that unless and until he becomes a Swarajist he will have no chance of getting into the new Council after three years if he continues at this rate in this Council. With these few words, I would strongly support the motion before the House."

Mr. R. SRINIVASA AYYANGAR :—"Mr. President, I originally intended to give my silent vote in support of this motion. But the trend that the debate has been taking compels me to say a few words in support of the motion tabled and moved in such eloquent terms by my hon. Friend, Mr. Ramalinga Reddi. It is indeed a welcome sign of the times to find the hitherto staunch adherents of the 'Justice' party crossing the floor, taking their seats in the front opposition benches and trying to lead the opposition. So far as I am concerned, and so far as some of us on this side of the House are concerned, we always belonged to Opposition Benches and we wish to continue to be members on this side of the House. So far, no charge of inconsistency can be laid at our door. But when we find loyal adherents of the party crossing the floor, it puts us in mind of the fact that there is something wrong somewhere. Hitherto, for the past three years, we of this Opposition have been incessantly delivering our attacks upon the party in power. If our attacks proved ineffective or ineffectual, it is not due to the fact that there was anything wrong with the powder and shot we employed but it was mainly due to the strong fortifications and strong defences which the party in power put forward. Now we find sentry after sentry deserting their citadel; those who were guarding it and those who were defending it carefully are not only deserting but also joining with us in storming that citadel. This is indeed a healthy sign of the times. But what is it due to? The answer is perfectly clear, and the question we are now considering raises, in my humble judgment, a plain, simple and straightforward issue. The Ministry, as every hon. Member is perfectly aware, is responsible to the Legislature and through the Legislature to the people at large, and, therefore, we, representatives of the people, have every right to pronounce our verdict upon the main question raised as to whether the Ministry now holding office does or does not command the confidence of the House. If I understood the hon. the Minister for Education aright, he said that the rank and file of his party has not suffered in numbers. But this much I wish to say, that the present constitution of the Council is fundamentally, and I may add radically, different from its predecessor which it has replaced. Now we are having in large numbers in this Council men belonging to different schools of political thought, men holding definite and defined views on the burning political questions of the hour. So far as the last Council is concerned, the 'Justice' party was undoubtedly predominant; it swamped and flooded the Council. But do we come across a similar situation to-day? I may also say that so far as Swarajists are concerned, they have defined their position. We have defined our position, and we have heard from the lips of our hon. Friend, Mr. Abbas Ali, who belonged to a party which in the late Council was loyal to the Ministerialist party, telling us in no uncertain terms that he and the members of his party, thirteen in number, are going to vote in support of the motion before the House. I also find some members whom I used to see on the Treasury Benches not keeping to their seats there but sitting elsewhere, and therefore I infer—I do not know whether I am right or wrong—that they are not prepared any longer to owe allegiance to the Ministerialist party. That is again another thing which this election has brought in its train. And if you just compare and consider the

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figures at the polls, we have numerous instances of anti-Ministerialists topping or heading the polls. That, again, is a very healthy sign of the times. There is no use of shutting oneself to the plain and simple fact that the party in power has suffered very substantially in its rank and file. Now, there may be some who owe allegiance to the party, but their number is fast going down. As I said before, the only issue for consideration is whether the Ministry possesses the confidence of this House. Sir, with your permission, I propose to confine myself solely and exclusively to the Ministerialist half, and I venture to submit in all humility that the Ministry is not entitled to the confidence of the House. Time and again, the Ministry has come in for a large share of adverse criticism at my hands within the last three years of its existence, and if I stand to-day to express that feeling, it is more to confirm the belief that I entertained ever since the formation of the Ministry three years ago. But one word I should like to say with respect to this motion. This motion is long overdue, and I would have welcomed a motion of this character nearly two years ago. But all the same on that ground alone I do not propose to consider the motion in any different light, and all the same it does not detract from its intrinsic worth and merit. There is no use of disguising the fact that there is a good deal of discontent.

"My hon. Friend, Mr. Arpudaswami Udayar, told us the other day that a motion of this character was a dangerous weapon to be sparingly used on occasions of emergency. I agree with him that such a useful and effective weapon should no doubt be taken out of the armoury on occasions of emergency.

"But I do not agree with him when he says that this is a dangerous weapon. It is a good, potent and useful weapon. We have been using it very sparingly as we have not taken it out of the armoury for the last three years and this shows that we have been scrupulously careful in its use. Then, again, it is said that it must be used only on occasions of emergency. If it is not used now, it is impossible to conceive of any such occasion arising again. It is just the time to feel the pulse of the House.

"The Minister for Education told us that there was nothing of which the Ministry could be ashamed. With your permission, Sir, I shall place before the House only a few matters and leave it to decide whether these acts redound to the credit, character and fair name of the Ministry we are now attacking. At any rate, they have not done anything which they can be proud of having done. The first act of the Ministry was the raising of the toll from 3 annas to 4 annas, thereby increasing the burden of taxes upon the poor people. Is that an act, I ask, of which the Ministry may reasonably be proud? Then, Sir, what was the attitude of the Ministry when we tabled a resolution to extend the electoral franchise to fill up the places of local board and district board presidents? There was a great deal of opposition. Was that an act of which any Ministry might be proud? Then again we have the selection committees, elected upon a narrow communal basis, for the purpose of regulating admissions into colleges. Is that an act they can be proud of? Then there is the Hindu Religious Endowments Bill which I think is no more than an outrage upon Hindu feelings, sentiments and susceptibilities. It has wounded the pious and religious section of the community in general and has roused a storm of opposition. So far as the Local Self-Government Department is concerned, I think they must come in necessarily for a large and well-merited share of adverse criticism. And who is responsible for that? The Minister of course."

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The hon. the RAJA OF PANAGAL :—"Excepting for some of the presidents of district boards, all the presidents, chairmen, municipal councils, are appointed by election and the Minister is not responsible for these appointments."

Mr. S. SATYAMURTI :—"I wish to know whether there are people nominated to the taluk boards and municipalities?"

Mr. R. SRINIVASA AYYANGAR :—"The member from Chingleput who spoke yesterday justified these appointments on party grounds. Then again, the House will remember that when I interpellated the Chief Minister and drew his attention to this violation on the part of the district boards, the answer was not coming up for about six months and after that time the Minister said that the Government had no information. I venture to submit that this House is entitled to better treatment than the scant courtesy that was shown by the Minister. My complaint is that this department used as a party machine for party purposes. In efficiency and corruption are writ large in these departments. Nominations to these bodies were nothing but a great scandal.

"Just a word or two more, Sir, before I resume my seat. So far as the Minister for Education is concerned, he has done absolutely nothing to put down the drink evil which has been undermining the manhood of the nation. The revenue has been increasing in that direction by leaps and bounds, and nothing tangible or perceptible has been done to check the evil. It is true that, before the election, the party in power, with one foot securely implanted in the mutts and temples and the other in local bodies and institutions, hoped to stride the country like colossus. On its onward march, it lost its balance and lost almost all its followers. And this morning, too, a member belonging to that community, Dr. Subbarayan, has come over to our side. Does not this show the temper of the House? Mr. Ramaswami Mudaliyar reminded us of the resolve of the hon. Member, Mr. C. R. Reddiyar, that he would not support a Ministry not composed exclusively of Non-Brahmins. I shall not be frightened by that statement; we shall welcome any Ministry whose outlook is wide, whose views are progressive and who will be responsive to public opinion instead of flouting it. I do not care for its composition. With these few words, I support the motion before the House."

Rao Bahadur C. NATESA MUDALIYAR :—"Sir, Mr. President, I rise to give my unstinted support to the Vote of 'No-Confidence' in the Ministry moved so very eloquently and in such bold manner by my hon. Friend Mr. Ramalinga Reddiyar. This exposition of the case was so very conspicuously clear and convincingly exhaustive that I do not wish to make any elaborate attempt at supplementing him. I wish only to make a few remarks in support of his motion and thus salve my conscience."

"I did not want to make any remark about the city elections; but, my name was dragged into it, and I should make my position clear. Sir, I fought my election as an avowed opponent of the Leader of the Ministerialist Party. With all the influence he can command, with the three Ministers at his back, with all the appeal he made to the people whom he did not want to give a single vote on a former occasion, with all the assistance he had from them, democracy asserted itself in the city. I may safely say that the metropolis has already voted 'No-Confidence' in the Ministerialist Party. Sir, as to the mufassal there are very few gentlemen here, who made their way into this Council with a Ministerialist label. I am sorry to note that some of the

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hon. Members that fought the election as independent candidates are sitting on the Ministerialist side. I hope it is a mistake and at the time of voting they will vote in favour of the motion.

"Sir, the hon. Mr. Patro told us yesterday, or rather hoodwinked us by saying, that all the Non-Brahmans who have been elected are Ministerialists. He may be right in doing so because it is the custom of the Ministerialist Party not to put up candidates for the various districts, nor to issue any propaganda, but to claim the elected Non-Brahmans as their party men. Sir, I wish to inform the hon. Mr. Patro, that the Justice Party has a creed which the Ministerial adherents may not know. For most of them became party men only after the party came into power. My hon. Friend Mr. Ramaswami Mudaliyar asked us yesterday 'what to do if the party goes away?'. I ask him a question in turn: What is the use of a party which is of no consequence? They are neither useful to the country nor to the community. We have a very good constitutionalist and statesman at the head of our Government and he will find for us a much better Ministry than the one we have to-day. The hon. Mr. Patro expressed yesterday that the democratic conscience of my hon. Friend, Mr. Reddi, was awakened only at the Madras Dravidian Association on the 13th November. Sir, I may ask him to recollect that there was a feeling against the Ministry even a year ago, a feeling that the Ministers are autocratic, exclusive and not communicative."

The hon. Rao Bahadur A. P. PATRO:—"I know nothing of the kind."

Rao Bahadur C. NATESA MUDALIYAR:—"I am sorry for his memory. Sir, this feeling reached its climax at the budget session. Resolutions were tabled against the Ministry, compromises were effected and a party executive was formed; only it had its burial soon after its birth."

"Now, Sir, this Ministry headed by the hon. the Raja of Panagal has forfeited the confidence of this august House. Sir, this is not an irresponsible assertion flung out in a haphazard way, but one form of deep rooted conviction—conviction based upon an intimate and close observation of the actions of the Ministry not in consonance with the original principles to which it had pledged itself. The original principles were admittedly democratic but when it came to an application of those principles in practice, the Ministry has been showing the cloven foot. Sir, I want to demonstrate the justice of the statement I have made through concrete facts in support thereof. I do not want to make vague generalisations."

"Sir, I am afraid there is a sort of misapprehension that personal considerations have got the better of me and clouded my vision. I have been a loyal and consistent follower of the Ministerial Party and was one of its staunchest supporters, and from a willing supporter to the most determined opponent, it is indeed a metamorphosis. I shall explain to the House, Sir, the causes that are at the bottom of this change. The Ministry was pledged to the principle of justice and equal opportunities to all. Sir, it is a principle based upon love and not upon hatred, a principle to be utilized solely for the elevation of the country and for nation-building. It is through this principle alone that Hindu-Moslem unity and unity with the other communities are to be permanently established. Now, Sir, you have heard from my hon. Friend Mr. Abbas Ali yesterday that the Ministry was undutifully indifferent to this principle, a charge from which the Ministry cannot easily extricate itself."

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"Sir, I now come to the problem of the depressed classes. The problem of the depressed classes is one which has engaged the assiduous attention of the whole of India. It is not a problem to be treated in a halting and half-hearted way as the Ministers did contrary to their own professions. Sir, the support which the depressed classes were having even in the pre-Reform days from the British Government was indeed a paternal one; but it was so inadequate that the late Dr. T. M. Nair in his swelling sympathy for their hard lot, brought them into the movement which he inaugurated and enjoined on all the caste Hindus that followed to bestow a fostering care over them and thus look to their emancipation from their social bondage and also for their elevation from their miserable condition, thus ushering into existence a social revolution through his sacred and humane endeavour, our party, Sir, the Ministerial Party I mean (Laughter) pledged itself to support the depressed classes through thick and thin. But here is what Mr. M. C. Raja observed in one of his speeches during the last budget session. He was the Leader of the depressed classes. He said:

'I am sorry moreover that in some districts, Presidents of local bodies have become more bold in ignoring the claims of the depressed classes for representation on their respective councils. When these grievances are brought to the notice of the hon. the Minister for Local Self-Government we are told,—'

"as he told us just now—

'that the nominations are in the hands of the Presidents, and sometimes that Government have no information, and that we had better appeal to the particular president: a case of appeal from Philip Sober to Philip Drunk, with a sense of chuckling triumph. Such is the plight to which we have been reduced; and for this, our eternal thanks and blessings are due to the Minister for Local Self-Government. If my people have to appeal to the very perpetrators of wrong in such cases, what, I venture to ask, is the Minister for Local Self-Government for? Has he not even the power of sanction and remonstrance, seeing that in many cases these presidents are his own nominees? Can he not even obtain information? Or is it a case of collusion? I am informed that in some instances that is the case. Mr. Galletti, the Collector of Chingleput, recently sent up two names of the depressed class men for nomination to the Saidapet Municipal Council. The Minister, for reasons of his own, thought it fit to nominate only one. I am therefore compelled to think that the fact that more men of my community are not appointed to several local bodies and municipal councils is due to the reactionary prejudices of the Minister for Local Self-Government. I hope that he, or his successor, whoever he be, will pursue a more liberal, a more progressive, a more enlightened and a more democratic policy in the future.'

"Sir, the attitude of the Chief Minister towards the depressed classes smacks of a certain stand-offish aloofness which, if he is allowed to continue, may harden itself. Sir, that his democratic intentions are a colossal camouflage is seen in this very single instance. More instances could be adduced but I have no time to enumerate them here. I shall, however, indicate one more instance of the precious sentiments which the hon. the Minister for Education delivered himself of when the question of increasing the scholarship for boys and girls of the depressed classes came up for discussion here. It is proved beyond doubt that the Ministry categorically failed to evince the sympathy which it professed to have for the depressed classes."

"Sir, I shall now speak about labour as far as it concerns us and not the Reserved subject. Labour to-day stands as much untouched and unprotected as it was in the pre-Ministry days. If the Ministry had attended to these labouring classes, many a labour trouble in Madras would have been averted. As regards the Malabar Tenancy Legislation, obviously, Sir, it is a democratic measure. Sir, this question of Malabar tenancy has thrown tenants of Malabar into an eddy of agitation. I think most of the members sent from Malabar are expressly charged to see that the Bill is passed. Sir, at the last

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non-Brahman Confederation, it was pathetic sight to behold and hear the plaintive pleadings of the manifold sufferings from a contingent of Malabar tenants. The party there gave their unqualified support to the Bill, but the Ministry went back on the plighted word by putting off the issues and not getting the measure enacted earlier. Is their a greater betrayal of the democratic intentions so superbly professed, but so unceremoniously brushed aside when it came to application in practice? Sir, I am glad my hon. Friend Dr. Subbarayan has changed his vision. I congratulate the House for that. It was only the other day when he attended the meeting of the Madras Dravidian Association he said that the Tenancy problem was such an abstruse and knotty one."

Dr. P. SUBBARAYAN :—" I have only changed the general view."

Rao Bahadur C. NATESA MUDALIYAR :—" Sir, he has changed his general view. I congratulate him for what he said. Even doctors like Mr. Subbarayan cannot unravel difficult problems; the view held by them being that land legislation ought to be proceeded with with very great caution, which in effect means that things should remain where they are. Was not the City Tenants' Act passed in this Council when necessity and prudence demanded it? What was possible in the case of the City Tenants' Act could have been certainly possible in the tenancy legislation, if the Ministry had acted up to their promises. I am sorry, Sir, that the Ministry is headed by a blue-blooded Raja and the tenants of Malabar should expect this blessing on the Greek Kalends."

Mr. J. F. SALDANHA :—" I want to ask the hon. Member to say what the views of the Ministry are regarding the Tenancy Bill."

The RAJA OF RAMNAD (*in the chair*) :—" I am afraid that is not a point of order. The hon. Member should allow the Member to go on."

Rao Bahadur C. NATESA MUDALIYAR :—" I am glad that the hon. Member Mr. Krishnan Nayar assured the House that the Raja Sahib was accepting the underlying principles of the Bill. I have only to underline the word 'underlying'."

The hon. the RAJA OF PANAGAL :—" I did not say that I accepted the underlying principle. But I only said that so far as the giving of occupancy right to the cultivating ryot is concerned, I am personally in favour of it."

Rao Bahadur C. NATESA MUDALIYAR :—" Sir, coming to the reorganization of the Madras University, where was the necessity for the reorganization of the University when primary education ought to have had priority of claim and the attention of a popular Minister. Sir, Government is profuse in their sympathy towards the masses but the masses are allowed to grow in rampant ignorance. At the fag end of the term the hon. the Education Minister makes pretences to reorganize primary education while he allowed his precious two years to be wasted in propounding a costly University scheme. The popular Minister is appointed to propagate literacy among the masses, but he sets himself for the propagation of education among the upper classes. This preference of upper class education is almost a death-blow to the education of the masses. Primary education ought to have been the first charge on a popular Ministry."

The hon. Rao Bahadur A. P. PATRO :—" Primary education has received much impetus after the Education Minister has taken charge."

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Rao Bahadur C. NATESA MUDALIYAR :—" It should have received much more. Sir, the poor tax-payer is bled white to educate the children of the upper classes while his own children are not given the privilege of having the benefit of the three R's."

" Now I come to retrenchment. It bleeds one's heart to find how retrenchment was carried on to the great detriment of lower grades of public servants and how many a poor family was driven to agonising distress. The retrenchment in the Medical and Public Works Departments is atrocious. What is the use of retrenching at the lower, the wrong end while the top heavy system of administration is allowed to continue? "

The hon. the RAJA OF PANAGAL :—" May I point out that so far as retrenchment in the Medical Department is concerned, it was carried out on the recommendations of the Finance Committee, of which the hon. Member was a prominent Member? "

Rao Bahadur C. NATESA MUDALIYAR :—" Sir, I did raise my protest even in the Finance Committee. Sir, the Medical Department under the tender mercies of the Minister for Local Self-Government, has come in for a greater share of the application of the inexorable pruning knife. Sir, it is found that there is only one medical man for every 20,000 of the population. It is the opinion of the experts and the public that there should be one medical man for every thousand of the population."

The hon. Rao Bahadur A. P. PATRO :—" Sir, I have the recommendations of the Retrenchment Committee in the Public Works Department. They want to effect greater retrenchment than what I have so far done, and the hon. Member himself is a member of the Committee."

Rao Bahadur C. NATESA MUDALIYAR :—" I know how the public will view the recommendation and how they will receive the words of the Minister in charge of the Public Works Department, when more medical relief is required for the people of the land many of the assistant surgeons and sub-assistant surgeons have been sent away."

The hon. the RAJA OF PANAGAL :—" May I point out that men who were given notice were men not actually in service but men who were intended to be on the leave reserve and for whom there was no opportunity to serve? Moreover when they are released on pensions they are allowed to have private practice so that medical relief spreads over a much larger area."

Rao Bahadur C. NATESA MUDALIYAR :—" I am speaking of young men who have put in five or six years of service in the department and have been let loose in Madras for eking out their livelihood in a most pitiable way. I am speaking of these people. If medical relief is to be given in real earnest and if it is to be extended the services of more men are required for the Presidency, and these men ought not to have been sent away from service. Sir, as to the retrenchment in the Public Works Department I do not understand how retrenchment at the bottom will help the irrigation of unirrigated agricultural tracts."

" Sir, I have placed before this House proofs, by enumeration of facts, that the Ministry have not stood by the principle they had pledged themselves to at the beginning. They have betrayed the confidence which the public and the democracy had reposed in them. Out of

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the democratic non-Brahman movement they have developed for themselves a close fist oligarchy compared to which any other oligarchy that existed previously was tolerable (hear, hear). Sir, I appeal to the hon. Members of the various communities that are present here to vote for this resolution and thus replace plutocratic Ministry by a sincere and democratic one."

Mr. A. CHIDAMBARA NADAR:—"Sir, yesterday when I heard the hon. Member representing the Brahman community, Mr. C. V. Venkataraman Ayyangar, and the hon. Member representing the Muhammadan community Mr. Abbas Ali, I thought that we were running into communal grooves and that we like some thrown-out entities from a collective mass would be repelling against each other and create political chaos which will lead to disaster and ruin. So, Sir, I thought it would be better to put up with the present evil than run into something unknown. But, Sir, when I look behind, I hear the voice of the people in my electorate—I mean the ryots in my electorate. As one hon. Member said, we really represent the ryots of our constituency. Sir, when I went to them to canvass votes, the questions put by them were 'Will you guard our interests? Will you remove the difficulties we face with regard to the reserve forests? Will you remove the taxes that are yearly imposed upon our land?' These are the questions that are repeatedly put by the electorate. Sir, it may not be possible to carry on Local Self Government without a district board cess, a taluk board cess or an educational cess. But what I say is that we must try to elevate the condition of these ryots and make them bear willingly their burden of the taxation. Unless we achieve something towards this end, we shall be failing in our duty and a Ministry which has not achieved anything in this direction cannot command the confidence of the general electorate."

"One word more, Sir, and I shall sit down. My hon. Friend, speaking about Chirala municipality, said that it was the rich people who suffered by the introduction of the municipality and that the poor derived all the benefit therefrom. But, Sir, I have some experience of the municipal life in my district. I know it is the poor people who own jutkas, bullock-carts, etc. and earn their livelihood by means of them that suffer. They own small houses and depend for their daily bread on their daily labour. It is these people who are affected by the introduction of the municipality, for they have to pay the horse-tax, the bullock-tax, etc., and in addition the house-tax. Payment of these taxes means parting with something of their daily bread. So, Sir, it is the poor who are most affected by the introduction of municipality. It may be that the rich will have to pay double or triple of what they were paying before but they dole out the money from their pocket though with some murmur."

"With these few words I support the motion of my hon. Friend Mr. Ramalinga Reddi, and I also request my brother colleagues from Madurai to support it."

Mr. SAMI VENKATACHALA CHETTIYAR:—"Sir, I rise to support the motion of my hon. Friend, Mr. Ramalinga Reddi. So far as this resolution is concerned, I am in perfect agreement with him. The Ministry has been recruited from what is called the Justice Party. The Justice Party as such has no political complexion. It is based upon communal bias against one large community of this country. A party, which excludes from it an intelligent community like the Brahman, has no business to exist as a political party

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and it would be the negation of all democracy to entrust the administration of any province to such a kind of party which has absolutely no claim to be what is called the democratic party. Whatever might be the professions which the Ministers and their adherents have been making, their past conduct is a negation of all right principles. They have disregarded the Hindu religion by bringing in the Hindu Religious Endowments Bill. I am glad that the assent of His Excellency the Viceroy has not yet been given to this Bill. They have generally disregarded the welfare of the ryot by throwing out the Madras Irrigation Bill. They have shown scant courtesy to the political workers of this country by saying that political prisoners should be treated worse than felons. I thought there would be a change of programme at least for the future so that the party might be consolidated. That hope has been shattered yesterday by the Leader of the party expressing himself in no unmistakeable terms that he still sticks to that opinion. I know, Sir, Sir Tyagaraya Chettiyar's leadership is almost unquestioned in his party."

The hon. Rao Bahadur A. P. PATRO:—"The opinion of Sir Tyagaraya Chettiyar is not shared by the party generally. The view of Sir Tyagaraya Chettiyar, repeated by him yesterday, is not shared by the party. It is his personal view."

Mr. C. RAMALINGA REDDI:—"May I take it that the hon. Ministers do not acknowledge Sir Tyagaraya Chetti's leadership in this matter?"

The hon. Rao Bahadur A. P. PATRO:—"In his personal views on the matter we do not join with him."

Mr. SAMI VENKATACHALA CHETTIYAR:—"Sir, I anticipated this objection and I was about to answer it. I know that his influence in the party is very great and I know if he says a thing his followers would religiously follow him. That was my fear when I said that when the Leader had announced himself in no unmistakeable terms that he still stuck to that opinion, there was absolutely no hope of placing any confidence in the adherents of that party. That was why such of those who felt conscientious objection to follow his lead have come out like Dr. Subbarayan."

"It is a pity that in the matter of administration of district boards and taluk boards, the hon. the Minister for Education has burked the responsibility."

The hon. the RAJA OF PANAGAL:—"Sir, I have my turn to reply."

Mr. SAMI VENKATACHALA CHETTIYAR:—"I do not know if the hon. the Chief Minister will also burk the responsibility as his lieutenant has done. Whatever that may be, it cannot be denied that out of so many district boards only two have got elected presidents, while the third has got its elected president only a few months ago. It is the Ministry that is responsible for the proper administration of the district boards. The condition of the district boards is so deplorable that it came for a severe condemnation by no less a person than the Head of the Administration—His Excellency the Governor. In attenuation of that fact my hon. Friend the Minister for Education has said that soon after the Reform Act had come into force the financial relations were adjusted and during that adjustment the district boards were left without the subsidies they were usually getting from the Government and that though powers were given to the district boards for tapping other

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sources of revenue, they had not been taken advantage of. I cannot speak with authority in the case of district boards, but I can speak in the name of the Madras Corporation. We have applied to the Government to allow us to tax entertainments such as cinemas, races and others. But till to-day the Government has not been pleased to reply."

The hon. the RAJA OF PANAGAL:—"It is a financial question and we have to get the sanction of the Government of India."

Mr. SAMI VENKATACHALA CHETTIYAR:—"The Ministers are not only the heads of the branches of the administration with regard to the Transferred subjects but they are also the Indian Advisors to the Reserved Half. If by their influence they are not able to prevail upon the Reserved Half to come to the succour of the depleted revenues of municipalities and district boards, I am afraid the existence of a number of Indians in the Cabinet would be absolutely of no use to the country."

"The hon. the Minister for Education has spoken of retrenchment. I do not know what retrenchment has been carried on during the past three years. But one thing that is visible is that there has been no retrenchment so far as the higher salaried officials are concerned. For that matter, there has been no retrenchment in the case of the salaries of the Ministers themselves. They ought to have set an example to the country by making a decent reduction in their own salaries. I know that at the end of the term of the office last time, and just perhaps in answer to a resolution which was tabled by my hon. Friend, Mr. Ramalinga Chettiyar, they cut off about a thousand rupees in their pay. But that comes with a very bad grace."

"Referring to the elections, Sir, I do not know if proof is still needed that the Justice Party had no support in the elections. I dare say even amongst those who are now sitting on the Ministerial Benches, many have not openly declared themselves as Justice Party candidates. If they had gone as Justice Party candidates, they should have said to the electorate that they were going to force upon the country the Hindu Religious Endowments Bill, that they were going to stand against the separation of judicial and executive functions, and that they would throw out the resolution for the introduction of the conscience clause. They should have made all these things plain to the electorate. On the other hand, the fact is that they made absolutely no declaration on these matters. All that could, therefore, be inferred in the absence of any declaration is that they must have proposed, in the process of canvassing from house to house, that they would not countenance the Acts made by them during the past three years. Otherwise it would not have been possible for any of them to have been returned. I may also say that on account of the suspicion that one belonged to the Justice Party one ran the risk of losing a thousand votes. They should have come out openly and said that they belonged to the Justice Party. After all that has been stated it behoves every one of us present here to remember only what has been done by the previous administration without any pronouncement as regards their future programme except a statement by the Leader of the party that political prisoners should be treated worse than felons."

Mr. VENKATARAMA AYYAR *alias* V. PANTULU AYYAR:—"Mr. President, the hon. Member, Mr. Ramaswami Mudaliyar, has been pleased to indicate the political inconsistencies of the Swaraj Party, and

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he may be right. But I want to assure him that if there is any sin it lies at his door and at that of his party. The indecent haste with which the Religious Endowments Bill was rushed through this House without any regard to the declared wishes of the people and without any reverence for the sanctity of those institutions evoked a storm of indignation in our district which almost forced us into this House, and, I may add, that the betrayal of the Ministers in not advising the Government properly about the enhancement of the assessment of land revenue in our district has also provoked the people in our district to a great extent. As one of my hon. Muhammadan friends had been complaining yesterday, even after years of their loyalty to the party in power very little has been done to them."

Mr. ABBAS ALI KHAN:—"Nothing has been done to them." (Laughter.)

Mr. VENKATARAMA AYYAR *alias* V. PANTULU AYYAR:—"My complaint is that too much has been done to us. We have not been left alone. On our devoted heads have been inflicted the Religious Endowments and Resettlement Bills. Our hon. Indian Christian Friend, Mr. Arpudaswami Udayar, has been advocating forgiveness for past action. I agree to it because our guru also preaches the same. . . ."

Mr. S. ARPUDASWAMI UDAYAR:—"I never said that."

Mr. VENKATARAMA AYYAR *alias* V. PANTULU AYYAR:—"Even if nobody said that, I say that. I say that such of those who repent sincerely for their past actions may be forgiven; but forgiveness should not be given without repentance. There should be a firm purpose of amendment in the future; and in the absence of that I vote against the Ministers and for the motion brought forward by my hon. Friend Mr. C. Ramalinga Reddi."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"The position of the non-Brahmans to-day may be compared to that of a number of comrades who have been running a race up a hill under a few leaders. Having reached a certain height, they quarrel amongst themselves as to who shall lead them, and the leadership of those who were leading them until now is challenged. They divide themselves into two or more sections. At this point, when we are up the hill there is a deep chasm or abyss. The Swarajist or the Nationalist arrives on the scene. He is ready to throw the weight of his influence and strength, which by itself is very little, with those who have questioned the authority or right of those who were hitherto leading. The Swarajist's object is not really to help either party to get on further in the race but to destroy both parties one after the other. He is ready to aid one of the contending parties to push the other down so that they may fall into the abyss, so that after one party has been dealt with it may be easy to deal likewise with the other. That this is their object has been declared in unmistakable terms by my hon. Friend, Mr. Satyamurti, in an eloquent speech which was not wanting in frankness as to what his object is. He has expressed his distrust of the entire lot of non-Brahmans, and his determination to overthrow them and destroy their influence. In equally unmistakable terms some other hon. Members from the northern districts who have spoken in Telugu have expressed their views. On the way we behave at this juncture depends whether we shall be hurled down the precipice and find our bones broken and our body mangled or whether we shall soon reach level country."

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"The cause for which the non-Brahman movement stands is dear to our heart. It stands for orderly progress towards the goal of responsible Government or Dominion Home Rule. It stands for law and order against violent attempts to overthrow existing authority in the desire to attain immediate Swaraj. It stands for securing equal opportunities for all classes in the distribution of power, of office and influence, instead of their being concentrated in one particular section or class as it hitherto was. Is unsatisfied personal ambition or disappointment at not having secured power to some individuals a reason to seek to impair the strength of this movement? Two years ago, my hon. Friend Mr. C. R. Reddi, in the early days of his political career in Madras, soon after he exchanged a career of useful activity in the educational field in Mysore for fresh fields and pastures new and for activity in another direction, i.e., in Madras or Indian politics in addressing meetings such as those convened under the auspices of the South Indian Liberal Federation (City Branch), he used to describe the Liberals or Moderates with whom he is now sitting in the front Opposition Benches as being all leaders without followers. My hon. Friend Dr. Natesan was in the early days of the City Branch of the South Indian Liberal Federation under the presidency of Mr. C. R. Reddi a little suspicious of the influence Mr. C. R. Reddi or the City Branch was gaining. To-day both Mr. C. R. Reddi and Dr. Natesan have the satisfaction of having become the leaders of the liberals whom the hon. Member Mr. C. R. Reddi sneered at in those days."

Mr. C. V. VENKATARAMANA AYYANGAR:—"We deny the leadership."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"All of them are sitting in the same bench."

Mr. C. V. VENKATARAMANA AYYANGAR:—"That may be."

Rao Bahadur C. NATESAN MUDALIYAR:—"I was always a democrat."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"My hon. Friend Mr. C. V. Venkataramana Ayyangar is sitting at the feet of Gamaliel."

Mr. C. V. VENKATARAMANA AYYANGAR:—"It is not my mistake."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"I am glad there are so many parties in this House."

"Now to resume my discussion. Little do Mr. Reddi and Dr. Natesan realize that the so-called Liberals or Nationalists as they now call themselves submitting to Dr. Natesan *cum* C. R. Reddi leadership, is but an instance of 'stooping to conquer'."

"The modern method of treating human beings from attacks of scourge like cholera, plague and other diseases is by the process of injection of a culture of plague and cholera germs in mild doses into the human system and this inoculation, as it is called, makes the system immune from or capable of resisting severe attacks of cholera and plague. In other words we conquer plague by plague and cholera by cholera. Our Liberal or Nationalist friends, the Swarajists, have realized that if you wish to conquer or overthrow the influence of the non-Brahmans it must be by setting up the non-Brahmans to fight amongst themselves. Is it any wonder that they have readily placed themselves under the leadership of non-Brahmans for the purpose of defeating the non-Brahman Ministry? I appeal to my non-Brahman friends to beware of the danger ahead."

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Mr. P. ANJANEYALU:—"I request my hon. Friend whether he can give instances where these hon. Friends of the non-Brahman party were set up to fight amongst themselves."

Mr. P. SIVA RAO:—"We have not placed ourselves under the leadership of any."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"Well, these are like sheep without a shepherd. Whatever may be said of his colleagues in the leadership, my hon. Friend Mr. C. R. Reddi is a very shrewd man. He knew full well that any part formed avowedly in combination with the Brahmans will not commend itself to any non-Brahman party he was seeking to form. Therefore in the famous declaration of war which he made in the Dravidian Association on the 13th instant, when he unfurled his banner of revolt against the hon. Ministers, one of his declarations was as referred to by my hon. Friend Mr. Patro yesterday:

'In no circumstances will the Ministry to be formed in supersession of the present Ministry be other than non-Brahman'.

"This was for non-Brahman consumption and to put them off the track lest they suspect any alliance with the Brahman in which case they would have nothing to do with him or with the party he was organizing."

"Mr. C. R. Reddi was shrewd enough to know that our Brahman friends, whether they were or were not given a place in the Ministry to be newly formed by Mr. C. R. Reddi or by anybody of his revolting colleagues, were sure to give support to him by their speeches and votes; for he knew full well that whether he would or would not have them nothing could prevent their votes being given in his favour, for their object was not so much the overthrow of the present Ministry—that is but a trifle—but the overthrow of the non-Brahman party, and the undermining of their influence. It is not out of love for the hon. Members who have crossed the floor of the House; for does not the speech of my hon. Friend Mr. Satyamurti reveal that his grievance is not so much against the Ministers as against the wicked non-Brahman party which threw out the Conscience Clause Resolution, which moved or passed resolutions about taking reasonable safeguards to afford admission to non-Brahman boys in Government and other colleges which strengthened the hands of the executive in putting down lawlessness and violence with a stern hand? It would be better to refer to the resolution that was moved by my hon. Friend Mr. C. V. Venkataramana Ayyangar in which he said that those institutions which insisted that religious lessons should be taught in them shall be under Grant-in-Aid Code too. What would be the fate of the non-Brahmans was revealed that day, as though by a revelation, by a paper that was placed in my hands in answer to an interpellation I made as to what was the strength of the Brahmans and non-Brahmans in the various Government colleges. As a consequence of passing this resolution, the Madras Christian College gave admission to 92 non-Brahmans as against 77 in the junior intermediate course. They gave admission in the pass course to 104 non-Brahmans instead of 60. Clearly the proportion was 200 to 100 per cent. Likewise it was in the St. Joseph's College, Trichinopoly. If you go to the Madura College the number of non-Brahman candidates can be counted on one's fingers' ends. So also in places where they say that national education is being given to Indians by gentlemen of a particular class, non-Brahmans hardly have any admission. The doors are shut to them,

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In the Mission schools where the doors are open to Brahmans and non-Brahmans alike the doors were open to non-Brahman candidates. Mr. Satyamurti was very vehement against the Ministers for having appointed a committee for regulating the doors of admission into the various colleges. In those days the number of students that could be admitted in any Government college was very limited. In former days one section of the community alone was able to get admission by any means. The non-Brahmans were only very few. My hon. Friend Mr. Thangavelu Pillai, I think, tabled a resolution that safeguards should be taken by the Government for securing proper facilities for non-Brahmans. It would have been a folly on his part not to have moved such a resolution. It was in pursuance of that resolution that this Council gave power to the Ministers to appoint that committee. Sir, in those days when non-Brahmans were like dumb animals nothing was heard. It was under those circumstances that this resolution was passed.

12-30 p.m. "Are you therefore under the guise of expressing disapproval of Ministers setting your seal of approval on this attempt to lay unholy hands on the fabric which the non-Brahman party has so successfully put up? I appeal to you, hon. Members, to sink all personal differences and not suffer any sense of personal disappointment to warp your judgment as to what your duty is at this present juncture."

"To Mr. Gladstone is attributed the statement that by every appointment he made, he caused dissatisfaction to about 20 persons. Likewise for the patronage which the Ministers have in their power to exercise the number of offices in their gift being limited and the number of aspirants being unlimited, those who suffered disappointment by reason of inability on the part of the Ministers to extend their patronage must, in some cases, be lacking in the appreciation of the Ministers."

"My hon. Friend Mr. C. Ramalinga Reddi read out a long catalogue of acts of commission and omission on the part of the hon. the Chief Minister; but were those acts, all or any of them, with which the hon. the Minister is charged, committed before or after the last sitting of the previous Council? Some or all of them were committed before the last sitting and Mr. Reddi has been in the Council for nearly two years. What steps did Mr. Reddi take to bring them to the notice of the Chief Minister and, if they were not rectified, to bring them to the notice of the Legislative Council by means of resolutions or interpellations?"

"If these acts of commission or omission were done after the last sitting, was it at a time when Mr. Reddi's beneficent influence, which kept the Ministers in order, was withdrawn? If his influence was to keep the Ministers in order and only the withdrawal of such influence renders possible an erratic course, why should Mr. Reddi set up an opposition to them? If as Mr. Saldanha stated yesterday, Mr. Reddi's object is not to seek office for himself in any new Ministry or as his answers to the interviewer in the 'Daily Express,' but published in the 'Hindu,' imply, then why not keep within the party with the Ministers and give the benefit of his wholesome influence? If I was asked to express an opinion about the Ministry, I would say that it was an unqualified success. For, it has to its credit many achievements both in legislation and other measures in respect of which their authors may well congratulate themselves. Whatever may be said now to the contrary by those in the front benches, the speeches delivered by my hon.

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Friend Mr. Ramalinga Reddi and my friend Dr. Natesan and recorded in the proceedings of this Council at the last session, give the lie direct to such accusation. 'Bravo Panagal!' were the words (laughter) with which Dr. Natesan acclaimed the Raja of Panagal both on behalf of himself and of children yet unborn in this land when the Religious Endowments Bill was piloted successfully through this House. Equally enthusiastic were the encomiums showered upon the hon. Mr. Patro by Mr. C. Ramalinga Reddi on the passing of the Universities Bill, also at the last session and it is a known fact that he gave hearty co-operation to the Ministers in shaping the Bill both before and after it was presented to the House for its consideration.

"Then what is it that has since transpired which has led to this resolution about want of confidence being tabled? So far as the other Members of the Council are concerned they appear to be due to personal causes rather than difference in policy. Were there any measures or resolutions of far reaching importance involving change of policy over which Dr. Natesan and Mr. Reddi and Mr. Ramalinga Chettiyar quarrelled with the Ministers? So far as I am able to gather they seem to be personal, rather than affecting the party."

Rao Bahadur C. NATESA MUDALIYAR :—"I have explained it in my speech. It is not personal. It is for policy's sake that I have separated from them."

The hon. the PRESIDENT :—"It is perfectly open to the hon. Member to say that it is not so; and it is equally open to another hon. Member to say that it is personal" (laughter).

Rao Bahadur O. TANIKACHALA CHETTIYAR :—"As for Dr. Natesan's complaint about not receiving adequate support regarding communal representation, I appeal to those who sat in this House at the last Council and ask whether there was a more enthusiastic supporter of communal representation than myself and yet on some occasions, on account of the extravagance and unreasonableness of the demand and in the inopportune moment when such demands were made, many of the non-Brahmans, including my humble self, had to hang our heads in shame. But this does not prove that my or the Ministers' support for communal representation was any the less real."

"The reality of the zeal for communal representation ought to be tested not by the demands urged in the Council Chamber, but by conduct when occasions for testing such zeal arose or presented themselves. Such an occasion arose during the recent elections to this Council and to the Indian Legislative Assembly last month. What did we the residents in Madras who were actors and spectators see or hear? Dr. Natesan's agents were canvassing for Mr. Rangachari as against Mr. Satagopa Mudaliyar. . . ."

Mr. S. SATYAMURTI :—"Mr. President, on a point of order may I suggest that Dr. Natesan canvassing votes for Mr. Rangachari for the Legislative Assembly is wholly irrelevant to the matter before the House?"

Rao Bahadur C. NATESA MUDALIYAR :—"It is absolute falsehood, Sir."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—"We have seen Dr. Natesan's agents canvassing votes for Mr. Rangachari. As for the relevancy of my speech, Mr. Satyamurti spoke about the splendid success which attended Mr. Natesan's candidature as against other people in the field. I am entitled to explain under what circumstances such success was attained."

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Mr. S. SATYAMURTI :—" I only pointed out the irrelevancy of referring to the Assembly elections."

The hon. the PRESIDENT :—" I do not quite see the difference. All these election campaigns are really carried on in the same way whether for the Assembly or for the Council—the excitement, the procession and other things are the same."

Mr. S. SATYAMURTI :—" Sir, we are now discussing as to whether this Ministry has got the confidence of the electorate or not, and I submit that the electorate for this Council and that for the Assembly is wholly different. I submit therefore that the elections to the Assembly have nothing to do with the resolution on hand."

The hon. the PRESIDENT :—" I thought the hon. Member Mr. Tanikachala Chettiyar was explaining how Dr. Natesan secured such a big majority. He was saying that somebody else's election was connected with his. Let him explain the matter more fully" (laughter).

Rao Bahadur O. TANIKACHALA CHETTIYAR :—" I may point out that Mr. Satyamurti travelled beyond the resolution now before the House. He said that the country had no confidence in the party and even paid such a high encomium to Dr. Natesan for his having secured a large number of votes. Therefore it is open to me to explain under what circumstances he achieved that result. It is a matter of common knowledge that he secured so many votes through the help of his Brahman friends. It was very evident that Dr. Natesan's agents were canvassing for Mr. Rangachari."

Rao Bahadur C. NATESA MUDALIYAR :—" Mr. Tanikachala Chettiyar's agents were canvassing votes for Mr. Rangachari and Mr. Tanikachala Chettiyar and Sir Tyagaraya Chettiyar were seen going round the Triplicane agraaharam with a number of Brahman agents requesting votes from the Brahmans and riding in the motor-cars lent to them by Brahmans. My six motor-cars were nothing against the one hundred motor-cars of Mr. Tanikachala Chettiyar. Even Mr. Justice Kumaraswami Sastri's motor-car was placed at his disposal. It is democracy that has asserted itself. It is not that community or this community. All the communities from the Brahmans to the Adi-Dravidas were with me in Madras. It is due to the ignorance of the conditions of Madras that makes these people say like this. It is my opponents that sought the Brahman help. It is only my personal and family friends among the Brahmans who voted for me. I never asked them for their votes and I never utilized a Brahman's motor-car. It is they who sought Brahman help and utilized their cars. They can do anything with the help of the Brahman, but only I should not do that."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—" However, it is not a point of order upon which my Friend has interrupted me. Anyhow he had the pleasure of doing that."

"Mr. Sadagopa Mudaliyar is a non-Brahman and Mr. Rangachari is a Brahman. I would not have referred to all these but for the fact that Dr. Natesan himself referred to them in his speech as to how he succeeded in winning a large majority which was managed, I may say, by the large number of Brahman votes that were thrown into the scale in his favour."

Rao Bahadur C. NATESA MUDALIYAR :—" Certainly not."

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The hon. the PRESIDENT :—" The whole thing is done by ballot. It is not therefore possible for anybody to see whether an elector who gave his vote was a Brahman or a non-Brahman."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—" Sir, we are permitted to be within the counting stations. We know numbers 4 and 5 were those of Dr. Natesan and his lieutenant. Cross marks were put only against numbers 4 and 5. Therefore it is not a matter of surprise that for about 36 hours or more when the ballot papers were being counted, numbers 4 and 5 came in such large numbers that it was seen that the votes came from a particular electorate only. It did not require much mental effort or an exercise in logic to see that."

Rao Bahadur C. NATESA MUDALIYAR :—" In my division and in so many other divisions the electors gave their votes only to 4 and 5 and it is not right to say that I got votes from a particular electorate only."

The hon. the PRESIDENT :—" Order, order. I must insist upon further controversy into the merits of the Madras elections being stopped. The hon. Member must stick to the subject in issue."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—" Dr. Natesan was good enough to say, from his point of view, 'the Ministry was a failure. Let it go.' What does it matter? He does not address himself to the question. He has only spoken like an iconoclast who wishes to break an idol, because his God has not given him the blessing he wanted. What is going to happen if this Ministry goes?"

Rao Bahadur C. NATESA MUDALIYAR :—" What is the blessing that I wanted? It is a falsehood, Sir."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—" Blessing at the hands of God. He now seeks to bring down the idol and break it. He has a tendency of destroying anything which is not of use to him."

"As my hon. Friend, Mr. Satyamurti, has pointed out in a recent occasion, is there a published programme of the leaders of the present Opposition which shows that they have a programme of their own which indicates that theirs is in any way different from that of the party to which they belonged hitherto? Have Dr. Natesan and Mr. Ramalinga Chetti during the three years' tenure in the last Council and Mr. C. Ramalinga Reddi during the two years' tenure attempted or accomplished anything which marks them out as more progressive in their ideals or more capable in accomplishment?"

"If the present Ministry goes and another Ministry with all or any of the leaders of the Opposition is set up, can it be possible to carry it without the aid of the votes of the Nationalists and Swarajists whose object is not to preserve but to destroy the existing fabric? (Cries of 'No, no,' from the Opposition benches)."

"The speech of the hon. Member, Mr. Satyamurti, indicates that by voting for this motion, he wishes the House to express disapproval not merely of the policy pursued by the Ministers—in the carrying out of the resolutions passed by the Council consisting of several who were in the last Council and were parties to such resolution—but also of the non-Brahmans who were in the last Council, but are not here now. So, Mr. Satyamurti's view of this motion is that you are called upon to review not merely the conduct of the Ministers,

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but of the members of the last Council who passed or rejected several resolutions. This, I think, is a dangerous precedent to follow in reviewing the work of the Ministers. The Ministers were but the agents of the Councillors in giving effect to resolutions of the Councils and it would be a wrong policy by means of 'no confidence' resolution on the Ministers to review the work of the old Council and to say that you do not approve of it. To pass this resolution would be to surrender to the wolves the Ministers, the agents of the last Council, who carried out and gave effect to the resolutions passed by the Council. Are you going to do this?

"Having regard to the serious consequences to the non-Brahman party as a whole, the attempt at injuring the party under the guise of merely censuring the Ministers must be resisted.

"It would be an act of ingratitude to those who have done well by their country to brand them as deserving of no confidence. It would be an act of self-destruction to support such a resolution.

"If this resolution is carried, what follows? The Ministers will be under a cloud; they may have to resign. Is it those who co-operated with them, who extolled their work and achievements, who until the last time this Council sat had no policy different from the Ministers suddenly turned into their accusers to be the persons to displace them? What is their past record or achievement during the time when they were in the past Council? What new policies—departures from the policy pursued by the Ministers—did they attempt and which did not succeed owing to the opposition from the Ministers? In the absence of such credentials to vote for this resolution would not merely be passing a stigma on the Ministers but to take a leap into the dark, to pass from regions known to us to unknown regions.

"It is unfortunate that our Muhammadan brethren have decided not to vote with the Ministry. Their grievances are that judicial and other appointments have not been provided for them. These are to be redressed by the Reserved half of the Government in respect of which the Ministers have no voice, and it is laying the blame at the wrong door by accusing the Ministers for not safeguarding their interests. It is a matter of common knowledge how in the matter of securing a seat for a Muhammadan gentleman in the Executive Council strenuous efforts were made by the hon. the Ministers, but that they did not succeed was not owing to want of advocacy of the claims of the Muhammadan brethren. It is to be hoped that they will still reconsider their views.

"I conceive this motion to be not merely an attempt at getting a change of Ministry but to cut at the root of the movement at the head of which stand not merely the Chief Minister but the revered Leader who sought no office or emoluments for himself but rejected it when it was offered to him and who like Moses of old is at the head of a large section of our countrymen in their onward march towards the goal of responsible Self-Government which the Joint Parliamentary Committee intended we should have, in the journey which our countrymen like the Israelites are making in the wilderness from bondage in the land of Pharaohs to the promised land flowing with milk and honey, from autocratic Government by the bureaucracy to responsible self-government. Many a time did the children of Israel rise in revolt against their Leader in their long and tedious journey in the wilderness, many a time did they attempt to slay him, but wiser counsels prevailed from time to time.

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Likewise I doubt not that whatever dissatisfaction may be felt from time to time, the non-Brahman communities would not think of changing their allegiance to their leaders."

Diwan Bahadur S. RM. CT. PETHACHI CHETTIYAR:—"My hon. Friend, Mr. Tanikachala Chettiyar, referred to the National College, Trichinopoly, and said that the doors of the college were closed against non-Brahman pupils seeking admission into the college."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"May I produce the record which was given to the House on the 15th November 1921 and which shows the number of Brahmans and non-Brahmans that were admitted into the National College, Trichinopoly? The number of Brahmans admitted was 56 as against 5 non-Brahmans."

Mr. C. RAMALINGA REDDI:—"May I know whether any non-Brahman was rejected?"

Diwan Bahadur S. RM. CT. PETHACHI CHETTIYAR:—"It is not the mistake of the college, but it is the mistake of the non-Brahmans themselves."

Rao Sahib S. ELLAPPA CHETTIYAR:—"As my name has been dragged in by hon. Friend Dr. Subbarayan, I shall say a few words. The hon. Member appealed to me and to my hon. Friend, Mr. Appavu Chettiyar, who have come from Salem to vote against the Ministry for the only reason that Sir P. Tyagaraya Chettiyar spoke against the political prisoners yesterday evening. I wish to impress on my hon. Friend, Dr. Subbarayan, that the statement of Sir P. Tyagaraya Chettiyar regarding political prisoners is not endorsed either by the Ministry or by the party. It is his own personal view. It is most unfair and unfortunate that hon. Members should use it as a weapon against the Ministry. I am only surprised that the hon. Member should have changed his mind so very easily on an irrelevant issue. In this view, Sir, I appeal to the hon. Member not to take such an issue into consideration but to vote for the Ministry if he thinks that the Ministry has done good work."

Dr. P. SUBBARAYAN:—"That is a very wide issue."

Mr. B. MUNISWAMI NAYUDU:—"Sir, something was said about political prisoners. When the resolution was moved I was one of those who spoke in favour of the resolution especially after the Leader Sir P. Tyagaraya Chettiyar spoke. I only wish to say that printed copies of the speech of Sir P. Tyagaraya Chettiyar are available and one can find out what his views were. The resolution itself came within a week from the 8th December when the Prince of Wales visited India and the hon. Members who were here at the last Council knew how people were throwing stones on motor cars and also doing other things. Sir P. Tyagaraya Chettiyar referred to such class of people and asked the Council whether it was going to class them as political prisoners and whether it would favourably consider the motion in their case also. The reply of the Council was that it would never class them as political prisoners. That was what he said and he did not go beyond that. The resolution which my hon. Friend, Mr. Venkataramana Ayyangar, brought forward was thrown out because the late Sir K. Srinivasa Ayyangar said that the resolution was very vaguely worded. It simply said that all political prisoners should be classed as first-class misdemeanants."

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Mr. A. RAMASWAMI MUDALIYAR :—" May I correct my hon. Friend ? The resolution was not thrown out but the House passed on to the next item on the agenda on the motion of my Friend Mr. R. K. Shanmukham Chettiyar. We did not come to a conclusion upon it."

Mr. S. SATYAMURTI :—" May I submit that when the House resolved to go to the next item on the agenda it meant that it dropped the subject ?"

Mr. B. MUNISWAMI NAYUDU :—" The late Sir K. Srinivasa Ayyangar said that the resolution was very wide and that the Government could not accept it as it was and that they were prepared to consider favourably the cases of those people who deserved better treatment than that accorded to them at present. It was in these circumstances that my hon. Friend, Mr. R. K. Shanmukham Chettiyar, moved that the resolution may be passed on and I seconded the motion. I wish to bring to the notice of this Council that nothing was said against people who ought to be treated favourably."

" Sir, with regard to the resolution itself I am in a most embarrassed position. When my hon. Friend, Mr. Ramalinga Reddi, for whom I have the greatest respect and with whom I worked heartily at the elections in my constituency, tabled the resolution, what was the position ? I am glad that when he addressed himself to that resolution he has scrupulously confined himself not to the question of the party but to the question of individual Ministry, as to whether this Ministry has the confidence of this House or not. But he did not count the forces which were associated with him in the discussion. We heard Mr. Venkataramana Ayyangar, who posed himself as the leader of the Nationalist Party which came into existence day before yesterday."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I never posed myself as leader. I was one of the speakers."

Mr. B. MUNISWAMI NAYUDU :—" Whether he is the leader or not or whether he would hereafter be elected or not is not my concern. He, as their mouthpiece, expressed his dissent on the subject of the constitution of the Ministry from one party, that is, the Non-Brahman Party. He said that it was to this that he objected. My hon. Friend, Mr. Ramalinga Reddi, in his manifesto issued immediately after the Narayan Singh conference said that he was not going directly or indirectly to associate himself with any Ministry which was not exclusively non-Brahman and I expected my hon. Friend, Mr. Ramalinga Reddi, would say something about it and would make his position clear. Before he asks vote on his present motion, he has not said anything at all about his views. If it is a case in which the achievements and record of the party have to be scrutinized and looked upon in the proper light, then I submit that he ought to say whether he approves or does not approve of the various acts for which the party was responsible, the various communal Government Orders, the selection committees appointed for various colleges, etc. I therefore take it that he is taking objection to the individual Ministry which is formed and not against the party programme as a whole."

" Now, Sir, it is one of the contentions of the Nationalists that this very principle of selection of members for the Ministry from one party was bad and that the Ministry must, on that account, go. This is the same thing as what Mr. Satyamurti put up. I therefore request hon. Members of this Council to say whether they agree to it or not—whether they approve that the Ministers should be selected from the non-Brahman Party or not."

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" Sir, with regard to the remarks made by Mr. Ramalinga Reddi, what I have to say is that he drew the attention of this House to a remark made by His Excellency the Governor in opening this Council that the administration of district boards was very lax. I submit, Sir, that that is rather a sweeping remark to make. Of course, Sir, this House or such of the members who represent local boards, will disapprove of it. Sooner or later I expect the members to give expression to it. My hon. Friend, Mr. Ramalinga Reddi, will bear with me when I say that though I was the President of the Chittoor District Board and very widely toured with him throughout the district no influence of mine was brought to bear either directly or indirectly upon the electorate. I cannot say the same thing of other hon. Members who are associated with other local boards throughout the Presidency. I think they also would be of the same opinion."

" To make such a remark from what His Excellency said on the opening day of this Council and to condemn the Ministry on that score is one that I think is hardly fair. If there was any laxity at all in the administration and if there was any defect at all it was due to the financial stringency that was prevailing."

" What is the record of the Ministry ? A provision of five lakhs had been made in the budget for the year before last to make up the deficits of local boards. In the year 1922-23 this Council made a provision of eighteen lakhs to provide for the deficits and steps have been taken ever since to place the local boards on an efficient basis. May I say, Sir, that many of these local boards have been able to make both ends meet ? I see that my hon. Friend, Mr. Narasimhaacharlu, is not satisfied with this amount even. Then it is this House that must arm the hon. Minister with the amount that will be required."

" It was said that the Religious Endowments Bill was bad. It was said also that the University Bill was bad. I think that my hon. Friend, Mr. Natesa Mudaliyar, was on the Select Committee on the Bill, at any rate he wanted to be on that Committee."

Rao Bahadur C. NATESA MUDALIYAR :—" I never wanted to be on any committee."

Mr. B. MUNISWAMI NAYUDU :—" My hon. Friend supported the Bill throughout. My memory may be short and my hon. Friend
1 p.m. may correct me if I am wrong. When the University Bill was ushered in he rose up and did not oppose the Bill on the ground that sufficient provision was not made for the spread of mass education. When the Bill was passed into law he congratulated the hon. Minister warmly. One of the amendments brought forward by my hon. Friend was that in the Senate there should be communal representation. I gave notice of a similar amendment but that was for eliciting information."

" Sir, the same is the case with regard to the Hindu Religious Endowments Bill. My Friend, Dr. Natesan, most heartily supported it and I will presently read his famous sentence : ' Bravo ! Raja of Panagal. '

Rao Bahadur C. NATESA MUDALIYAR :—" I do not even object to it even now."

The hon. the PRESIDENT :—" The hon. Member, Mr. Muniswami Nayudu, is presumably saying that to people who may have forgotten it by now."

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Mr. B. MUNISWAMI NAYUDU :—"Sir, until the 3rd of April 1923 when the last Council was prorogued and finally dissolved there was not one word expressed in this Council disapproving the action of the Ministry or of the party as a whole. I wish to read only three passages from the proceedings of the Council showing the attitude of my Friend, Dr. Natesan, to the Ministry. With regard to the question regarding medical services, Dr. Natesan said that retrenchment was carried on in the wrong direction. As to that, Sir, may I point out that Dr. Natesan himself was one of the Members of the Finance Committee and of the Retrenchment Committee and had ample opportunities to indicate his views? Now, Sir, I will read out one other passage. This is what Dr. Natesan said in December 1922 when the Religious Endowments Bill was introduced :

'As with the other Bill, the Bill to regulate State Aid to Industries, it required a people's Minister to introduce salutary changes in the administration of and in the application of the surplus funds of the various religious endowments. . . . Now our Minister having the support of the people behind him, has thought it necessary not only to put his religious house in order but also make it useful to the public as in days of yore when our people religiously inclined to attain their salvation established not only educational institutions but also provided sanitary, medical, maternity, child welfare and other relief especially water-supply.'

"Later on he says, Sir,

'Thanks are due to those that gave us the Reforms for we are progressing politically and economically; and our immediate thanks are due to the statesmanship and the foresight of His Excellency Lord Willingdon who gave us our popular Minister and our worthy President.'

"Sir, this was in December, four months before the House was prorogued. Then, Sir, I go to March 1923 when the budget discussion came up and this is what my friend said on an objection raised by Dr. U. Rama Rao regarding the grants for medical institutions :

'If he (referring to Mr. Rama Rao) had the portfolio, I am sure, many of the existing medical institutions would have been closed long long ago. Sir, in this Council, no one excepting you, Sir, and my revered leader, Sir Tyagaraya Chettiyar, commands so much respect, so much confidence of the Council and possesses so much tact as our Minister for Local Self-Government. It is on account of his personal pleading and personal influence that the Medical department got at least this much grant. He pleaded for a 50 per cent grant for local bodies. A sum of Rs. 50,000 is granted to the medical institution for women at Vellore instead of ourselves opening an institution for want of funds.'

"Sir, I will only refer to one other passage and that is in April 1923 when we in this House parted last. This is what he said :

'Sir, Mr. President, I thank you very much for having allowed me to speak. I will only say : "Bravo! Raja of Panagal!" The whole Presidency was seething with rage; our religion was thought to be interfered with; our maths were supposed to be insulted; our temples were imagined to be plundered; and the wrath of the Gods of Heaven was invoked upon the hon. the Minister's head. Questions intricate and puzzling were put to him; but they were replied with learned ease. Over six hundred amendments were gone through in this House successfully, thanks to our party whips; and the solidarity of our party has been proved beyond doubt. Before I sit down, Sir, I wish to express my hearty congratulations to the hon. the Minister.'

"Thus, Sir, the House will see that whatever may be the opinion of my hon. Friend of the Ministers in the beginning of the Council or in the second year, just at the closing of the Council we find him warmly congratulating the Minister and the party for their many services to the country."

Mr. C. RAMALINGA REDDI :—"May I ask my hon. Friend just one question? Is the hon. Member not aware of the internal dissensions of the party at more than one conference in which the resignation of the hon. the Raja of Panagal was under discussion?"

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Mr. B. MUNISWAMI NAYUDU :—"I am certainly coming to that, Sir."

The hon. the PRESIDENT :—"Before we go further I would like to utter a word of warning to hon. Members. My control over the House is very, very limited, limited by the Rules and the Standing Orders. I wish only to say this. We began with the Ministers and Transferred subjects, then went on discussing the Reserved subjects, then proceeded to discuss the position of the several parties, then to discuss my good old friend, Sir Tyagaraya Chettiyar, quoting his previous and present sayings and so on. Not content with that if we are going to discuss the internal squabbles of parties, it is a matter for consideration where all that will end. I have no objection to the House discussing all these things. I have almost given up the idea of controlling the discussion (laughter). I found last evening that any attempt to confine the discussion to the relevant issues was becoming increasingly impossible. Whatever other merits dyarchy may have, easy workability certainly is not one of them; and the task of the President under that scheme of distinguishing one set of subjects and another is extremely difficult. If hon. Members want to discuss what all took place inside a particular party, they may by all means do so. But I will only submit for general consideration that we are going a great deal wide of the main issue and at this rate I very much fear we may end in discussing something which has nothing to do with the Ministers."

Mr. C. RAMALINGA REDDI :—"After your remarks, Mr. President, I should like to explain my position. Sir, some of us have been attacked of inconsistency on the ground of our published speeches here. Inconsistency is a charge affecting our character and hon. Members who make that attack should give full allowance for the sentiments expressed by us in private to them and to their leaders at the private conferences and elsewhere. We regard this as an attack on our character and we say that whatever we did then within the limits of party discipline should not now be brought against us unless they are also going to bring in everything that happened in private. If you, Sir, think that that line of argument need not be pursued, I leave it there. My utterances on the Ministry are well known and publicly made and hence not unknown to my hon. Friend, the Member from Chittoor."

The hon. the PRESIDENT :—"I do not think that the hon. Member, Mr. Muniswami Nayudu, was referring to the private expressions of opinion of the hon. Member, Mr. Ramalinga Reddi. He was only referring to the proceedings of the Council."

Mr. C. RAMALINGA REDDI :—"I complain, Sir, that the attack is unfair. For while we are within a party there are certain limits within which we can exercise our individuality. If we go out we will be called rebels from the party. If after carrying on the criticism to a certain extent we remain quiet, that is taken advantage of and we are all interpreted here as having absolutely, unreservedly, acquiesced in all that the Ministers have done and on the basis on what we, as party men, consistently with the principles of honour held in public life, did or did not do in this Council, we are now accused of inconsistency and that we are pursuing this course on account of personal disappointments and matters of that kind; I say it is a most unfair attack."

Mr. B. MUNISWAMI NAYUDU :—"I am very sorry that my hon. Friend should think that I was going to say anything affecting him or his character. One way of supporting the motion was by attacking the party and it was in

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reply that I intended to refer to the definite attitude taken by the party in regard to the University Act and other measures. I was going to reply to my Nationalist and Swarajist friends that up till the 3rd of April all the acts in the Council were of the party and no responsibility could be fixed upon the Ministers for them. The stand that I propose to take is this. The motion which the Mover intended in a narrow sense as an indictment direct against the Ministers has been availed of by the Swarajists and Nationalists to attack the work of the party in the previous days. I wish to say that so far as the party's record is concerned, it is unblemished. The Ministers have done nothing except with the support of the members of the party of whom Dr. Natesa Mudaliyar was one. I only wish to say, Sir, that for all that have been done during the last Ministry the whole party, and not the individual Ministers, are responsible, and in condemning the Ministers we are condemning a record which has been very warmly appreciated by one of the Members now sitting on the Opposition bench. It is not my purpose to go into the differences that have arisen since the 3rd of April. But I only request hon. Members before giving their vote to look upon the motion not merely as a censure motion upon individual Ministers but upon the record of the party as a whole including the members of the party who now sit in the Opposition. If those members who were present in the last Council and those who are newly returned to this Council, belonging to the non-Brahman party, are prepared to say that our resolution on communal representation, and the Government Order regarding it was a sad sin, let them by all means vote in favour of the resolution. If they feel that the resolution of my hon. Friend, Mr. Tangavelu Pillai, urging for the appointment of Selection Committees for admission of students into Government Colleges has been wrongly accepted by this Council, by all means let them say so and vote in favour of the motion. If they say that the Religious Endowments Bill was an egregious blunder of the party in power, let them vote for the motion. If they realize that the University Act was a similar blunder, let them support the proposition before us. But if they are convinced that the party, as a party, has a bright record of work behind it, that the Ministers were only carrying out the party's mandates, then I say that every member who claims to be non-Brahman and a member of the party should vote against the motion."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Mr. President, Sir, when a vakil begins to attack the other side vakil we know where his case stands. We have heard, Sir, many speeches from this House; most of them were on one side. Now we have heard two speeches from the opposite side and what do we find? Only an attack on the other side vakil and nothing about the merits of the case itself. We are now concerned with the confidence enjoyed by the Ministry and not with the character or with the past record of the persons who might have brought the motion before the House. The question is not whether my hon. Friend, Mr. Reddi, was with the Ministry three months ago or not. That is not the issue. We have got to decide here whether we approve of the things done by the Ministry during the time they have been in power and if that record commends itself to the hon. Members, they are certainly bound to support the Ministry and vote against the motion. If, on the other hand, they are not satisfied with the record they are bound to vote for the motion and against the Ministry.

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"That is the position. Now that personal questions have been raised by more than one speaker, I shall clear myself so far as I am 1-15 p.m. concerned. I was never a member of the South Indian Liberal Federation which is the political body of the party which is supposed to be in power. Within three months after the formation of the last Council I tried to form an opposition of non-Brahmans. The communal feeling with regard to appointments was strong and at that time combination with Brahmins was looked upon with suspicion. So I thought it would not be either expedient or proper to form an opposition in which both the Brahmins and non-Brahmins would combine, and I tried to form an opposition with non-Brahmins only. About a dozen of us met and actually formed ourselves into an opposition but one or two were influenced by the Ministers who had and who will always have a lot of patronage in their hands. That influence took away one or two members from us, and one or two others thought that it would not be safe to be in an open opposition. So, that opposition died. From that date I never said that I belonged to any party."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Sir, the Opposition did not die, nor did the party die, but it dwindled in numbers."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"It might have dwindled in numbers, but some of my friends who formed that Opposition thought that it was better to take some Brahman gentlemen into it. I was not of that view and so I could not be a member of that Opposition. I was in that position, and while I was in that position, I was approached by the Ministers for help. Whenever they wanted my help, I rendered them the assistance that was in my power, and in regard to that help my mind is clear so far as the matters in which such help was asked for is concerned. With regard to other matters, my record would show that there were several matters in which I opposed the Ministers and voted against them, and the division lists would show very well that on several matters I voted against the views held by the Ministers. With regard to one very important matter, for instance, the question of the pay of Ministers, I voted against them in a minority of seven. So, to say that I was a member of the party and was responsible for everything it did and that the fact that I have openly come over to the Opposition shows that I have been disappointed or that I am going to oppose things which I supported before is not speaking the truth at all. My record shows that I have been an independent man all through. I could not form an Opposition, because I could not have sufficient strength to make an Opposition effective in the old Council. That was the position and it was in that position I thought that the best course I should adopt was to help the Ministry whenever they wanted my help and whenever I could conscientiously give it. So I was consistent so far as I was concerned, and I do not think it can be said that I was once with the Ministry and supported several actions of theirs and afterwards seceded from them. I may also say that, as was said yesterday, myself and the hon. Mr. Patro had a talk on the matter whether we should join the South Indian Liberal Federation and both of us came to the conclusion that we should not join it, and it was on that understanding that both of us became members of the Liberal League, and when its meeting was held in Bombay I went there as one of the representatives of Madras to join that League. The hon. Mr. Patro himself wrote to say that he was going there, but he could not do so on account of

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ill-health and subsequently sent a wire to that effect. That is how matters stood, and it cannot be said that I in any way identified myself with the programme of the party and that I am now going back upon it. There are some matters, a few matters, on which I could say that I joined with them, and so far as those matters are concerned I did really work with them and even now I am prepared to work with them or with anybody who may have the same views as I have, so far as such matters are concerned. Well, Sir, my hon. Friend, Mr. Patro, was saying yesterday, speaking on behalf of the Government, that the elections did not show that the party in power has not got a majority and put forward several very startling propositions. He himself said that the party did not put forward any official candidates. Then how is the success or failure of the party to be ascertained? For instance, when such well known members of the party as Mr. Nelliappan Pillai of Tinnevely and Mr. Tulsiram of Madnra were defeated, could they still claim the successful candidates as their party men? And then it was said that the nominated presidents were not people for whom they were responsible and at the same time it was said by himself or by some other speaker that there were other nominated presidents who succeeded. Well, Sir, nominated presidents in this Presidency at the present moment are of two sorts. There is one class of people who were nominated by you, Sir, when you were in charge of the department and there are others who have taken the place of those nominated by you and who were nominated by the present Minister. In the case of those who were renominated, there was no difficulty at all and I do not think that the hon. the Minister can claim any credit for the success of those people because in the choice that was made I do not think that he can really claim any share, as the choice was made before he assumed office. But with regard to those whom he himself appointed he was responsible for the choice and he should stand or fall with them. But what do we find? We find that out of the candidates of his choice who stood for election, with the single exception of Mr. Muniswami Nayudu, everybody else has been defeated. And if we take the other side, that is, persons who were superseded, everybody except Mr. Seshagiri Rao has been returned. And if we take the case of Mr. Seshagiri Rao he has got very many more votes than Mr. Venkataratnam Nayudu who superseded him. That shows the verdict of the country on the choice made by the Ministry; and that is quite clear.

"Then it was said by Mr. Ramaswami Mudaliyar that these appointments were no doubt made on party basis, and he asked 'if nominations are made, how are they to be made except on the party basis?' A motion to throw open all these presidencies for election came before this House two and a half years back. Then there was a discussion, and the hon. the Minister did not himself speak on behalf of the Government but put forward Mr. Ramaswami Mudaliyar to speak for the Government. And what he then said will clearly show the difference between the attitude taken by him at that time and that taken by him yesterday. At the time the new reformed Council came into existence the nominations were all in the hands of the Executive Councillors, and then for the first time this principle or system of party Government came in. My Friend Mr. Narasimharaju raised the question that these local boards should be above party, that there should be no question of party in local board administration, and that there should be no patronage with regard to local boards in the hands of a party Government. That was the position taken up by

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my Friend Mr. Narasimharaju, and here is the reply given on behalf of Government by Mr. Ramaswami Mudaliyar:

'Sir, at the very outset, I must enter a caveat against some of the arguments that have been adduced this afternoon, to my very great surprise, by the hon. Member from Vizagapatam, Mr. C. V. S. Narasimharaju. Sir, we are all at one now-a-days in praising the bureaucrats. It was only the other day that the hon. Member from North Arcot had a good word to say of them. To-day my hon. Friend has got a good word to say about the bureaucrats. I cordially endorse that view. I only trust that hon. Members would continue to have these kindly feelings towards the bureaucrats and would remember these encomiums at other times and on other occasions. But is it fair, Sir, that you should deery another department, another part of the Government in your anxiety to praise the bureaucracy? Is it fair, Sir, for you to suggest that the Ministers of the other departments of the local Government will be less fair, will be less able to hold the scales even than the bureaucrats in the past? Is it fair that you should deery any part of the popular Government in your anxiety to praise the bureaucracy? Is it fair for you to suggest that the Minister in charge of Local Self-Government will be less fair or will be less able to hold the scales even?'

"These were the words he uttered then. He said that the Minister for Local Self-Government might be trusted to hold the scales even to see that the party partisanship did not enter into Local Self-Government in the districts and that everything was fair. It is just two and a half years since those words were uttered, and we find an open avowal by the same gentleman, the same mouthpiece employed by the hon. the Raja of Panagal, in regard to this motion. . . ."

The hon. the RAJA OF PANAGAL:—"Sir, I have not employed him as my mouthpiece, to express the views which I hold on the subject. I have yet my turn, and I am going to speak this afternoon."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Well, Sir, we know that he has been a Secretary. It is said that he is considered to be the Chief Secretary of the Ministers, and he made these statements in an authoritative manner too. Yesterday, hon. Members listened to his speech, and he made it in an authoritative way, and he thought that his arguments were convincing. He has now said that when the patronage is in the hands of the Government, it ought to be used in favour of party men. That was his argument. I would certainly have no objection whatever for party patronage which is in the hands of Government being used in favour of party men. But here is a case of Local Self-Government which ought to be outside party politics. I am not aware whether in England or in any other country Local Self-Government is made a limb of party Government. I have heard that in London and other places the Corporation is something very different from the party in power but still its efficiency has not suffered. This headship or presidentship or chairmanship of these bodies should never be a matter of patronage at the hands of the party in power. But here, unfortunately under the conditions under which we are living to-day, it was probably thought that in a few cases nomination would be necessary, and so a provision was made in the Act to reserve that right to Government. If all the evolutions that have taken place within so short a time could be foreseen, I am sure the House would have been the first to suggest that all these should be thrown open for election and not be entrusted to the hands of a party to be made use of for patronage. So these people, who were nominated by the hon. the Minister for Local Self-Government for party reasons, went before the country for election, and what does the country think of them? As I have said already, except Mr. Muniswami Nayudu every one of the new presidents chosen

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by the hon. Minister for Local Self-Government has been defeated.
1-30 p.m. That shows the confidence the people have in the Chief Minister and his nominees."

Mr. K. SITARAMA REDDI :—"I am a nominated President, Sir ; I have not been defeated ; I am sitting in the Council."

Mr. C. RAMALINGA REDDI :—"That is only an exception which proves the rule."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"That is only one who can rise and say that he still survives."

The hon. the RAJA OF PANAGAL :—"Sir, may I offer another explanation at this stage ? These nominated presidents have taken charge only recently whereas the old presidents have had time to acquire influence over the electorate ; no wonder they have come out successful. But the recently elected presidents, except in a few cases such as South Arcot and Chittoor, could not acquire that influence, and have not been able to get themselves returned."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"It is not a question of acquiring influence, Sir, by this office. It is a question of commanding the confidence of the people. I did not know that these appointments were made for the purpose of 'acquiring' influence hereafter. I thought that these appointments were given to persons who had already held a position and had the confidence of the people."

At this stage (1-35 p.m.), the Council adjourned for lunch.

The Council re-assembled after lunch at 3 p.m.

Rao Bahadur T. A. RAMALINGA CHETTIYAR resuming his speech said :—

3 p.m. "Sir, I was speaking about the new principles that have been enunciated by the hon. Mr. Ramaswami Mudaliyar. I have dealt with one already and shall deal with another now. He said yesterday that the municipalities were formed for the purpose of helping the poor people ; the rich people were always against them. So he wanted to take the opinion of the people, but the opinion of the people here would always be against him ; so it is for the Government to override that opinion. That is what it came to. If what he said was correct, it practically goes to the root of all that has been done. Our rulers before us—of course I am talking, Sir, on the assumption that the new Reforms have to a certain extent at least changed the seat of power—the rulers before us, viz., the officials, have been always saying and claiming that we who were talking as representatives of the people were not looking after the interests of the people, that they knew the interests of the people better and so they would decide the matter, and that the voice of the people as expressed by us would count for nothing. That has been their claim hitherto and we have been saying that they were not true, and that the opinions that have been expressed outside are opinions of the people and should be attended to for their benefit. If the theory that has been enunciated yesterday by the hon. Member from Chingleput is accepted, then we go back much to the same position. To defend the Minister is excusable in itself, but unfortunately he wanted to trot out a new theory. Probably, the same theory will be brought forward if another matter is also mentioned, viz., that district board after district board has been asking for the

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election of their presidents, and the mouth-piece of the Government who replied to the debate referred to in an earlier portion of my speech said that the Government would ordinarily extend the principle of election in this Presidency. In spite of this, we find that the appointments of these presidents of district boards are still kept in the hands of the hon. the Minister. His reply with reference to this also, I presume, will be no doubt that the district boards asked for election, but they did not know their own interests ; the Chief Minister sitting here knows their interests better, and so it is better that he nominates their presidents and not allows them to choose their own. The mouth-piece of the Government said that the principle of election would be extended and would be allowed in as many cases as possible. Still, after two-and-a-half years after the debate, we find the principle extended to only one more district board, after you, Sir, handed over charge of the department to the hon. the Minister for Local Self-Government who is supposed to be a popular representative.

"It was said by the hon. Mr. Patro, when he replied on behalf of the Government, that he had enunciated a policy and that that progressive policy was going to bear fruit. What is the policy that he has enunciated ? The Elementary Education Act was passed long before his predecessor took charge. It was passed by the Pre-Reform Council ; and so the policy was actually laid down not by the hon. the Minister for Education, but by the previous Government. It is only that policy that is being given effect to. And what is the achievement ? The achievement is not much to speak of. He says that 13 municipalities have agreed to introduce compulsion in their areas ; but in how many of them have they accomplished that fact ? There have been resolutions passed by the municipalities themselves with regard to the share of the expenditure that ought to be borne by the Government and the municipalities. I know at least one municipality which passed a resolution in the presence of the hon. the Minister for Education regarding the contribution that ought to be paid by the Government and by the municipality, but that was set aside by the Local Self-Government Department. Then it had to be rectified after repeated requests and representations. We find there, Sir, a matter on which there has been no policy at all. The policy of expansion had already been settled by the Act, and beyond that nothing has been done. Occasionally, a few municipalities were asked to pass some resolutions, and, as these came up before the Government, they considered, and considered, the matter, but did not decide them at all one way or the other."

The hon. Rao Bahadur A. P. PATRO :—"In thirteen municipalities free and compulsory education is now being carried on."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"That is no policy at all. I cannot understand, Sir, what is meant by saying that in thirteen municipalities compulsory education is being carried on. Compulsory education is a matter which can be introduced only gradually. Supposing a municipality introduces compulsory education, all that it can do is to impose a cess, raise the money required and also find out the number of schools that is wanted. It does not mean that the moment the resolution is passed, every school-going boy is at school. We have to find boys, we have to provide for boys already receiving education, and we have to find out the number of schools that will be required, and all that. What has been done with regard to these in all these cases ?"

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The hon. Rao Bahadur A. P. PATRO:—"All these matters have been attended to and a special officer is placed in charge of the municipality which has adopted compulsory education to assist the municipality and the education committee that is appointed under the rules."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"It is not a point of order, Sir, in the first place, and then I do not know if there is such an officer. That does not mean anyhow that the matter has been dealt with fully. As I said, a scheme has to be prepared, the number of schools required have to be taken into account and the number of boys also; then the school-sites, the curriculum, the examinations that have to be conducted; all these matters have to be settled."

The hon. Rao Bahadur A. P. PATRO:—"Unless all these are settled, Government will never sanction the introduction of compulsory education."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I say, Sir, I have got close and intimate knowledge of some at least of the institutions in which compulsory education has been passed, and I may remind my hon. Friend that I helped him to get resolutions passed by some of the municipalities, and not in any one of those municipalities has anything been actually done. The hon. the Minister knows it as well as I do. The hon. the Minister himself said that only the policy had been enunciated and that progress was only a matter of time. As I have said, the policy is not the policy of the hon. the Education Minister. It is the policy of the Pre-Reform Government, and the progress that has been made during the last three years is nothing worth speaking of."

"With reference to the Local Boards and Municipal Acts also, the Acts were passed before the Reformed Government came into power. The hon. the Minister said that there were a number of defects in those Acts. Well, they have had three years to rectify these defects. In March last two Bills of a contentious nature were introduced into this Council and they were referred to Select Committees. What has happened after that?"

The hon. the RAJA OF PANAGAL:—"After the Bills were referred to the Select Committee there have been communications from various boards that more amendments should be brought in, and there was this technical question whether, after the Bills had been referred to the Select Committee, we could introduce amendments which have no bearing upon the amendments which have already been embodied in the amending Acts. Hence, Sir, the whole question was dropped at that stage in order that Government might introduce a more comprehensive measure."

The hon. the PRESIDENT:—"Surely, the hon. Member could give all that information in his reply."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"His Excellency the Governor told us in his speech proroguing the last Council that meetings would be held for the purpose of passing these Bills. If, as has been stated by the hon. the Minister, these amendments were absolutely necessary, certainly they could have been passed in June or July. If other representations had been made in the interval, certainly other amending Bills could have been introduced into this Council for the purpose of incorporating those amendments. If there are some more amendments, there is no reason whatever to delay the necessary amendments. It is not that they have had

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no time, or no convenience, or that there was pressure of other business. It is a matter of very serious complaint in the country, Sir, that from almost the end of March up to two days back there was no meeting of the Council in this Presidency, even though in other Presidencies they had been able to find time to hold meetings and look to the people's work. That is a matter, Sir, which probably will require some explanation. I do not know whether the Ministers have had a share in the matter, but that is a matter which I do not want to touch now, because it is likely to have reference to the Reserved half also.

"In this connexion, I shall just refer to one other matter which has been already referred to, viz., the remarkable speech made by His Excellency the Governor at the opening of this House. It is, Sir, without doubt a wholesale condemnation of the Local Self-Government as carried on in this Presidency. His Excellency himself stated that various things were bad, that various things were in a very deplorable condition and that they were to be improved. I take it that His Excellency has been in touch with the Ministers and he would have consulted the Ministers before drafting that address. Of course, I am not in the secrets of the Government Secretariat, and I do not know whether in drafting this address the Members of Government are consulted or not. But if we take the precedent of the address of the King in England, I am told, Sir, that it is the Ministers that are responsible for the speech. If that system is followed here also, the Ministers ought to have been responsible for the statements contained in His Excellency's address with regard to Local Self-Government."

The hon. the PRESIDENT:—"This is a matter of some importance. Do I understand the hon. Member to contend that the statements made in the Governor's speech are statements for which the Ministers are responsible?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I presume they are, until the contrary is stated."

The hon. the PRESIDENT:—"The hon. the Leader of the House will perhaps have something to say about this."

The hon. Sir CHARLES TODHUNTER:—"I venture to think that it is a matter concerning His Excellency's powers and functions, which is not within the scope of the discussion in this House."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I do not find fault with anything. All that I say is that the King's address is drafted by the Ministers in England, and I presume that the same thing has been done here. If the hon. the Chief Minister is not prepared to give any information, I do not want to press him to do so. All I can say is that His Excellency has been unequivocal in his condemnation of the Local Self-Government administration. Well, what are the causes of the defects that he has mentioned? He has mentioned a few. Strangely enough, a few days before that pronouncement, Sir, another gentleman, in another place, who has got intimate connexion with the Local Self-Government matters, and whose testimony cannot in any way be questioned by the other side, has also made a statement. I refer to the statement of Diwan Bahadur K. Suryanarayanamurti Nayudu, made as Chairman of the Reception Committee of the Northern Local Group Conference. He is a gentleman who has been always

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on the side of the Ministers. He has been always sitting on that side, and I do not know whether they claim him as one of their party, or as their dissentient, or as anything else. Well, Sir, this is what he says :

'It is contended that the Madras Act V of 1920 is an improvement in all respects on the Act which was superseded in that it has given enormous powers of financial independence, discriminating powers and administrative responsibility. But actual experience has, however, shown that the tendency is more towards centralization than decentralization, and the interference of the Government and of the Examiner of Local Fund Accounts even in matters of minute detail is much resented by the Councils. It is feared that control overdone may be calculated to create a situation destructive of mutual confidence, willing co-operation and emulating enterprise. While advising the local bodies to keep the services efficient by self-reliance and self-help, the measures and methods adopted by them to achieve the objects are relegated to the background, by the issue of orders at once incapable of enforcement and impossible of execution.'

"I think a greater condemnation than that can hardly be written by anybody, and it comes, Sir, from their own side and from their own ranks. I do not know, after stating that, what attitude my hon. Friend, Mr. Suryanarayanamurti Nayudu, is going to take with reference to this motion. But whatever attitude he may take with regard to this motion, his opinion about the administration of this department which has been entrusted to the care of the Ministry is very clear.

"It is the hon. Mr. Patro, Sir, that took credit for doing a lot of things for the village. He said he was responsible for improving the position of the village officials, for introducing the village panchayats, for introducing the village munsifs' courts, for the forest panchayats and what not. Well, Sir, that the Ministers were responsible for improving the rural conditions was the statement made by him and he enumerated a number of improvements. But I say, Sir, that for none of those things was the Ministry responsible; every one of those improvements belongs to some other department; the village officers are under the Revenue Department; the village panchayats and the village munsifs are again under the Revenue Department; and the forest panchayat is under the Forest Department. That is what the truth is. The only thing under the hon. the Minister for Education is the village school, and what is the position of the village school? Well, Sir, I have heard that several taluk boards on account of financial stringency have had to close some of the village schools. That is the thing the Ministry have to their credit. Well, what is the reason for the financial difficulty, Sir? These local bodies were put on their legs by a bureaucrat who was in the service for about 35 years. The Bill was passed in a Council where the representative element was not so much in evidence. Well, Sir, after that Bill was passed, the question of finance had to be considered, and a Committee was appointed to consider the relationship between the Government and the local bodies, and that Committee reported. By this time, the Reforms came; the Ministry came into power: what is the result? We find, Sir, in order after order the Ministers trying to bring the local bodies back again under the control of the Government. We find a Government Order issued inquiring the opinion of the people as to whether a certain control which was vested in the Government can be handed over to the Collector; there is another Government Order asking whether references to the Government may not be sent through the Collectors; then there is a third Government Order entrusting appeals from the orders of the local board presidents and municipal chairmen to the Collector, and the presidents of other local bodies."

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The hon. the RAJA OF PANAGAL :—"May I know whether these are merely inquiries or whether they are orders passed?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"These are Government Orders issued, Sir, asking for representations before confirmation. A Government which asks for information on these issues is supposed to have considered, at least provisionally, whether these matters are right or not. But when the hon. the Minister found the opposition was very great, he referred the matters to the Advisory Committee, and the Advisory Committee by a very large majority declared 'these things won't do'. Then he had to give them up. That is how things were dropped. So that is the sort of thing the hon. the Minister for Local Self-Government wanted to do with reference to the independence of the local bodies.

"The nominations are in his hands. With regard to the nominations, many things can be said. As regards nominations of minorities and depressed classes, something has been said already by the representatives of the various interests. I only want to give one instance. In making nominations to a taluk board newly constituted, Sir, three brothers belonging to one and the same undivided family were all nominated as members. That is how nominations have been made. That speaks for itself."

Mr. A. RAMASWAMI MUDALIYAR :—"May I know whether they were already members of the old boards that were bifurcated later on; I mean, whether they were elected members of such boards?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"I do not know anything of the old boards or new boards. I find three members belonging to one undivided family nominated as members."

The hon. the RAJA OF PANAGAL :—"Sir, there is a convention that elected members of taluk boards should as far as possible be nominated. Sir, it may have been that in some cases two or three brothers may have been elected, and that when the board was reconstituted they might have been nominated."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"They are three brothers from the same family who have been nominated, and I leave it to the House to judge whether the explanation given is a sufficient one or not."

The RAJA OF RAMNAD :—"May I know the name of the taluk board?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Mannargudi Taluk Board, I believe, it is.

"Then, Sir, with regard to the financial position of the local bodies, what has been done by the Member in charge? As a matter of fact, till last November nothing was done and everything was in a chaos. Distribution was proposed to be made on the recommendation of a committee which took a lot of trouble to examine the matter, but no principle enunciated by it has been wholly accepted. On the repeated questioning of the Finance Department the matter was taken over, and those hon. Members who were in the last House may remember that in March last the hon. the Finance Member made a statement here that more money was being given to the local bodies, that some of the best brains in the Council would be appointed to look into how the money could be best distributed among the local boards, that thereafter there would be no further difficulty with reference to their financial

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stability and all that. That arrangement is still to come. But in the meanwhile we are having district retrenchment committees with the Collector and some other people going into the question of the expenditure of each local board in each place. That is not what we wanted. The proposal was to decide the question of division of expenditure between the local boards and the Government. The matter to be decided was how best the money that is available to be paid from the Government coffers can be distributed among the local boards. What we are going into is another inquiry altogether. Well, Sir, the local boards are in a deplorable condition; they are not able to make any progress, they are not able to form any programme of expansion, because they do not know how they are going to be treated by the Government. The Government have already expressed, through the mouth of the hon. Member for Chingleput, that party interests are being considered in the matter of nominations to local bodies. I do not know whether party interests will play a part in the distribution of grants also. If that is so, we do not know where we shall stand. That is the position to which we have come. Well, Sir, that is the record which the Ministry has with reference to local self-government, and I have already said with reference to education that it has been no better.

"I have to say a few words about excise. A Bill was introduced in connexion with it; but instead of taking opinion on it, 3-30 p.m. much time was wasted on it. Indiscriminate orders were issued and all sorts of things were done which probably would require inquiry. A valuable opportunity was actually lost, and we are now as we began. Thus, in that direction also there has been no progress. That is really the achievement of the party. It is on that question that we should vote to-day. It is on that issue that we have to concentrate our attention to-day. Whether there is any other definite policy by any one else is not the question at all. As I said, these are the achievements of the Ministers and it is on that I very much hope the hon. Members of this House will vote to-day."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, if I intervene in this debate, it is solely and simply with a view to correct certain misapprehensions which have crept into the statements made by some hon. Members from various parts of this House. The hon. Member from Chittoor gave an undertaking, which I think he more or less scrupulously kept, not to tread on the Reserved Half. But in the nature of things it was difficult for other Members succeeding him to keep up the undertaking.

"In the first place, reference has been made by more than one hon. Member of this House in regard to the part played, or supposed to have been played, by the Ministers in the matter of suggestions for nominations of hon. Members of this House. As this is a matter which involves the exercise of prerogative by His Excellency the Governor, a prerogative which he exercises according to his pleasure, I think I have a right, and owe a duty to this Council, to explain the position generally.

"Under the Government of India Act, the right of nominating Members to the Council is vested entirely in His Excellency the Governor. He is entitled to take advice from whomsoever he likes. On the last occasion there was no definite portfolio and he, I take it, consulted such of the gentlemen

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as he liked to ask. On this occasion there was a regular channel of communication and there was a portfolio entrusted to a Member of Government. And His Excellency exercised his discretion and his prerogative in nominating Members of this Council and acted through the regular constitutional channel. It is due to the chivalry and sense of fair play on the part of the Ministers that they did not interfere in the exercise of discretion of His Excellency and did not at all interfere with the Member in charge of the portfolio who is myself. I think it is rather a matter for congratulation that the Ministers refrained scrupulously from interfering in the least with such a discretion.

"I now pass on to the question of the elections. Various suggestions have been made in regard to the manner in which the elections have been conducted and to the influences that have been brought to bear upon them. Let me remind the House that according to the Government Servants' Conduct Rules employees of the district board are prevented from interfering in any way, directly or indirectly, with the elections. Most careful enquiries have been made. On the 24th of August, two months before the elections, the attention of the District Collectors was drawn to this rule, a memorandum was published, and just before the elections the Government made confidential enquiries of the Collectors as to whether either the Government officials or employees of local bodies were interfering in any way with the elections. I am glad to say that no specific charges were made. In certain cases specific names were mentioned and those names were transmitted to the Collectors with instructions to make enquiries. It is due to the innate political sense of our people that so far no authentic case of any interference has been received. But one thing I would mention. The hon. Member for Chittoor has forgotten that the time for preferring election petition is not yet over. According to the regular procedure, a certain number of days may elapse after the elections are over for filing petitions. And at least till that is over it will not be proper either for him or for any one else to indulge in charges on the course of elections with the possibility of judicial enquiry being set on foot. The Government have also made it abundantly clear that the Collectors have got a right, and they are charged with the duty of preferring election petitions wherever there is a real and general grievance. It therefore seems to me that so far everything that could be done has been done with regard to the elections."

The hon. Sir CHARLES TODHUNTER:—"A question was raised at the outset of this debate which seemed to imply so grave a misconception of the attitude of the Reserved side of the Government in the matter of this motion that I think it is desirable that I should endeavour to define what their attitude is. I need hardly say in so doing that the matter is one of extreme difficulty since we are dealing with the first instance of a vote of this kind under a constitution which has no parallel. I need hardly add that the attitude of the Reserved half of the Government generally is to endeavour to develop what is admittedly a transitional and imperfect form of Government by adding conventions which will tend towards the realization of complete responsibility. Now, the motion before the House is that the existing Ministry have not the confidence of the House, and the question is to what extent, if at all, the Reserved side of the Government and the officials are part of the House for this purpose. The House as at present constituted consists

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of four different classes of members: there are 97 who are elected by constituencies; 18 are nominated non-officials and 6 are nominated officials; and 4 are ex-officio Members. As to the elected members, there can be no question. It is not for me even to suggest to them what their duty is in the matter. But inasmuch as I am discussing the constitutional question and as we have had the authority of Todd on Parliamentary Government quoted to us, I hope it will not be considered out of place for me to ask the House to remember another dictum of that authority, viz.:

'A vote of want of confidence, though justifiable in certain circumstances, is open to serious objection if it be hastily or unreasonably entertained for mere party purposes. For no person has a right to bring forward a resolution of want of confidence or a vote of censure in respect to any Ministry, unless he is prepared to assume the consequences of such a proceeding, and the responsibility of placing the Government in a minority.'

"Now, Sir, I understand that we have at least six parties in this House, of whom one says that 'no confidence in the Ministry does not mean confidence in anybody else'; another says that he wishes the House to vote for the motion and for the rest, like Lord Milner, would damn the consequences; a third does not care a rap whether Perumal or Pedda Perumal rules; a fourth says the only question is whether you wish this nightmare Ministry to continue. It was the hon. Member who gave expression to this last statement that quoted Todd to the House. I ask him to remember what Todd has said upon the subject of pressing a vote of 'no confidence' when those who press it are not prepared to assume the consequences, and to consider the responsibility which such a course involves.

"To come next to the nominated non-officials. The question which was put to me at the beginning of the proceedings suggested that the Government had issued a whip to them to vote in a particular way. The answer to that question was an emphatic negative. I do not know that I need say any more except to assure the House that the nominated non-official Members, if they are the creatures of anybody, are not the creatures of the Transferred side of the Government, nor of the Reserved side, but creatures of His Excellency the Governor alone, and creatures with power to differ in opinion from their creator. They represent special interests and will, I am sure, give the vote which they consider these special interests require them to give.

"I now come to the six nominated officials. As regards these, the position is clearly defined in the report of the Parliamentary Joint Select Committee where it is stated that

'all other official members of the Legislative Council should be free to speak and vote as they choose.'

"That is the understanding on which an official member is appointed, and if one of them is free to vote against his Minister, it seems to me it is clear that he is at liberty to vote for him if he is so minded.

"There remain the four ex-officio members, of whom two are pale shivering ghosts of the old régime trying to preserve, in the midst of cries for progress on all sides and in all directions, the traditions of steady and ordered advance in which they have been brought up. These two are balanced, as the Council are well aware, even in the Executive Council by two non-official gentlemen. It has been said that these four are irresponsible at least to this Council and should therefore remain neutral in a vote of this nature.

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On this point again, I would refer to the report of the Joint Select Committee where it is stated that—

'the Members of the Executive Council and Ministers should not oppose each other by speech or vote. Members of the Executive Council should not be required to support either by speech or vote proposals of the Ministers of which they do not approve nor should Ministers be required to support by speech or vote proposals of the Executive Council of which they do not approve. They should be free to speak and vote for each other's proposals when they are in agreement with them.'

"Now, what is the present position? The hon. the Ministers are the subjects of attack, not on account of proposals which they are now making, but on account of some which they have already made and which for the most part received the approval, not only of the Government as a whole, but also of a majority of the late Council. It is now suggested that they should be deprived of the support of the Members of the Executive Council when they are attacked by a new Assembly on account of the same proposals, and it has been further suggested that, if the Members of the Executive Council do not adopt a neutral attitude on the present occasion, they will be creating a very difficult position for themselves in the event of the success of this motion and of another Ministry being appointed. I quite agree, Sir, that the position as above stated is a very delicate and difficult one. But after considering it with all the care of which I am capable, it seems to me that the proper conclusion is that the duty of the ex-officio members of the Council is to support the *status quo* until it is altered by a vote of the House. Their position is not the same as, but it is to some extent analogous to, that of the permanent official in England, who may be expected to carry out a policy of free trade to-day and one of protection to-morrow. I say it is not the same, because it is of course open to them to oppose any policy with which they are not in agreement, but it must be evident to everybody that, unless there is a policy of give and take, no progress in the Government
8-45 p.m. would be possible. This is a position for which very high authority can be cited. Thus did not Burke say:

'All Government, indeed every human benefit and enjoyment, every virtue and every prudent act is founded on compromise and barter.'

"And the late Lord Morley, quoting this, tells us that in France

'such words ought to be printed in capitals on the front of every newspaper and written up in letters of burnished gold over each faction of the assembly and on the door of every bureau in the administration.'

"Is not what he said about France applicable to this country also? I find myself supported by a very high authority in saying that it is. The hon. the Mover in a very illuminating article which he published on Diarchy says:

'He who wants other people to help him to carry a measure in which he is interested will have to help those others to carry the measures in which they are interested. Mutual help of this kind is an essential feature of Parliamentary life, except in countries in which initiative and referendum play a predominant part.'

"Well, Sir, that is the plan on which we are going to work to-day and on which, as the House is well aware, we have been working for the last three years. It is for the House to say whether, in regard to the Transferred departments, it has or has not been a success. It is perhaps presumptuous of me to offer an opinion. But inasmuch as the hon. the Mover has, in the article which I have already quoted, assured me that I have 'no following worth mentioning' it can at least do no harm if I tell the House my

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experience of the results of the last three years compared with the three years which preceded them. The last three years have been a period full of anxieties, which again I cannot describe with a fraction of the eloquence with which the hon. Member has himself described them. Writing in May 1922, he said :

'No member behaves as though he has the support of an electoral majority behind him; no Minister dare assume that accident and good fortune have not had as much to do with his acquisition of office as factors of more legitimate computation. Add to the moral distress of the situation, the empty purses and wrong balances, you have a picture of their sorry plight. Gandhi is a relentless foe; he drives the screw the whole length through and will not spare a single turn if he gets the chance. If the Ministers keep quiet, they are a costly blunder; if they wished to do anything and asked for funds (a contingency that they have so far carefully refrained from creating), why then they are another set of plunderers, native parasites more troublesome and more difficult to shake off than unacclimated ones of foreign origin. So far as constructive work is concerned, he has reduced Government to his own level! It can do nothing; it is at a standstill'

"But I ask myself whether it is correct to say that in this Presidency everything was reduced to a standstill. I think I should not be going too far in saying that, if a bureaucratic Government had been in charge during this period, its tendency would have been to draw in its horns as regards all measures of advance and to conserve its resources for the maintenance of the ordinary services and the maintenance of law and order. Far from this having been the case under the conditions in which we have been living it has been a period of incessant activity, incessant endeavour after progress in the departments conducted by the hon. the Ministers. One hon. gentleman challenged me to say that there had been no new appointments created. I have examined the figures, as rapidly as time allowed, of appointments to the Imperial services. There is an excess of about 30 and that excess is entirely attributable to the advance made in the departments of education and agriculture."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I wanted the whole of the gazetted officers."

The hon. Sir CHARLES TODHUNTER:—"I will collect the figures for the hon. Member."

"More than one hon. gentleman has ridiculed the idea that the transference of one per cent of the expenditure of the Presidency from the Reserved to the Transferred side meant any material change. If the hon. Mr. Patro, instead of saying that there had been a transference of one per cent, had said that in one year the expenditure on the Reserved side had been reduced by 36 lakhs while that on the Transferred side had been increased by 11 lakhs, I think the House would have looked at it differently. If the hon. gentleman had been in the position of the members in charge of the Reserved departments who, with a declining revenue were yet compelled to reduce their expenditure in this way in order that the money might be handed over to the Transferred departments, they would not have thought it a small matter at all. A third hon. gentleman has declared with great emphasis that 2½ years is a long time in the life of a nation."

Mr. M. RATNASWAMI:—"In the history of humanity" (laughter).

The hon. Sir CHARLES TODHUNTER:—"I thank the hon. Member for the correction. If he considers this period a long time in the history of humanity, I wonder what he would call a short one (laughter). Another

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question that has been raised is that of local fund finance. There is much that I could say on that subject, but I think I have said enough on matters of administrative detail.

"I have quoted more than once from the illuminating articles of the hon. the Mover on the subject of Diarchy. May I in conclusion quote him again and revert in so doing to what I said at the beginning of my speech about the responsibility of this House if it is the intention of this motion to displace the existing Ministry while giving no lead as to how they are to be replaced? The words he used were as follows :

'Unless a member is in a position to form an alternative Government or, in other words, is in command of a more or less stable majority of votes, his asking the Ministry to resign could serve no useful purpose.'

"He now says that, if the officials vote, he leaves the diarchical paradox so created to be solved by the liberal statesman who is at the head of the Government. I am sure that, if that is the situation created, His Excellency the Governor will be equal to it, as he would be to any other. But I do venture to ask the House, before they give a vote to this effect, whether it is a proper function of a responsible assembly to devote itself to the setting of diarchical paradoxes for solution."

Mr. C. RAMALINGA REDDI:—"I wish first to deal with some of the minor issues raised to-day, and then with the major issues which I consider to be of the highest importance, both from the point of view of substantial as well as constitutional progress of this Presidency. There have been one or two personal insinuations made, that owing to some private motive or other, we, that have been supporting the Ministry all through, through thick and thin, have suddenly revolted and tabled this motion. I suppose that the further insinuation is that if this is carried, personal ends would be served. My hon. Friend from Chittoor has assured me that he had no intention at all of attacking me personally, and he said that the remarks and quotations made from the proceedings of this Council were intended to speak for themselves. As I have already said in my opening speech there have been two sections in the old Justice Party, the progressive section and the conservative section. The progressive section stood for reform from within the ranks as long as possible, and it is only when they found that all attempts at reform from within were hopeless and also when some of them found that they themselves were not regarded as a desirable element by the official leaders, that the cleavage became open. It may be that for the people who do not read newspapers or keep in touch with the current political events, this thing comes as a surprise. But for the men who have been in the party, who have been attending conversations and conferences, the development which has created this new situation in this Presidency to-day, could not come as a surprise. It is all very well for the hon. Members associated with the Ministers now to get up and say that I was a very good boy, that it was a great surprise to them to see me where I happen to be at this moment and to recall with simulated conservative gratitude what they considered the past in which I co-operated with them so much. They have explained that I was a prominent general and that at a critical moment I have left them. To say because I now move this motion I am inconsistent is the very negation of party loyalty and party organization. I hope this aspect of it will be remembered especially by men who were till

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some time ago my colleagues and that they will not try to confuse the issue to-day by raising this dust of consistency and inconsistency.

"The other point I wish to deal with is that the hon. the Ministers in their defence have been blaming diarchy for the defects pointed out in their administration. There was a time, not so very long ago, when hon. Member after hon. Member and Minister after Minister of the party went about crying that diarchy had become a great success in this Presidency. It seems to me that the tune in which they are now singing is not the same as that which they sang some time ago. If the diarchic system which has remained entire has operated in a different manner from what it did two years ago, then I hope the responsibility for it should be borne by the hon. Ministers themselves since it is not the system which has changed, but it is the way in which they have exercised their power which has created this stir. Now let me recall one or two instances. My hon. Friend the Law Member spoke of the chivalry of his Colleagues in a matter in which they had nothing to interfere. If not interfering in a matter in which they had no connexion is chivalry, by all means let them have it. Let me point out what happened two or three years ago and what happened recently in connexion with certain appointments. When my hon. Friends, Mr. Justice Venkatasubba Rao and Mr. Justice Devadoss, were appointed, as judges, my hon. Friends, the Ministers, claimed the credit for it from the platforms."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"If in the course of the reply, my hon. Friend wishes to traverse the region of the Reserved
4 p.m. half, I take it, Mr. President, that you would give us a chance to reply to his remarks."

Mr. C. RAMALINGA REDDI:—"I am not traversing that region at all. I am referring to what the Ministers and their party did in that connexion. I am not in the slightest degree criticizing those appointments or in any way casting reflections on the manner in which the Reserved half discharged its duty. Recently, another appointment of a non-Brahman was made and there was not so much of jubilation and the party never claimed any credit for it. The inference is obvious."

"My hon. Friend the Leader of the House quoted an old article of mine on diarchy and he pointed out how I had recognized the difficulties of the system. My hon. Friend should know that I wrote not only one article but several articles and he might have anticipated that I would write some more. There is no finality about statements of this kind, especially if articles are to be based on the real working of the system and the experience and the facts revealed from time to time. While I admit all those difficulties, I am not prepared to say that because of that, any Ministry and every Ministry should be regarded as having done the best possible thing under the circumstances. If that view is taken, where is responsibility? I will put this to my hon. Friend, the Leader of the House: does he or does he not believe that under the diarchical system, an element of responsibility is introduced? If he believes that responsibility is introduced, of whom and to whom? Obviously the Ministers are responsible to this Council. But supposing on a Motion of No Confidence,—I use it according to the strict letter of the law—officials and nominated members together constituting something like 37 out of the 128 Members in this House should take sides and that their votes also count for confidence, then all that I can say is that we

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are playing into the hands of those who always hold that these Reforms are a gilded sham. The words of His Gracious Majesty were quoted and widely quoted. So far as the principle is concerned, the interpretation put as to what constitutes responsibility and to whom that responsibility is due, will not be taken away under a different set of circumstances. The general elections would be nothing less than a farce if the verdict given there is not going to be taken into account. Out of 128 Members of this House 30 are nominated."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Only 29 are nominated Members."

Mr. C. RAMALINGA REDDI:—"To that extent you nullify the verdict of the general elections. Some individual or some combination of individuals need only secure 30 votes out of the 98 that are elected in order to constitute a ministry possessing the confidence of the House according to the extraordinary interpretation which we have just now listened to. I am not at all raising my voice against the other points mentioned by the hon. the Leader of the House. It is perfectly true that the diarchical system contemplates mutual help; but mutual help in the transaction of ordinary business is reasonable but not the kind of help which will nullify the verdict and the significance of elections."

The hon. Sir CHARLES TODHUNTER:—"May I make a personal explanation, Sir? The 29 Members whom the hon. the Law Member referred to include nominated non-officials and officials. I expressly said when I referred to the question of mutual help that I was referring only to the four—now three—ex-officio Members."

Mr. C. RAMALINGA REDDI:—"I quite see that. It is well known that the creature may have the right to differ from the creator but he generally prefers to worship the creator. That is essentially a feature of human psychology and this essential feature is not likely to be absent from those classes who, owing to their ignorance or depressed or backward condition, or because of their being numerically small, might not get representation in the usual way by fighting the electoral battle but have to come through the good graces of His Excellency the Governor aided by the Member in charge of the portfolio. I may, therefore, put it that whatever may be the theory, the creatures will continue to worship their creator especially if they realize that their subsequent renomination also will depend on the good grace of the same being. Then, with respect to the official Members, it is perfectly true and if my hon. Friend had quoted me at greater length from the articles that he had studied, evidently with greater care than I have ever bestowed in writing them, he would have found that while the theoretical right of officials to vote as they like is recognized in almost every country, the convention has grown up for the officials to vote together. I am not saying that the convention is good or bad, but I take facts as they are. On only one occasion was the diarchy made patent in this House and that was when the late lamented Sir K. Srinivasa Ayyangar introduced his Irrigation Bill, when the Ministerial half more or less parted company from their Executive Colleagues. But I have never known of a single instance in this House when the officials as a body did not rise to support the hon. the Leader of the House. Nor have I known of a single case in which that further diarchical paradox of a subordinate of an hon. Minister getting up and speaking or voting

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against the Minister. In substance, therefore, my contention is true that if the theories, or rather the defence, of the hon. the Leader of the House ought to be accepted, then we have gone very very far indeed in justifying every one of the criticisms that have been levelled against the scheme by my friends of the Congress party. If we are going in this House to give our final sanction to the views thus expressed regarding the unreality of the whole scheme and its being essentially bureaucratic in character, by all means have that satisfaction. But we and our friends associated with us have to see what course we should follow. Sir, any 30 people who could come in by general election would form a Government according to the scheme, being in a working majority. I am not talking mathematics but I am talking politics. If we analyse, there are so many special electorates which have been introduced for the defence of certain interests more than for generally influencing policies."

The hon. the PRESIDENT:—"Order, order. The hon. Member's discourse has been so very interesting to me personally, that I have had great difficulty in rising; but I would point out we are not dealing with the question of the merits or demerits of the diarchic system."

Mr. C. RAMALINGA REDDI:—"I have to point out, Sir, that I wish that this motion be judged by the votes of the elected Members whatever the result may be. If I am not allowed to do so, it would be no use my pressing it any further. The terms of my Resolution are that the Ministry as now constituted is against the weight of the verdict delivered at the general elections and if I get that majority I claim that the Ministry must go and that is why I am driving home this argument. If it is further considered that in this general election are included members who come from special electorates, landholders, Chamber of Commerce, the University, etc., then the power of the general electorate, the degree to which the general mass in this presidency can influence the conduct of affairs becomes minimized almost."

The RAJA OF RAMNAD:—"May I ask the hon. Member whether the landholders' votes are not required by him?"

Mr. C. RAMALINGA REDDI:—"I want not only the votes of my hon. Friends, the representatives of the landholders, but, if possible, those of the hon. the Executive Councillors also. I am only pointing out the constitutional significance of us, representatives of the people, including the members of the special interests acquiescing in this kind of strange doctrine. My proposition is clear. I do not care whether technically this motion is carried in this House or not. If I get an electoral majority, I certainly will be satisfied. My hon. Friend the Leader of the House told us that we were presenting the statesmen at the head of affairs with a diarchical paradox."

The hon. Sir CHARLES TODHUNTER:—"May I make a personal explanation, Sir? It was the hon. Mover who said that he proposed to present the diarchical paradox, and I was simply quoting him."

Mr. C. RAMALINGA REDDI:—"If the idea is that we are doing this in an irresponsible manner, I beg to disabuse him of that idea immediately. My hon. Friend may be perfectly right in saying that nobody has a right to move a motion like this unless, considering all the circumstances, he or any of those

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associated with him or those who are going to be neutral are more or less assured—we are neither prophets nor astrologers—that a stable alternative government would be formed.

"Let us look, Sir, for one moment at the composition of this House.

4-15 p.m. Progressive parties of various degrees have been returned—

I claimed that, and I do claim it again—in a very large majority. What may be called the Tory members of the Justice party stand by themselves facing the condemnation both in this House and elsewhere with their rump members. I ask, Sir, is it not possible for hon. Members of this House to create from amongst themselves a Cabinet that will, under the circumstances, receive the general support of all progressive groups? If any one says it is not possible, if any one believes it, I think he would be guilty of two prepossessions, each one of which would be enough to prove that he lacks vision, if not also sympathy. One of these is that we are irresponsible and that not one of us puts forth any constructive policy. This is not true. Even my friends the Swarajists, who were referred to as butterflies, who have come here to wreck the Council, would be wrecking in real actual day-to-day politics their own wings and nothing more. After all, the Madras Presidency has enough of practical politicians.

"What my hon. Friend would like to know is what other alternative we have got to propose. I was going to deal with it. I was going to inform the House that, on a famous occasion, Mr. Gladstone declared that the business of the Opposition is to oppose. Therefore there is no necessity for any foreigners to come to our aid with any constructive ideas nor alternative policies. A Vote of 'No Confidence' is strictly a Vote of 'No Confidence.' Hon. Members should vote on that issue; and not on hypotheses regarding the future. I think it was a very wise doctrine. If on an occasion like this, instead of reviewing the present policy of the Ministers and whatever is connected with the conduct of the Ministers, something else is going to be discussed, then there is no meaning in moving the Vote of 'No Confidence' Resolution.

"Further, some of us are asked to state what the alternative Ministry will be, and that question, I hope, has been answered by one who is a great believer in constitutionalism and anything more by way of supplementing that answer would be nothing short of impertinence. I am perfectly confident that so far as I am concerned or any party which is associated with this Motion is concerned, the question of the personnel of the Ministry is out of consideration. The object of a stable progressive alternative policy is that the Ministry should in the last degree be an elected one, and I have not tabled this Motion without considering all the aspects of the question.

"Sir, my hon. Friend, the Leader of the House, put it to us that we have been associated with this Ministry for two or three years, and that it would be undesirable that a Vote of 'No Confidence' Motion should be passed . . . May I ask him what . . ."

The hon. Sir CHARLES TODHUNTER:—"May I say, Sir, that I said nothing of the kind."

Mr. C. RAMALINGA REDDI:—"I am very glad if the hon. the Leader of the House has not done so. It saves me from a very difficult and delicate situation.

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"Now coming to the subject, we have every right to move this Motion after a General Election. It is usual and a routine procedure both in England and on the Continent. To those, Mr. President, who told us that in this House there seemed to be so many groups and asked us how business was going to be conducted without a stable majority, might I retort that the present Ministry does not command anything like a stable majority? If one Ministry loses that support all my hon. Friends the Executive Councillors would nominate both officials and non-officials to enable that Ministry to have a stable majority. Then what objection is there on earth to some other alternative Ministry? It may also command the confidence of the elected majority, claim the same support and same consideration."

The hon. Sir CHARLES TODHUNTER:—"May I ask the hon. Member if he did not say in an interview that the Vote of 'No Confidence' in the present Ministry does not mean a Vote of Confidence in anybody else."

Mr. C. RAMALINGA REDDI:—"I repeat it, because, after the Ministry had been formed, notice of a Motion of this kind was given. Am I wrong?"

The hon. Sir CHARLES TODHUNTER:—"That is what I understood."

Mr. C. RAMALINGA REDDI:—"Sir, I do not want hon. Members who are here as representatives of the people and who are entrusted with the extraordinary responsibility, firstly to their electorate, and secondly of co-operating in working a system which is a difficult system—I suppose I have written more about it than anybody else in India—to feel that in tabling this Motion or deciding to vote for this Motion we did not show more circumspection or caution. Whatever may be the implications of my views, grant for one moment—I would put it tentatively and I do not think Sir Charles Todhunter would dogmatise on a very important subject of this kind—that his argument is unassailable, what would be the effect if any Ministry, however strongly constituted, would continue and should continue and should never be destroyed, and the same three Ministers come here to lead this Council? They too according to the same argument and with this kind of adventitious support would not command the . . ."

The hon. Sir CHARLES TODHUNTER:—"I am very sorry to interrupt the hon. Member. I do not think he is repeating my argument correctly. My statement was that a nominated non-official might vote as he pleased but that the three ex-officio Members would support the *status quo*."

Mr. C. RAMALINGA REDDI:—"I am very glad that the hon. the Executive Council Members are prepared to support any alternative policy. Their support seems to be strictly a mechanical thing (laughter) That is something."

"I have said that whatever may be the theory in practice, it will be found that they will come in support of what is called the *status quo*. Now, if these arguments are granted, the question that I would put to the Chief Minister is whether the old Ministry could not have dealt with the Vote of 'No Confidence' Motion more honourably, and then whether for the sake of official adjustment and greater harmony among themselves they could not have explained the manner in which the Ministry should be reconstructed with a familiar element in it."

"Then again, our charge is not with respect only to the Bills and measures which were supported by us, but it rests on different grounds—

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grounds which could not have been raised in the last Council on account of the fact that the Ministry was just formed and that the feeling that we should support it was very strong. But afterwards we found that the Ministers did not declare what their policy was . . ."

The hon. Rao Bahadur A. P. PATRO:—"The Ministers have declared their policy already. They declared their policy on the 1st of July."

Mr. C. RAMALINGA REDDI:—"I humbly request your protection against this obstruction. This will reduce the debate to the level of a dialogue."

"Sir, I was going to observe that even in the last session there was a certain amount of discontent against the hon. the Chief Minister. You will remember, Sir, that some of my hon. Friends actually tabled Motions proposing the reduction of the Ministers' salaries. Sir, it has been stated that this was due generally to the discontent displayed by some of my friends from the Tamil country. But the Members of the old Council were under the impression that after the new Council a new Ministry would be formed and therefore the matter was allowed to remain where it was. I have only generally to point out one or two things to show how we are fighting for the principle of responsible Government. Yesterday one of my hon. Friends in a speech charged me with insincere aims and said what must be kept in view was, not the vote for this Ministry or that Ministry, not even the vote for a particular party, but the whole cause of responsible Government and constitutional advance."

"Sir, let us see the wise doctrine about the administration of local Governments that was enunciated by my hon. Friend Dr. Subbarayan at the last budget meeting. He declared that the administration should be so carried on as to prepare the people for the discharge of larger responsibilities and for the preparation of a larger expansion of self-government in our country as a preparation for Swaraj. But what do we see? A large number of presidentships in our local bodies have not yet been thrown open to election. We thought it was due simply to a kind of mischance. But no. Yesterday the doctrine was enunciated that there was nothing wrong in appointing party men to those places. This is practically an admission that the 'Spoils system' has been adopted. Mr. President, if certain of these places are to be given on this principle, there is no motive provided for throwing open places for election at all. When a large number of nominations are in hand and a large number of the followers of the party are given these nominations, the greater will be the power of the party—power mechanically developed. Now, is that a sound democratic principle, and is it going to prepare this country for responsible Government either now or in the near future? Sir, for every non-Brahman whom you thus patronize you are depriving the claims of 30 to 35 non-Brahman members of the district or local boards. Is not that injuring the non-Brahman interests? By the appointment of a single man to the detriment of the right vested in some 45 individuals, non-Brahmans as well as Brahmins, you are doing injury to the cause of non-Brahmans also, and you are taking the life out of these district boards."

"I wanted to refer to some other subjects. But, in view of the statement made by the hon. the Law Member I am not prepared to say that the whole matter is not or will not be *sub judice*, and therefore I refrain. As regards nomination I reiterate that they have not been made in

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the spirit in which they ought to have been made according to law. They were intended to help the poor and the helpless, whereas you have been nominating people who stood and failed in the elections. I can quote instance after instance to prove this. People who can command votes are in greater favour than those who, because they cannot command votes, require the special protection of the Government. This is neither democratic nor, excuse me, Sir, even humanity, if you will permit me to say so.

"Sir, as you have already rung the bell and, as I know that you would not like me to take up the time of the Council any more, I will just say one or two words before I sit down.

"This morning in a very important and moving speech my hon. Friend, Dr. Subbarayan, referred to certain sentiments entertained by the hon. Leader of the Justice party. Member after member got up and in the face of the leader said that, so far as this question went, they did not recognize his leadership. It seems to me, Sir, that this is another instance of the dual leadership which has come about as a result of the type of methods which this party has been adopting for a long number of years. On a question which all the world over would be regarded as one concerning national honour, for a big party to say that they differed from their leader is another paradox which is worse than any which diarchy can contemplate."

"It has been asked, 'have you ever tabled any policy?' Hon. Members might look to all the resolutions that appeared on the agenda paper last year (many of them were not taken up) and also the interpellations and then they can see in what direction we were moving. It was at Trichinopoly that I declared my views and I still hold those views.

"My hon. Friend from Chittoor seems to think that, if this motion is carried, the non-Brahman party will disappear. With all due deference to him, let me say that the non-Brahman is of a bigger, more important and more progressive calibre than the old Justice non-Brahman and that all non-Brahmans do not belong to it. He also said that the only alternative to the present Ministry was some Ministry composed of Brahmans. During the last Council, Sir, to the great regret of many, the Brahmans, as such, formed the Opposition. To-day that is not the case. It has been absorbed and substituted . . ."

The hon. the PRESIDENT :—"If I remember, two or three non-Brahmans Messrs. Ranganatha Mudaliyar, Sivasankara Pillai and Narasimha Raju sat on the Opposition benches."

MR. C. RAMALINGA REDDI :—"Sir, I will qualify my statement by saying 'in the main'. That contingency has disappeared and now there are in this House non-Brahmans of different sections who together form a large enough and big enough group to command the attention of this House and to be able to help in the direction of progress. Sir, why was this red-herring of the Brahman element introduced? The Brahman members have declared that they were not non-co-operating with the non-Brahman Ministry and that they were not for the official loaves and fishes. Whatever may be the agency that this Council established, what they required of that agency was that it should, for the good of the country, be genuinely honest and democratic, that it should not surrender the national right a bit to the bureaucracy and that it should proceed without embarking on unconstitutional methods. That is what is required.

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"Sir, I have done. My address, in express terms, declares that the present Ministry, as constituted, is against the weight of the verdict given in the general election. Let not the elected members be misled. Nothing will happen to them if they vote against the present Ministry. Their votes will always be required in the future whatever they may do now. Let them realize that the very principle of responsible Government is at stake. If the Ministry is not going to be responsible to the elected members, to whom else would they be responsible? It is in this specific matter that the present Reform Act differs from the Act under which the old Council worked. If, having the power of enforcing responsibility in us, we do not employ it against a Ministry which secured only its party interests in the administration of the departments entrusted to its care, especially local boards, if, after it has been disapproved of by every impartial man in this Province, irrespective of party or group, if, on such an occasion like this, responsibility is not enforced, I ask, would not the critics of India say 'what is the good of giving them responsibility? They have not got the character to enforce responsibility.' If you think that the existing evil is preferable to an unknown one, would not the bureaucracy be better off than the present irresponsible Ministry? I say so because the bureaucrat being safe in his position, his tenure being secure, has no motive and has no need to enter on these manipulations and manoeuvres which have been the cause of the real dissatisfaction amongst a large number of non-Brahmans in our midst.

"It has been said that the Ministry only carried out the wishes of the Legislative Council and therefore the Members were responsible. No man versed in constitutional practice will say that. The Ministers are the leaders and they must take the risk. They have got the power and therefore they have got the responsibility. They cannot say that they are only sarishtadars to carry out the wishes of the Council and shirk responsibility. Sir, the Joint Committee will soon be visiting this country and they would like to know whether this small measure of responsibility, which has been placed in the hands of the elected members, has ever been employed and if they find that it has never been employed they would come to one of two conclusions only. They will take it that the Indian character is so bankrupt that he cannot assert his right to enforce responsibility and that he is not in a position to employ it either to his own advantage or to the advantage of the country or humanity; or that the Indian Minister is so good and so benevolent that he can be expected to govern the country for the good of the people even if there is no constitution at all.

"The issues I have raised are higher than politics. They touch the higher regions. One of my hon. Friends said, 'let us search our political consciences on this occasion'? Search them. Tell me, is it possible for any self-respecting legislature to give its confidence to a party which has never treated its right to govern as a sacred right which has to be discharged in full, in spirit and in letter.

"This morning in a speech by an extraordinary lawyer who did not blush to trot out to the Council, we are asked, 'is it their purpose to raise their voice against the leadership of any particular individual'—an individual who, after creating division among the party and after witnessing the dissatisfaction that prevailed among the party executive, refused to consent to mend it, who in the district board administration avowedly accepted the principle of exploiting the system and who, for the sake of preferring this individual to that and pushing this man over that man, has deprived the non-Brahman Councillors

[Mr. C. Ramalinga Reddi] [28th November 1923]

of their right to elect men of their own choice to be their presidents and who has not done anything either to respect the people's will or to extend the people's right. That is not the test of any Ministry which calls itself democratic. Government vested the right in the people and that is as it should be. If the Reforms are to be carried through to success, we must enforce responsibility. The bureaucracy itself was a good Government, and has it not been the one justification that has been put forward by them? In this country, where the lower classes are not properly looked after, it is only the third man, the disinterested foreigner, who has to be trusted to do justice between class and class and individual and individual. Have we advanced one inch, one step, beyond that by the constitution of our Ministry? If we have not, then I say, you must vote, in the sacred discharge of your duties as representatives of the people, for this vote of 'No-Confidence'.

"Once again, I assure the hon. the Leader of the House that we, who have had either in a small measure or for a small number of years some experience of responsible administration, have not tabled this motion without a careful analysis of the figures of the general election and without any reference to the responsible circumspection of the administration; and that while asking hon. Members to vote for this motion we are not asking, in any irresponsible manner, without doing our best, though we are not astrologers, to see that by some way or another that primary duty of all assemblies and of all cabinets, that of carrying on His Excellency's Government, is fairly guaranteed."

The hon. the RAJA OF PANAGAL :—"Mr. President, Sir, we have had a full dress debate on the unique motion before the House. 4-45 p.m.

The motion is unique inasmuch as it is the only one of its kind. It is for the first time that such a motion has been moved anywhere in India. In the debate there has been a splendid display of eloquence on both sides of the House. The pros and cons of the proposition have been pointedly brought before the hon. Members of the House. I admit, Sir, that we have had enough of discussion on the subject. I admit too that there has been enough of denunciation and enough of defence. Sir, notwithstanding these admissions, if, at this stage of the debate, I rise to speak, it is not because I felt that I should add to the literature on the subject, but because I feared that I might be misunderstood if, as the Chief Minister, I had not my say on this motion of vital importance to the very existence of the existing Ministry. The motion, Sir, is a direct challenge to the strength and staying capacity of the present Ministry. It is, in spite of the hon. Mover's apology, a reflection on the exercise of His Excellency's right in nominating the Ministers according to the best of his information regarding the relative positions of parties in this House."

Mr. C. RAMALINGA REDDI :—"I rise to a point of order. The hon. the Chief Minister says that, in spite of the apology offered by me, my motion is a reflection on the manner in which His Excellency used his discretion in the choice of his Ministers. Sir, I have already said that if that construction should be put upon it, the whole motion would be out of order. I would be the first to have it cancelled."

The hon. the PRESIDENT :—"The hon. Minister says that this motion finds fault with His Excellency for making these appointments. I do not quite see the point of order."

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Mr. C. RAMALINGA REDDI :—"The implication was that I questioned the prerogative of the Governor in appointing this Ministry."

The hon. the PRESIDENT :—"There is no question of the prerogative of His Excellency the Governor."

The hon. the RAJA OF PANAGAL :—"Not at all, Sir."

"The result of division on this motion may perhaps be claimed as a standard to gauge the strength of the Ministry; whether really the vote on this motion can be depended upon as an unfailing test of the relative strengths of the Ministerial party and the Opposition, however, is a different matter."

"Sir, it must be remembered that in this House, there are the Ministerialists and the Opposition parties and individuals who do not and cannot see eye to eye as much with the Opposition as with the Ministry; parties and individuals whose views are as irreconcilable to the views of the Opposition as to those of the Ministry. If these parties and individuals vote on this occasion with the Opposition, it is due to the tactical move on the part of the hon. Mover. I congratulate my hon. Friend from my own district on his having tabled a motion so temptingly worded as to serve as a common platform for the support from all the non-Ministerialists, be they Swarajists, Khilafats, or Independents. Could the vote then signify the magnitude of the Opposition? From the vote on this matter it may not be possible to arrive at a decision as to the strength of the Opposition."

Mr. S. SATYAMURTI (seated) :—"By whom?"

The hon. the PRESIDENT :—"I cannot take notice of anything unless the hon. Member rises and speaks."

Mr. S. SATYAMURTI (having risen) :—"I simply asked a question as to the decision which the hon. the Chief Minister referred to and said 'By whom'."

The hon. the RAJA OF PANAGAL :—"The Ministry is only a few days old. At this stage, particularly, in view of the high authority, quoted by my hon. Colleague, the Leader of the House, has the Mover a case for making the motion? Has it legs to stand upon? I am afraid, it has not, not even crutches. A cripple can stand upon artificial legs and even the torrential eloquence of the hon. Member for the University could not serve as made-up limbs to the case. He has based his case mainly upon two assumptions :—(1) that the verdict of the electorates as indicated in the recent elections is against the Ministry; (2) that the Ministerial administration in the past has been a failure."

"Of these, so far as the first is concerned, it has been repeatedly pointed out by speaker after speaker on this side of the House that the hon. Mover's estimate of Ministerial strength is erroneous. If the Ministerialists are not in such overwhelming majority as they were in the last Council, they have still a workable majority. There is no justification for the assumption that the verdict of the electorates is against the Ministry. As regards the second assumption it is more serious. It is as gratuitous as it seems to be more or less based on personal prejudice. It is based on incorrect observations, observations made in reckless ignorance or with the deliberate intent to prejudice the Ministerial administration. I wish the speakers opposite levelled their criticisms with a fuller knowledge of details of the administration and with greater sense of responsibility."

[The Raja of Panagal]

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"They questioned the delay in filling the district board president's place in Tanjore and took the Chief Minister to task for nominating the presidents of the Ramnad and North Arcot District Boards. The fact of the matter is that in the case of Tanjore District Board which has asked for the privilege of electing its president and which the Government considered as being fit for having an elected president, some of the taluk boards in the district have been reconstituted during the interval and could not send their representatives to the district board till quite recently. It would have been unfair to the members from these reconstituted boards to allow the election of the president to take place before they could send their representatives to the district board."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"May I know when they were reconstituted?"

The hon. the RAJA OF PANAGAL :—"About a month back."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"May I ask if it was not in 1921?"

The hon. the RAJA OF PANAGAL :—"No, Sir. They were reconstituted only recently. It would have been unfair to the members who had been returned by these reconstituted boards if the election was held during their absence. In the case of Ramnad and North Arcot District Boards, in order to avoid circuitous procedure, the presidents were nominated so as to come into office on the day on which they vacated their places. If this had not been done, they had to be first appointed as members and then nominated as presidents. As regards the appointment of the presidents of the Kistna and Coimbatore Boards Diwan Bahadur M. Ramachandra Rao Garu and Rao Bahadur Ramalingam Chettiyar were not re-nominated. If the hon. Members had known the facts, they would not have had doubt as to Mr. Ramachandra Rao having ceased to be a member under the provisions of the Local Boards Act by not having attended more than three meetings and that the district board did not pass a resolution in time excusing the absence. Diwan Bahadur Balaji Rao Nayudu Garu, who was at the time the vice-president was appointed president on the recommendation of the Collector, who had been consulted. In the case of the Coimbatore District Board, Mr. Ratnasabapathi Mudaliyar's nomination as president was decided upon in 1920 before the introduction of the Reforms, when for special reasons, Mr. Ramalinga Chettiyar was for the time being nominated. After the expiry of the term the former had to be nominated. The president of the Bellary District Board too was recommended by the Collector of the district."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"May I point out that according to the Act, no time is fixed for excusing such delay?"

The hon. the RAJA OF PANAGAL :—"In any case no such resolution was passed by the board."

Mr. P. PEDDIRAJU :—"May I say, Sir, that such a proposition was never placed before the board by the Vice-President."

The hon. the RAJA OF PANAGAL :—"The Minister is not responsible for that."

"Reference has been made to the episode of the Chirala Municipality. My hon. Friend from Chingleput has explained the case with his usual eloquence; as he has pointed out the incident was due to the wire-pulling by

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[The Raja of Panagal]

some of the wealthier men of the place to evade municipal taxation. Advantage was taken of the activities of some of the political agitators. I am glad to say that the people of the place are now reconciled to the continuance of the municipality and, if my information is correct, are glad that the municipality was not abolished. Reference has also been made to the delay in the chairman's election of the Bezvada Municipality. The delay in this case is due to a series of technical objections raised by the chairman. These objections had to be examined both by the Secretariat and by the Advocate-General before decision could be taken and that necessarily took time.

"Sir, much has been made of His Excellency's remarks regretting the financial embarrassment of local bodies and offering advice regarding the relations between the non-official authorities and the salaried staffs of the local bodies. The financial embarrassment of the local bodies is due to the increased salaries of the staff and the increased cost of materials for which the Ministry cannot be held responsible. During the current year, however, an allotment of 17 lakhs has been made for wiping off the deficits of the local boards, deficits due to over-spending by those boards during a number of years both before and after the appointment of the last Ministry. It is in the interests of the Local Self-Government that local boards should not give room to complaints on the ground of slackness. After all these local bodies have been entrusted with enhanced powers only recently and it is no wonder if here and there they have made mistakes. But it is the duty of the Government to point out the mistakes to the local bodies and warn them against their recurrence.

"A great deal has been said about the nominations of the presidents and members of the district boards. They were mostly made on recommendations and greatest care was taken in making these nominations to take into consideration the claims of depressed and unrepresented communities. There is not one board to which a Muhammadan or a member of the depressed class has not been nominated. The real difficulty is there are more applicants than there are places. My friend the hon. the Mover, for instance, applied for a place on the Chittoor District Board and much against my will I could not comply with the request, as there was no place available."

Mr. C. RAMALINGA REDDI :—"May I, Sir, explain that it is a most unfair statement to make? The hon. the Chief Minister soon after I reached Chittoor told me that it would be advisable if I should get nominated and that he would give me the very first nomination. That was over two years ago."

The hon. the RAJA OF PANAGAL :—"Well, Sir, he wanted to be nominated and the Government could not find a place for him."

Mr. C. RAMALINGA REDDI :—"I most emphatically deny it and, as a matter of fact, the hon. Minister said at Ootacamund that he could not appoint me. I did not pay the slightest attention to it. I could always enter by the front door."

The hon. the PRESIDENT :—"Do I understand the hon. Member to say that the Hon. Minister told him that he could not give him a nomination?"

Mr. C. RAMALINGA REDDI :—"I did not ask him for any nomination or appointment, honorary or paid."

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The hon. the PRESIDENT :—" In any case, I think, in a matter like this we are not in a position to say anything and we may leave it to the two hon. Members themselves."

The hon. the RAJA OF PANAGAL :—" I, Sir, accept your decision. In these matters I do realize, Sir, the significance of Gladston's complaint that for every appointment he made he created twenty enemies and one doubtful friend."

" The hon. Mr. R. Srinivasa Ayyangar objected to the raising of the toll fees. The amendment giving this discretion to the local authorities was taken up at the instance of the several presidents of district boards and chairmen of municipal councils. Sir, the hon. Mr. U. Rama Rao referred to the depletion of the medical staff resulting in narrowing the medical relief in the Presidency. Nothing of the sort; the men sent away were only seven sub-assistant surgeons. They were all men in excess. The Government had to do that in observing economy in spending the tax-payers' money. On that account no hospital or no dispensary was closed or suffered in efficiency. On the other hand, a number of new medical institutions were brought into existence."

" So much for the criticisms. As to the progress in departmental administration during the last three years, so far as the Public Health Department is concerned, the department has been thoroughly overhauled. The district boards have been given well-equipped health staffs to attend to the rural sanitation, while the municipalities are encouraged to attend to the urban needs. The Public Health Scheme recently introduced in this Presidency, has met with the approbation of very high authorities on public health. In the Medical Department, a number of hospitals and new dispensaries have been brought into existence, extending medical relief both in the rural and urban areas. A new Medical College and a Medical School for Women have been opened. All this was done with an eye to economy. Expenditure in the departments has been reduced to the minimum required, thereby effecting a great deal of saving of money. The financial position of local bodies has been bettered. The sanitation of the towns and villages is better cared for than before and the communications are greatly improved, so much so that bona fide travellers testify to the progress in this direction. Steps are being taken to spread elementary education. In regard to the question of Indianization, a number of appointments hitherto held by the I.M.S. officers have been thrown open to the Provincial officers."

" Sir, if all this is the result of reactionary policy, I have nothing to say against the assumption that the administration has been retrograde. It is for the House to judge in the matter. It is for the hon. Members to decide whether the criticisms levelled against the Ministerial administration are well-founded or ill-founded. It is for them to reject or accept this motion."

The motion was then put to the vote and declared lost. A poll was taken and the House divided thus :—

Ayes.

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| 1. Mr. A. Chidambara Nadar. | 7. Mr. C. Ramalinga Reddi. |
| 2. " K. Koti Reddi. | 8. Rao Bahadur A. S. Krishna Rao |
| 3. " J. Kuppuswami. | Pantulu. |
| 4. " S. Muttayya Mudaliyar. | 9. " C. V. S. Narasimha- |
| 5. Rao Bahadur C. Natesa Mudaliyar. | raju. |
| 6. " T. A. Ramalinga Chetti- | 10. Mr. C. V. Venkataramana Ayyangar. |
| yar. | 11. " P. Anjaneyulu. |

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Ayes—cont.

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| 12. Mr. M. Gangarazu. | 28. Mr. B. Venkataratnam. |
| 13. " P. Peddaraju. | 29. " J. A. Saldanha. |
| 14. " M. Sitayya. | 30. Dr. P. Subbarayan. |
| 15. " R. Srinivasa Ayyangar. | 31. Mr. Abbas Ali Khan. |
| 16. " Sami Venkatachala Chettiyar. | 32. " Haji Abdulla Sahib. |
| 17. " P. C. Venkatapati Raju. | 33. " T. N. Muhammad Sahib. |
| 18. " A. Ranganatha Mudaliyar. | 34. " Abdulla Ghattala Sahib. |
| 19. " P. Siva Rao. | 35. " V. Hamid Sultan Marakkayar. |
| 20. " T. Adinarayana Chettiyar. | 36. " Abdul Hye Sahib. |
| 21. " C. Gopala Menon. | 37. P. Khalifullah Sahib, Khan Bahadur. |
| 22. " C. Maruthavanam Pillai. | 38. Mr. T. M. Moidu Sahib. |
| 23. Rao Sahib U. Rama Rao. | 39. " Muhammad Moosa Sait. |
| 24. Mr. G. Rameswara Rao. | 40. " Abdul Razzaq Sahib. |
| 25. " S. Satyamurti. | 41. " K. Uppi Sahib. |
| 26. " M. R. Seturatnam Ayyar. | 42. " Abdul Wahab Sahib. |
| 27. " Venkataramana Ayyar alias
V. Pantulu Ayyar. | 43. " Yahya Ali Sahib. |

Noes.

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| 1. The hon. Sir Charles Todhunter. | 33. Hony. Lt. Madurai. |
| 2. " the Raja of Panagal. | 34. Mr. T. N. Marthandam Pillai. |
| 3. " Rao Bahadur A. P. Patro. | 35. " B. Muniswami Nayudu. |
| 4. " Mr. A. R. Knapp. | 36. " A. M. M. Murugappa Chettiyar. |
| 5. " Mr. C. P. Ramaswami
Ayyar. | 37. " C. Muttayya Mudaliyar. |
| 6. " Diwan Bahadur T. N. Siva-
gnanam Pillai. | 38. " P. C. Muttu Chettiyar. |
| 7. Mr. E. W. Legh. | 39. " O. M. Narayanan Nambudripad. |
| 8. " C. Madhavan Nayar. | 40. " B. Obalesappa. |
| 9. Dr. John Mathai. | 41. " C. Ponnuswami Nayudu. |
| 10. Mr. P. L. Moore. | 42. " K. S. Ponnuswami Pillai. |
| 11. " G. F. Paddison. | 43. " K. Prabhakaran Tampam. |
| 12. " C. R. T. Congreve. | 44. " G. Premayya. |
| 13. " J. A. Davis. | 45. " P. T. Rajan. |
| 14. " A. J. Leech. | 46. " P. S. Rajappa. |
| 15. " C. Nicholson. | 47. " B. Ramachandra Reddi. |
| 16. " P. W. Partridge. | 48. " K. V. Ramachari. |
| 17. " A. E. Rencontre. | 49. P. Raman, Rao Bahadur. |
| 18. " S. R. Y. Ankineedu Prasad. | 50. Mr. A. Ramaswami Mudaliyar. |
| 19. " D. Apparu Chettiyar. | 51. The Raja of Ramnad. |
| 20. " S. Arpudaswami Udayar. | 52. Mr. M. Ratnaswami. |
| 21. " P. K. S. Arumuga Nadar. | 53. " J. D. Samuel. |
| 22. " A. V. Bhanuji Rao. | 54. " K. Sarabha Reddi. |
| 23. " N. Devendrudu. | 55. " K. Sarvarayudu. |
| 24. Rao Sahib S. Ellappa Chettiyar. | 56. " K. Sitarama Reddi. |
| 25. Sir P. Tyagaraya Chettiyar. | 57. " R. Srinivasan. |
| 26. Rao Bahadur P. C. Ethirajulu
Nayudu. | 58. " Chavadi K. Subrahmanya Pillai. |
| 27. Mr. Cruz Fernandez. | 59. Diwan Bahadur K. Suryanarayana-
murti Nayudu. |
| 28. " P. Gopalan. | 60. Rao Sahib T. C. Tangavelu Pillai. |
| 29. " Mahabala Hegde. | 61. Rao Bahadur O. Tanikachala Chetti-
yar. |
| 30. Diwan Bahadur M. Krishnan Nayar. | 62. Mr. K. Venkatachala Padayachi. |
| 31. Rao Bahadur K. Krishnaswami
Nayudu. | 63. " R. Virayyan. |
| 32. Mr. V. Madhava Raja. | 64. " P. K. A. Ct. Virappa Chettiyar. |
| | 65. " W. Vijayaraghava Mudaliyar. |

Neutral.

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| 1. Mr. H. Tireman. | 5. Mr. K. Raghuobandra Bellala. |
| 2. " Ari Gowder. | 6. Rai Bahadur T. M. Narasimhaachari. |
| 3. " G. Mallesappa. | 7. Sir K. Venkata Reddi Nayudu. |
| 4. Diwan Bahadur S. Rm. M. C.
T. Pethachi Chettiyar. | 8. Mr. P. Sagaram. |
| | 9. " V. C. Vellingiri Gounder. |
| | 10. " C. Venkataranga Reddi. |

Ayes : 43.

Noes : 65.

Neutral 10.

[28th November 1923]

The motion was declared lost.

Mr. C. RAMALINGA REDDI :—" Sir, as to the result of the motion, may I request you to allow me to see how the elected Members have voted on the motion and to have the figures, if I may ? "

The hon. the PRESIDENT :—" The whole thing will appear in print in the proceedings to-morrow or the day after and the hon. Member can have the figures himself if he can wait a bit."

Mr. C. RAMALINGA REDDI :—" I cheerfully obey the chair."

The Council adjourned to meet again at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, 29th November 1923.

The House met at 11 o'clock, the Chairman (Mr. M. RATNASWAMI) in the Chair.

I

ELECTION OF TWELVE MEMBERS TO THE SENATE.

Mr. M. RATNASWAMI (*from the Chair*) :—" With reference to section 14 of the Madras University Act, 1923, the Council will now proceed to elect twelve members to be members of the Senate according to the principle of proportionate representation by means of the single transferable vote.

" Nominations for these seats will be received by the Secretary at 2 o'clock this afternoon."

Mr. A. RAMASWAMI MUDALIYAR :—" Sir, I should like to raise a point of order on this agenda, item 1 of which says that the election should be according to the principle of proportionate representation by means of the single transferable vote. The Statute clearly lays down under section 14 of the Madras University Reorganization Act that the only constituency which exercises this right of voting by means of the single transferable vote is the constituency of registered graduates. But the constituency of the Legislative Council, which has to return twelve members, has not been given the right of choosing its members by means of the single transferable vote. As a matter of fact, discussion was raised on this specific issue during the course of the debate on the Bill, and the system of single transferable vote was confined only to the registered graduates. My hon. Friend, Mr. Ramachandra Rao, the late Leader of the Opposition (laughter), or the Leader of the late Opposition, if I may correct myself, raised this issue. At page 1545 of the printed Proceedings of this Council for 1923 (that is, the proceedings relating to the discussion held on 1st February 1923), will be found the following words given expression to by myself at that time :

' . . . If my hon. Friend will go through the list he will find that all other electorates are well-defined bodies . . . the Corporation is a constituted body ; the Academic Council is a constituted body ; but the registered graduates are not a constituted body. It is an inchoate body ; its members never meet ; they have no opportunity of meeting each other ; they do not know what the electorate is . . . and that is the reason, the vital reason, why this principle of proportionate representation was introduced into this particular electorate.'

" My hon. Friend Mr. Ramachandra Rao then said :—

' . . . Even in well-defined bodies there is the method of proportionate representation—for instance in the election of persons to the Standing Finance Committee and the Public Accounts Committee . . . Why should then in the matter of election of representatives of this Council to the Senate this principle be considered unsuitable ? There are also other electorates mentioned in the Bill. . . .

and so on. As a matter of fact, the Council held that this principle should hold good only in the case of the registered graduates and that it was unnecessary to apply it in the case of other bodies. I think, therefore, that, in view of the language of the Act and in view of the discussion we had on the Bill, it would be *ultra vires* for the President to elect the twelve members

[Mr. A. Ramaswami Mudaliyar] [29th November 1923]

to the Senate according to the principle of proportionate representation by means of the single transferable vote. I understand that the Registrar of the University has been given instructions to request the President to arrange for the election in any manner he chooses, and I understand further that the method of election was asked to be defined by rules: whether it should be by the system of proportional voting, or whether it should be at a meeting of the Legislative Council by open ballot or secret ballot and so on. But I do not think we can superimpose all these conditions when this system of proportionate representation has been deliberately precluded by the Act and by the discussion that took place on it. I, therefore, think it would be *ultra vires* for the President to regulate this election by means of the single transferable vote."

Mr. C. RAMALINGA REDDI:—"May I point out to you, Sir, who is also a member of the Vice-Chancellor's Committee, that this very point was discussed, and that a tentative proposal of the Registrar that this election also should be held according to the principle of proportionate representation was thrown out by the Vice-Chancellor's Committee, which pointed out the provision specifically restricting this mode of election only for the election by the registered graduates, and that neither under the rules, nor by any power vested in the Vice-Chancellor, could we extend the scope of such election by the single transferable vote to other electorates constituted under the Act, such as the Madras Legislative Council? Under these circumstances, I would suggest to you, Sir, with due respect, that it would be better to postpone this item on the agenda till the hon. the President would be in a position to give a ruling on the point."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, speaking off-hand, I am inclined to the opinion that where a statute prescribes certain electorates as those in respect of which the principle of proportionate representation is to be exercised, no other electorate can exercise the franchise in that manner (Hear, hear). From that point of view, Mr. President, may I suggest for the consideration of this House that we pass on to the next item in the agenda? The matter may be set right later on, as it is quite within the jurisdiction of the President who may, at any time, direct that the hon. Members of this House may exercise that franchise."

The motion that the House do pass on to the next item in the agenda was put and carried.

II

AMENDMENTS TO STANDING ORDERS OF THE LEGISLATIVE COUNCIL.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, under Standing Order No. 75, I have given notice of certain draft amendments to the Standing Orders of the Legislative Council. I move for leave to bring forward those amendments, and I take it that the procedure indicated under Standing Order No. 76 will now be observed."

(At this stage the hon. the President took the chair.)

The hon. the President then read the following draft amendments to the Standing Orders of which notice was given by the hon. Mr. C. P. Ramaswami Ayyar:—

Standing Order No. 46 (1).

For the words 'six clear days' substitute the words 'ten clear days'.

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Standing Order No. 46 (2).

For existing Standing Order No. 46 (2) substitute ' (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 '.

Standing Order No. 49 (3).

For existing Standing Order No. 49 (3) substitute ' (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.

The hon. the PRESIDENT:—"I have now to ask the House whether the hon. Member has the leave of the Council to go ahead with these proposed amendments."

Mr. S. SATYAMURTI:—"Sir, I beg to suggest to the hon. the Law Member, if I may, that he may take this up at the December Session. I shall give my reasons . . ."

The hon. the PRESIDENT:—"The hon. Member cannot make any speech, or offer any suggestion at this stage. He can simply say, 'I object'. Then it is my duty to find out whether the hon. the Law Member has got the leave of the Council."

Mr. S. SATYAMURTI:—"If I can only say that, Sir, I say I object."

The hon. the PRESIDENT:—"Yes; this is one of those instances in which a Member has to object without giving any reasons."

Mr. S. SATYAMURTI:—"If I have got reasons for the objection, may I state them, Sir?"

The hon. the PRESIDENT:—"No; the time of the Council is precious. The hon. Member's objection is quite sufficient under the rules guiding the matter under reference."

The motion was then put to the House and the hon. the PRESIDENT said:—"As 20 members have risen in support of the amendments, I hereby rule that the hon. Member has the leave of the Council to go forward."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, under Standing Order No. 77, when the Member has the leave of the Council to proceed, the draft amendments are to be referred to a Select Committee, of which the President should be Chairman, and the Deputy President and a Chairman of the Council nominated by the President should be members. The remaining members 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."

The hon. the PRESIDENT:—"I have now only to appoint a Chairman of the Council as one of its members, and I appoint the Raja of Ramnad, a Chairman of the Council, for this purpose. The remaining members, six in number, shall be elected by the Council by means of the single transferable vote, and I have to appoint a period within which notice should be given if any Member desires to propose any candidate for election. I fix 2 p.m. to-day as the time within which such notices should be given."

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Item I on the Agenda—Election of 12 Members to the Senate—cont.

The hon. the PRESIDENT:—"Then, with reference to item No. I on the agenda, I believe, the election is to proceed according to the principle of proportionate representation by means of the single transferable vote. That is the usual way in which we do things in this House. At the same time, I do not want to impose on the House any particular procedure. Will the hon. the Law Member kindly tell us what the point is?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, before you arrived, the question was raised and I stated that, inasmuch as the University Act has provided specifically for certain cases in which the election should be by means of the principle of proportionate representation, in respect of electorates not so specified that principle should not be extended. Inasmuch as the question was suddenly raised to-day and has not been referred either to the lawyers of the Crown or to myself, I said off-hand that my tentative conclusion was that the principle of proportionate representation was not strictly applicable. The result is, according to the reference which has come to you, Mr. President, from the Registrar, you can direct the exercise of the vote by post, if necessary, so that the members of the House, if they cannot exercise their franchise to-day, may send their votes by post. It is within your discretion, Sir, to direct that."

The hon. the PRESIDENT:—"Before proceeding further, I should like to know what the wishes of the members generally are. Has Mr. Satyamurti anything to say on the matter?"

Mr. S. SATYAMURTI:—"I have no particular wish, Sir, but I think, constituted as the House is, perhaps it would be better if we have the principle of proportionate representation by means of the single transferable vote."

The hon. the PRESIDENT:—"The hon. Member will see that the Law Member thinks that inasmuch as the Act is silent on the matter, probably I have not got the power to direct that particular method to be adopted in this case, and I do not want to do it."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I may say, Sir, in order to set all doubts at rest, that the matter may be formally referred to the learned Advocate-General and on his opinion you may act."

Sir K. VENKATAREDDI NAYUDU:—"May I say a word, Sir? I take it that it would be agreed that it is one of the recognized principles of the canons of construction of statutes that, when a particular provision has been made with reference to a particular point and it has been omitted in the case of others, it means—and it is taken for granted in courts of law—that that principle does not apply to those portions where it has been omitted. In this case we find that this principle of proportionate representation by means of the single transferable vote has been confined to a particular electorate defined in the Act itself, and where other electorates have been mentioned, no provision similar to that has been made. It stands to reason, Sir, and I take it that any court of law will allow it, that that principle, therefore, cannot be applied to any other election which is contemplated in the Act. I should think, Sir, that the matter is so very elementary that, if I may say so with great respect to the hon. and learned Law Member, it is unnecessary to send it to the Advocate-General."

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The hon. the PRESIDENT:—"Before we go into any legal discussion, I may say, though I am not much of a lawyer myself, that I have rather got a general idea that it is in these elementary matters that we do sometimes stumble badly. So, on the whole, as it is a matter within my discretion, I would prefer to take legal advice. I do so with due deference to the hon. Members who have already spoken and to the other hon. Members who wish to further enlighten me on this subject. So, I have decided to refer the matter to the hon. the Advocate-General, and as soon as his opinion is received, I shall act according to it. That ends the matter."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"With reference to the election itself, may I say a word, Sir? It was said that the voting may be done by post. I suppose we are going to meet here on the 8th or 9th December. Is it not better in that case that we hold the election then instead of having the nominations sent by post and so on?"

The hon. the PRESIDENT:—"The hon. Member is probably right. The hon. the Law Member's suggestion for postponement is only a casual suggestion. It does not bind any body, and certainly it does not bind me. As soon as I get the Advocate-General's opinion, I shall look into the matter carefully and arrange it in such a way that it will be most convenient to hon. Members. I hope they will rely upon me to do that."

III

ELECTION OF MEMBERS TO THE FINANCE COMMITTEE.

The hon. Sir CHARLES TODHUNTER:—"Mr. President, I beg to make the following motion which stands against my name:—

'In accordance with resolution No. 17 passed at the meeting of the Council on 1st April 1921 regarding the constitution of a Finance Committee, this Council do proceed, on a date to be fixed by the hon. the President, to elect six members to be members of the Committee for the remainder of the year 1923-24.'

"On the 27th March 1923, the Council accepted a motion made by me requesting the existing members of the Finance Committee and the Retrenchment Committee to continue to exercise their functions. In making that motion I explained that I did so because the Retrenchment Committee was then engaged in making a very far-reaching inquiry and because it would be a pity to break it up in the middle and possibly recommence a large part of the inquiry. As regards the Finance Committee, there was very little work likely to be arising for them to do during the recess and, therefore, I suggested that the existing Committee might carry on such work as there was, while leaving it entirely to the option of the House to say whether they would have a new Finance Committee or not. Since then these Committees have ceased to exist by the dissolution of the Council on the 11th of September, but we have asked the Retrenchment Committee by an executive order of Government to carry on until the close of their inquiry. Now that a new Council has been formed, it is necessary that we should have a Finance Committee as soon as possible to deal with the large amount of work that has arisen in connexion with the examination of budget proposals, schemes for new expenditure for the current year, supplementary estimates and other matters that are ready for disposal. The method of election of this Committee, Sir, is prescribed by the hon. the President, and the method hitherto pursued is that of the single transferable vote."

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

The motion was put and carried.

The hon. the PRESIDENT :—" Then it remains for me to fix a date for the election. Do I understand the hon. Sir Charles Todhunter to say that this is an urgent matter?"

The hon. Sir CHARLES TODHUNTER :—" Yes, Sir. I think it is rather urgent. We have a number of supplementary estimates that we wish to place before the Committee before introduction at the next meeting of the Council."

The hon. the PRESIDENT :—" The reason why I have asked that question is to allow the House just to settle down a bit, if I may so express it, and probably members may need some little time for sending in their nominations. If I fix any hour to-day, that may not be quite adequate for them. They may like to meet one another and come to some conclusion. I know the decision is with me, but still I should like to hear if any hon. Members wish to offer any remarks by way of advice to me."

Mr. S. SATYAMURTI :—" On behalf of the new members, Sir, who are perfectly new to this House, may I suggest that some time may be allowed to lapse so that we may have an opportunity of knowing one another and elect members who can best represent us in the Finance Committee?"

Mr. C. RAMALINGA REDDI :—" We can take it up at the meeting in December, Sir, if the hon. the Finance Member does not consider that we are prolonging the matter too much."

The hon. Sir CHARLES TODHUNTER :—" So far as I am concerned, Sir, I leave myself entirely in the hands of the House. The result of postponing the election will be, I am afraid, that we shall have to proceed with a certain amount of financial business without the advice of the Committee. I was hoping that a meeting of the Committee might be held to-morrow. The agenda is ready for issue as soon as the Committee is elected."

Mr. M. RATNASWAMI :—" May I point out, Sir, that yesterday's debate 11-30 a.m. has given us numerous opportunities for 'knowing each other?' (Laughter). So I do not see any reason why we should postpone this election of the Finance Committee."

Mr. J. A. SALDANHA :—" I think, Sir, that our knowledge of each other is very limited. We have only discussed a motion of want of confidence yesterday, and as to other matters we know very little of one another. I think some time may elapse before we proceed with the election."

The RAJA OF RAMNAD :—" I am afraid that there will be no opportunity for us to meet each other once we disperse now to find out of what temperament each person is made. Therefore, I should respectfully suggest that we may proceed with the election of the members this afternoon. Following the usual practice in previous years, the nominations may be received in the afternoon after the members have discussed the matter during the lunch hour."

Rao Bahadur C. GOPALA MENON :—" Mr. President, I think the members have known each other long before they came here as members of this Council. As the Finance Committee is an important Committee for the guidance of financial matters, I consider that this question must be settled immediately without any postponement."

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Mr. B. MUNISWAMI NAYUDU :—" I am also in favour of this being taken up some other day for this reason that many of us are not prepared to sit here this afternoon, so that if the election takes place to-day, some of us may not be in Madras for voting. I think that this may be postponed."

Diwan Bahadur M. KRISHNAN NAYAR :—" I only want to say this: the budget has to be discussed in this Council early in March, perhaps in the first week of March, so that the budget has to be made ready by the end of February. I think there will be usually a large volume of financial business to be looked into by this Finance Committee, and it is, therefore, necessary and desirable to appoint the Finance Committee as early as possible. Taking all things into consideration, the better course seems to me to appoint this day or the voting of members of the Finance Committee. Otherwise, I am afraid that we shall not be able to assist the hon. the Finance Member in this work of the budget and also in the work of the Council. Therefore, we must proceed to appoint the members of the Finance Committee forthwith without delay."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" In view of the statement made by the hon. the Finance Member that in case the Finance Committee is not appointed now, he will have to proceed with his business without the aid of the Committee, I think, Sir, it is absolutely necessary to proceed with his election at once. It is far better that Members elected by this House should have an opportunity of examining those financial proposals before the Council deals with them, than leaving it to the hon. the Finance Member to work out the proposals without the aid of the Committee. So it is absolutely necessary to elect the Committee immediately."

The hon. the PRESIDENT :—" In that case, I hereby appoint 3 p.m. to-day as the latest hour for sending in nominations. We may proceed with the election at 5 or 5-30 p.m. Whatever consultation may be necessary may be done by the Members in the meantime."

IV

ELECTION OF MEMBERS TO THE PUBLIC ACCOUNTS COMMITTEE.

The hon. Sir CHARLES TODHUNTER :—" Mr. President, I beg to make the following Motion :—

'That, with a view to the constitution, in pursuance of Rule 33 of the Madras Legislative Council Rules, of a Committee on Public Accounts for the year 1923-24, this Council do proceed, on a date to be fixed by the hon. the President, to elect seven Members to be Members of the said Committee.'

"On the 27th March 1923, in moving for the continuance of the old Finance and Retrenchment Committees, I said :

'I may say, in conclusion, that I do not propose to make a similar motion in connexion with the Public Accounts Committee at present, because the statutory rule relating to the same requires it to be appointed after the opening of the financial year, and the Audit and Appropriation Reports which are required to be laid before it are not expected to be ready till about the end of the year 1923. In these circumstances, I think the best course will be to postpone the appointment of this committee to a date after the general election.'

"Now that the Council has been formed, I beg to make the Motion for the election of the Members of the Public Accounts Committee. There is, however, no urgency about the appointment of this Committee."

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The hon. Rao Bahadur A. P. PATRO :—" I second the Motion."

The Motion was put and carried

The hon. the PRESIDENT :—" As the hon. the Finance Member says that there is not so much urgency about the appointment of this Committee as for the Finance Committee, I shall fix a date for sending in nominations when the Council next meets."

V

ELECTION OF MEMBERS TO THE HOUSE COMMITTEE.

The hon. Sir CHARLES TODHUNTER :—" Mr. President, with reference to Standing Order No. 80, which requires that at the commencement of each session a House Committee should be appointed to consider and advise upon all matters connected with the comfort and convenience of Members of the Council, I beg to move :—

'That, with a view to appoint a House Committee, in pursuance of Standing Order No. 80, this Council do proceed to elect six Members to be Members of the said Committee, according to the principle of proportionate representation by means of a single transferable vote.'

and to ask you to fix an hour before which nominations should be sent. There is no urgency about this Committee also.

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

The Motion was put and carried.

The hon. the PRESIDENT :—" Here also, I shall fix a date and an hour when we next meet."

VI

ELECTION OF MEMBERS TO THE BOARD OF INDUSTRIES.

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" Mr. President, I beg to move :—

'That, in accordance with section 3 (1) (b) of the Madras State Aid to Industries Act (Act V of 1923) and rule 3 of the rules framed under the said Act, this Council do proceed, on a date to be fixed by the hon. the President, to elect two persons to be the Council's representatives on the Board of Industries to be constituted under the Act.'

"The Act provides for the constitution of a Board of Industries. One of its duties will be the disposal of the several applications which are being received from time to time in connexion with the disbursement of the State loans for which a sum of Rs. 8 lakhs has been placed at my disposal. That was done only recently, and so it was possible to bring up the subject only just now, and I request the hon. the President to fix an early date for proceeding with this matter."

The hon. Rao Bahadur A. P. PATRO :—" I second it."

The Motion was put and carried.

The hon. the PRESIDENT :—" Does the hon. the Minister wish me to do this immediately?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" Almost immediately; for, we have only a few months for the disposal of the several applications which are for more than 20 lakhs of rupees, whereas we

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have only Rs. 8 lakhs to be disbursed. The Board should, therefore, set to work almost immediately to dispose of this matter. If the date is very early next month, it will be quite enough."

The hon. the PRESIDENT :—" I shall arrange for this early in December when we meet again."

VII

DRAFT RULES REGARDING THE ALTERATION OF SCHEDULE UNDER SECTION 201 OF THE MADRAS LOCAL BOARDS ACT.

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 the 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., between the items 'Glanders' and 'Leprosy', the item 'Influenza' and between the items 'Plague' and 'Smallpox' the item 'Relapsing fever' shall be inserted."

"Sir, the amendments are merely formal. These diseases, influenza and relapsing fever, have been declared to be dangerous."

The hon. Rao Bahadur A. P. PATRO :—" I second the Motion."

Rao Bahadur C. NATESA MUDALIYAR :—" Sir, I propose an Amendment to this draft rule, and that is, to delete the words

between the items 'glanders' and 'leprosy' the item 'influenza' and.

Sir, influenza (simple) is not a dangerous disease, because it has become so common now all over the Presidency, especially in Madras, that almost every one of us has suffered from it, and I have no doubt that many Members here are even now suffering from influenza (laughter). A cold and cough is enough to constitute influenza. But there is danger only when influenza develops into pneumonia. In England, Sir, it is only influenzal pneumonia that is notified and not mere influenza. If the hon. the Minister for Local Self-Government would change it into pneumonia (acute influenzal), I have no objection. But to say that influenza is to be notified would mean that almost the whole population of the city of Madras should come under the notification. You would only be harassing the people if influenza is to become a notifiable disease. So only pneumonia caused by influenza should be notified."

The hon. the PRESIDENT :—" So, the hon. Member's Amendment is to delete the word 'influenza' and to insert the word 'pneumonia'. Is that so?"

Rao Bahadur C. NATESA MUDALIYAR :—" To substitute for the word 'influenza' the words 'pneumonia (acute influenzal)'. That is the disease notified in England."

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Rao Sahib U. RAMA RAO :—" I beg to second that amendment, Sir. It is always very difficult to find out the difference between ordinary cold and influenza, unless and until influenza develops into pneumonia. Even the ablest physicians are unable to diagnose and find out whether a case on hand is an ordinary case of cold or influenza, and it is much more difficult for ordinary physicians to diagnose the disease. So, mere influenza ought not to be allowed to go into the rule."

The hon. the PRESIDENT :—" The amendment before the House is :
for the word 'Influenza' in the draft rule substitute the words 'Pneumonia (acute influenzal)'."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" May I know from the hon. the Minister for Local Self-Government whether this alteration in the list of dangerous diseases has been incorporated into either the City Municipal Act or the District Municipalities Act? We find that the alteration is now proposed to be made only in the Madras Local Boards Act."

Mr. P. L. MOORE :—" The alteration has been incorporated in the District Municipalities Act. The Government have passed orders making the alteration in that Act as they have the power to do so. But, for the Local Boards Act, the Government not having any such power, this Council has to make the alteration."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, though it is somewhat a matter of drafting, I think there is a puzzle with regard to the amendment proposed. The list of diseases is given in Schedule VI of the Local Boards Act thus: anthrax, chickenpox, and so on. Now we are asked to add pneumonia (acute influenzal). In the construction of a statute, brackets do not convey any particular significance. Therefore, are the terms of the amendment to be construed as referring to pneumonia as equivalent to acute influenza, or acute influenza as equivalent to pneumonia?"

Rao Bahadur C. NATESA MUDALIYAR :—" Then, Sir, let me put it as 'Influenzal Pneumonia'. Influenza by itself is not a dangerous disease, for people recover from it in three days. It is dangerous only when it develops into pneumonia. Influenza has become so very common that almost every one suffers from it or will suffer from it."

The hon. the PRESIDENT :—" The hon. Member would probably like to have the words 'Influenzal Pneumonia'."

Rao Bahadur C. NATESA MUDALIYAR :—" Among the notifiable diseases in England, pneumonia (acute influenzal) is one. But here, if brackets are not wanted, or are objectionable, I would propose 'Influenzal Pneumonia'."

The hon. the PRESIDENT :—" If brackets are allowed in England, why should they not be allowed here? What has the hon. the Law Member to say?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, supposing we have brackets, then the question is whether a person who is suffering from influenza is suffering from pneumonia also, or a person suffering from pneumonia is also suffering from acute influenza. I mean that the brackets have practically no meaning. I have not examined the English Act; but I am prepared to be advised by persons versed enough in Medicine, like our hon. Friend Dr. Natesan."

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Rao Sahib U. RAMA RAO :—" Pneumonia means inflammation of the lungs. Inflammation may be brought about by influenzal germs, or by pneumonial germs, or by tuberculosis germs. In the case of pneumonia (acute influenzal), inflammation is brought about by influenzal germs."

Mr. M. RATNASWAMI :—" I suggest pneumoniae influenza to be the term that may be put in." (Laughter.)

Mr. P. L. MOORE :—" I am afraid the Government cannot do anything without consulting their experts on a question like this. I very well realize that there is a great deal of medical knowledge in this House; but we could not make this alteration without consulting the Surgeon-General. With regard to the disease, it is said that influenza, except in its acute stage, is not dangerous. I think such a statement can be applied to any disease. All that I know is that the disease has taken away the lives of six million people in the year 1918-19. I do not think, Sir, we are in a position to accept any amendment without consulting our medical experts."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" The question was put by my hon. Friend, Mr. Krishna Rao, whether this was extended to the District Municipalities Act. I believe Mr. Moore answered him that a notification was issued extending it to the municipalities. I find that in the Madras City Municipal Act under section 3, there is a definition of the dangerous diseases. Under section 329 powers are given to extend it to the Madras City. In the case of district municipalities section 287 says 'Dangerous disease' means a disease specified in Schedule VI; and I do not remember if the District Municipalities Act has been amended. If so, I would like to know when. In this case no power is given to the executive to notify any disease as dangerous disease under the District Municipalities Act. Now the question is, without applying this to the district municipalities, is it reasonable that these provisions should be extended to the rural areas where medical help is difficult to obtain and, therefore, correct diagnosis is impossible? I want to know if I can oppose the motion itself in view of the fact that my hon. Friend, Dr. Natesan, has moved his amendment."

The hon. the PRESIDENT :—" The hon. Member can certainly do that."

The hon. the RAJA OF PANAGAL :—" Sir, I have no objection to adopt the wording adopted in the English Act."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I only want to say one word, Sir. With the courtesy of my hon. Friend, Dr. Natesan, I have the English Act here before me. There it is clear that two forms of pneumonia are notified. They are (1) pneumonia primary and (2) pneumonia acute influenza. It will be remembered that with regard to these notified types of diseases, all are enjoined not to mix with the public and so forth, and penalties are imposed for any disobedience. I only want to say that the safest course would be to adopt the English Acts if they will meet with the wishes of the hon. Members of the medical fraternity in this House."

Rao Bahadur C. NATESA MUDALIYAR :—" The hon. the Law Member wants to make even common pneumonia notifiable. Common pneumonia is caused by the slightest inflammation of the lungs, consolidation preceding it, and influenzal pneumonia is a different thing. The latter should be notified, but not common pneumonia. If common pneumonia also is sought to be included, let us have a separate day for the discussion. As Mr. Narasimha

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Raju said, what is the use of including the ordinary pneumonia and harassing people where they do not have adequate medical help and aid to diagnose the disease even, especially in villages.

Mr. A. RANGANATHA MUDALIYAR :—" Sir, we do not seem to have begun our work auspiciously to-day. For, Sir, with regard to the first item of the agenda, we have adjourned it before you came, and then, with regard to other matters also, we had to adjourn almost every one to a future date. Even in this case, Sir, we may adjourn the matter so that the Chief Minister may, in the meanwhile, consult his medical experts "

The hon. the PRESIDENT :—" The motion having been made already and an amendment having also been moved, I think the best course would be for both hon. Members, the Chief Minister and the hon. Member Dr. Natesan, to withdraw their motions. Dr. Natesan will probably withdraw his amendment."

Rao Bahadur C. NATESA MUDALIYAR :—" I shall withdraw my amendment if I have the right of moving a similar amendment if the Chief Minister comes back with the same motion."

The hon. the PRESIDENT :—" The hon. Member's right to move amendments is inherent in him." (Laughter.)

Rao Bahadur C. NATESA MUDALIYAR :—" I beg leave to withdraw my amendment."

The amendment was by leave of the House withdrawn.

The motion by the hon. the Raja of Panagal was then by leave of the House withdrawn.

The hon. the PRESIDENT :—" Now let us make the position clear. There is nothing before the House. The whole thing will be carefully examined and a fresh motion tabled by the hon. the Chief Minister."

Mr. C. RAMALINGA REDDI :—" Especially when we are dealing with dangerous diseases, Sir." (Laughter.)

VIII

MOTION FOR REAPPROPRIATION OF FUNDS FROM GRANT XVII EDUCATION—NON-EUROPEAN—TRANSFERRED TO GRANT XVI. EUROPEAN EDUCATION—RESERVED.

The hon. Mr. A. R. KNAPP :—" I beg to move the motion standing against my name—

12 noon. *That the provision of Rs. 66,480 under 'Grant XVII. Education (Non-European)—Transferred' for charges connected with the Reformatory School, Chingleput, and the Certified School for Boys at Ranipet may be reappropriated to 'Grant XVI. European Education—Reserved.'*

"This, I am glad to say, is a matter of mere formality and not as complicated as the other proposals which have been taken up this morning. At the end of April last the Accountant-General called attention to the fact that in entering the charges for the Reformatory School under the Transferred side of the budget we had made a mistake: I do not know who made the mistake, but the mistake has been made. He informed us that we should make the necessary alterations in respect of the current year's budget. All

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that we have to do is to take away Rs. 66,480 from the Transferred budget and show it in the Reserved portion. The reason for this is that the Reformatory and Certified schools fall under the Reserved head."

The hon. Rao Bahadur A. P. PATRO :—" I second the motion."

Mr. S. SATYAMURTI :—" Sir, I tried my very best to follow the hon. the Mover. I do not know if I have caught him aright. But if the Motion is only a matter of accounts, or an audit matter, it may be alright. The Motion, as it is, simply wants that the amount now standing in the budget on the Transferred side should be taken over to the Reserved side. I should like to know how it happens. Is any amount left without being spent, or is any more money required for the European education? Unless the information is given, I am afraid I shall have to vote against the Motion."

The hon. Mr. A. R. KNAPP :—" The budget in respect of these grants is divided into two heads, i.e., 'XVI. European Education—Reserved' and 'XVII. Education—Non-European—Transferred'. These descriptions which were given to us by higher financial authority are not exactly accurate, because the Reserved part of education does not consist solely of European education any more than I think the Transferred half necessarily consists of Non-European education. The former covers European education proper as well as anything else in the Education budget which is dealt with by the Member and not by the Minister. The Member and not the Minister deals with Reformatories. All that we now do is to ask that the money which has been put by mistake under the Minister's part of the budget should be put under the Member's part of the budget. It is not going to be used for European education in the strict sense. It is going to be utilized exactly for the purpose for which it was intended by the old House. We are now told that it is in the wrong place in the budget and I am now moving to put it in the right place."

Mr. C. RAMALINGA REDDI :—" I think, in view of the explanation given, there is no need to oppose this Motion."

Mr. B. Venkataratnam asked in Telugu whether the Education Minister agreed with the explanation given by the hon. the Home Member.

The hon. Rao Bahadur A. P. PATRO :—" The Education Minister agrees with the explanation. It is only a change of place in the account."

The hon. the Minister for Education then proceeded to explain this in Telugu, in the course of which . . .

Mr. C. V. VENKATARAMANA AYYANGAR (*interrupted and said*) :—" I rise to a point of order, Sir. The question is whether the hon. the Minister can speak in Telugu."

The RAJA OF RAMNAD (*from the Chair*) :—" He can do so as he has to explain to a Member."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Speeches in the House are governed by rules. I think a Member can speak in Telugu only if he does not know English well."

The RAJA OF RAMNAD (*from the Chair*) :—" If he has to express himself, he should do it in English. But here he is answering a particular hon. Member who has put him a question in Telugu."

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The hon. Rao Bahadur A. P. PATRO :—"It is not a matter of taking away money from the Transferred Education to the Reserved Education at all. As has been explained by the hon. the Home Member, it is only a change of head. Actually the Reformatories are administered by the Reserved Department. It is only a question of adjustment of accounts."

The RAJA OF RAMNAD (*from the Chair*) :—"So far as I understand, there is no rule prohibiting Members of Government from speaking in vernacular with a view to convince Members who know only vernacular."

Diwan Bahadur M. KRISHNAN NAYAR :—"Rule 14 of the Legislative Council Rules says :

'The business of the Council shall be transacted in English, but any Member who is not fluent in English may address the Council in any recognized vernacular of the Province, provided that the President may call on any Member to speak in any language in which he is known to be proficient.'

"Under the correct construction of this rule, the hon. Mr. Patro, who is fluent in English, cannot speak in Telugu."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I only say that the rules are defective and under the rules he cannot speak in Telugu."

The RAJA OF RAMNAD (*from the Chair*) :—"I think the hon. Member is at liberty to move for the amendment of the rules if he needs it. But I do not think there is any prohibitory rule that a Member of Government or others should not talk in any other language."

Diwan Bahadur M. KRISHNAN NAYAR :—"The rule says :

'The business shall be transacted in English.'

Mr. S. SATYAMURTI :—"I rise to a point of order. We have already heard the Minister in English and Telugu. The necessity of going into the interpretation of the rules does not arise."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"As this is a matter of some importance, and as this question may be raised more than once in the course of various debates, I should like to have a definite ruling on this matter. Under rule 14 of the Legislative Council Rules as expounded by the hon. Member from the West Coast, the business of the Council should be transacted in English. But any Member who is not fluent in English may address the Council in any recognized vernacular of the province. Therefore, two things follow, viz., the business has to be transacted in English as the rule stands. I do not say that the rules may not be altered. But it is a condition precedent to a person speaking in any other language than English that he is not fluent in English. There is a proviso to that rule which says :

'Provided that the President may call on any Member to speak in any language in which he is known to be proficient.'

"I take it that the meaning of this second portion of the rule is that, supposing a person is proficient in Tamil, Telugu or Kanarese, the President may make a choice as to in which language he should speak. I think that is the scope of the rule. As the rule has to be interpreted and often invoked, I want a ruling from the Chair on this point."

Mr. S. SATYAMURTI :—"The hon. the Law Member excluded English when he interpreted the proviso. As I read the rule, it means this : Normally

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the proceedings shall be in English. But any Member who is not fluent in English may address the Council in any other language as Tamil, Telugu, Kanarese and Malayalam (cries of 'Urdu' from the Muhammadan block). I thought Urdu was a classical language. But I shall include it if you want. My submission is that the proviso which runs thus :

'Provided that the President may call on any Member to speak in any language in which he is known to be proficient'

also includes English. A particular hon. Member may be proficient in English and Tamil, or English and Telugu, or English, Tamil and Telugu. I suggest to this House that to meet the contingency where one Member has got to be answered by another Member and if the answerer knows the language of the questioner it is perfectly competent to the Chair to call upon the Member to speak in the vernacular, provided the Chair is satisfied that the questioner is not proficient in English. I do not think that the interpretation put upon the words 'in any language' by the hon. the Law Member is borne out by the rules. I therefore suggest not only as a matter of interpretation, but as a matter of intent, that it certainly means that the Member of the House who knows both English and Tamil or some other language may be allowed to speak in any language provided the President allows him to do so."

The RAJA OF RAMNAD (*from the Chair*) :—"I think the matter ought to be further considered and a ruling given. For our present purpose I think the question does not arise at all inasmuch as the hon. Mr. Patro did not address the House, but addressed the individual member. He spoke to the other hon. Member in Telugu as he could not understand English. The President can permit any member to speak in any language in which he is known to be proficient. I take it that the hon. Mr. Patro is proficient in Telugu also. Therefore, I think, without committing myself, it will be advantageous to proceed with the work and take the sense of the House in regard to the motion of the hon. the Home Member."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I bow to your tentative ruling."

The motion was put and carried and the appropriation was allowed.

IX

A BILL FURTHER TO AMEND THE COURT FEES ACT, 1870, IN ITS APPLICATION TO THE PRESIDENCY OF MADRAS.

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Sir, I desire to introduce this Bill further to amend the Court Fees Act in its application to the Presidency of Madras, and I move that it be read in Council. In so doing, I think it would be necessary to make one or two remarks of a preliminary character. Hon. Members of this House will be aware that this Court Fees Act has been recently amended. I think two opinions have been held as to the effect of that amendment. While not desiring to commit either Government collectively, or myself or the hon. the Finance Member individually to any particular course of action, I think it may be found necessary very shortly to go into the whole question of the rate of fees to be levied under the Court Fees Act. It has been found that the objects which the framers of the amendment had

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in their mind have not only been carried out in the result, and it may also be that the incidence of the court fees has turned out to be more unequal than they were originally contemplated to be. But, as I said, this is only a tentative and preliminary observation. I am trying to make it abundantly clear that any motion to be made will not preclude the Government from further action and the Government, as at present advised, in all probability will take steps to equalize the incidence and, if necessary, to amend the scale.

"Having said so much, let me go to the facts of the matter. Hon. Members will see that there are two points which are referred to in the Statement of Objects and Reasons. The first is the Court Fees Act schedule itself. I think the old amendment was slightly unhappy and the amendment was made in great haste as hon. Members of the old House will readily recognize and what happened then was that, as the amendment of the Court Fees Act stands, the mukthiarnama or vakalatnama or any paper sent by an advocate signifying that he is retained by a party will have to bear a certain fee. As the amendment now stands, it is only the paper signed by the advocate that will have to bear the fees and not that of the vakil or attorney. The question now arises as regards the Criminal Rules of Practice. As per rule 141 of the Criminal Rules of Practice, the matter stands thus. If a vakalat or memorandum of appearance has to be filed on behalf of an accused person, no court fee need be paid. As the rules at present stand, a certain scale of fees has to be paid by the advocate. If the vakil appears, no fee is leviable. In order to remove that inequality to which attention has been drawn, this particular amendment is brought forward. I move that this Bill be read in Council."

The hon. Rao Bahadur A. P. PATRO :—"I second it."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—"Before the Bill is proceeded with, may I ask the hon. Member what the amount of revenue that will be derived by this amendment will be? For, I see in the Statement of Objects and Reasons that this Bill is proposed, or rather this amendment is proposed, in the interests of uniformity and in the interests of revenue. If it is a question of uniformity, I have other remedies to suggest. If it is a question of revenue, let the House know how much the revenue will be, and what the necessity for the raising of this additional revenue is."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, I think that, even from the standpoint of the hon. the Law Member, this Council will not be well advised in proceeding with this Bill."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—"I asked for some information. I have not made my speech on this."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I think not less than about 2½ to 3 lakhs."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, it has been pointed out by the hon. the Law Member that the results expected from the previous Amending Bill have not been realized to the extent expected and that it is necessary to further amend the Court Fees Act so as to equalize the incidence of court fees. It means that even if an amendment is passed by this House by means of this Bill, it is likely to be tentative for the time being in the absence of any definite statement as to the possibilities of further amendments to the Act. We have been told that the object of this Bill is to remove the anomaly that while an advocate who files a

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memorandum of appearance is called upon to pay a court fee, the vakil is not required to do so. May I point out that the circumstances under which that exemption was incorporated in the Criminal Rules of Practice have to be specially taken into account before the so-called anomaly is tried to be remedied by means of this measure? There is a wide difference between the liberty given to an advocate to file a memorandum of appearance without a vakalat and the liberty given to a vakil to file a memorandum of appearance in criminal cases. On special consideration of the circumstances under which persons have to retain vakils to defend them in criminal cases in several rural areas where there are no special facilities and on other considerations, that provision was incorporated in the Act; and no satisfactory reasons have been shown as to why such a provision is to be abrogated just at present. If we have definite information as to the large additional revenue which is likely to be realized by means of this amendment, it would have been a different thing altogether. It is stated that an income of 2 lakhs of rupees or thereabouts may be realized thereby."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I wish, with your permission, Sir, to make a personal explanation which will clear up matters. On account of the previous amendment, we are losing 2½ to 3 lakhs which we might be getting because that amendment applied only to advocates and not to vakils. Under the law as it stands at present, a memorandum of appearance filed by an advocate is subject to the duty, but if a vakil files it, it is not subject to the duty."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"If the amendment now moved by the hon. the Law Member would preserve the state of things which existed before the last amendment, nobody would object to it. But by this amendment, vakils who were filing memorandum of appearance without any duty are now called upon to pay stamp duty. That is the additional burden which is tried to be imposed by means of this Bill. If the present Bill is calculated to guard against the loss of revenue occasioned by the previous Amending Bill, I would not quarrel with that position. But the result of this Bill will be to impose an additional hardship on the unfortunate litigants in criminal cases who will find it difficult to bear the extra fee. I would, therefore, submit that so long as this Bill is not calculated to protect the loss of revenue which is supposed to have resulted by the previous Amending Bill and since it imposes additional taxation, it is my duty to oppose it. If, after a very careful consideration of the question, the hon. the Law Member finds it necessary to equalize the incidence of taxation, he can come forward with another consolidated Amending Bill. But so far as this particular Bill is concerned, it is calculated to increase the burden of persons involved in criminal cases and I have, therefore, to oppose it."

Mr. P. SIVA RAO :—"Mr. President, I rise to oppose this Bill. In the Statement of Objects and Reasons of this Bill a twofold reason is given for the proposed amendment. The first is 'in the interests of uniformity' and the second is 'in the interests of revenue'. Now, before I proceed further, I may explain to the hon. Members of this House the precise state of things before the Amending Act of 1922 was passed. As a Member of the Legislative Council at the time when the Bill was taken into consideration, I know, Sir, what effect it had, whether the revenues were augmented, or whether they suffered in consequence. Before the Bill of 1922 was passed, a memorandum of appearance filed by an advocate, including a barrister, was not

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subjected to any stamp duty. For the first time it was found out just for purposes of revenue that there was no reason whatever why a vakalat filed by a legal practitioner, other than an advocate, including a barrister, should bear the court fee stamp and why the memorandum filed by an advocate should be exempt from such a duty. To remove that anomaly and also in the interests of our revenue, it was proposed and carried that not merely the vakalats filed by the vakils but also the memoranda of appearance filed by advocates should bear the necessary court fee. The certain effect of that proposal was to augment the revenue under the head of court fees and not to reduce it. I say this in order to clear the misconception on the part of the hon. the Law Member. I understand him to say that by reason of this amendment, we have been losing a certain portion of the revenue which we had enjoyed before the amendment was made."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I am afraid my hon. Friend did not hear me aright. I was saying that by reason of the previous amendment having been passed in that form, we were losing some revenue."

Mr. P. SIVA RAO :—"Coming again to the state of things that prevailed before the Amending Bill of 1922 was passed, a vakalat filed by a legal practitioner, other than an advocate, ought to bear a stamp duty of half a rupee, but the memoranda of appearance filed by a legal practitioner on behalf of the accused person need not be affixed with a court fee of 8 annas. That was a special rule framed in the interests of the accused person and not in the interests of the legal practitioners; because, under the Criminal Procedure Code, there is a distinct provision that every accused person should, as a matter of right, be defended by a pleader, and it was thought desirable that by no legislation should such a right be fettered. It was acting on that principle that memoranda of appearance filed on behalf of accused were not subjected to the payment of court fee. There is also a provision in the case of appeals filed by men in jail. If a man in jail files a criminal appeal, the appeal memorandum need not be stamped. All these are based on the excellent principle that the accused should be allowed to have full latitude in choosing his own legal adviser untrammelled by any taxation. Such a beneficent provision in the case of accused persons is now sought to be taken away for the first time by this Amending Bill. In the interests of accused persons, I strongly protest against the passing of this measure. If any inequality is said to exist and it is to be removed, I propose that even the memoranda of appearance filed by an advocate on behalf of the accused should be exempted from taxation. By introducing such a change, we shall be restoring uniformity. I may say for the information of hon. Members of the House that the prevailing practice is that when a legal practitioner files a vakalat, say for the conduct of a prosecution in a criminal case, he ought to pay the necessary court fee. The exemption exists only in the case of memoranda of appearance filed on behalf of the accused. There is more than one reason why such an exemption from payment of court fee should be retained. Hence I oppose this Bill."

Mr. G. RAMESWARA RAO :—"Sir, going to the old state of affairs, the Imperial Act levied court fees only upon a vakalat and a mukthiarnama. Then came the Madras Amendment Bill which taxed also the memoranda filed by advocates. Comparing the old state of things with the present, we have made a decided advance in the matter of revenue. What is now sought to be

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done is to tax us further by saying that the memoranda of appearance which were not taxed hitherto should be made liable to taxation; and it is surreptitiously put forward that they want to remedy an anomaly."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"There is nothing surreptitious about it."

Mr. G. RAMESWARA RAO :—"I beg his pardon. I mean, it is not the very best way to put the case for the Government to say that there was an omission then. It cannot be an omission because everybody connected with the last Bill must have known what the result of the amendment would be at that time. The position is clear enough. If, as a matter of fact, the revenue was raised by taxing the memoranda of appearance filed by advocates, there is absolutely no justification to tax the memoranda of appearance filed by vakils. If at all there is any anomaly in this, I submit that there are lots of anomalies in the field of law which need amendment. For instance, a barrister by virtue of his position, as a relic of ancient history, is allowed to file a memorandum of appearance instead of a vakalat. But when a vakil appears in a court of law he has to file a vakalat signed by the client and attested by a magistrate, as if the vakil's word cannot be taken for truth. This anomaly is perpetuated every day in our country. If such anomalies are perpetuated with eyes wide open, I submit that the fact that this particular anomaly is sought to be remedied now only for purposes of uniformity is an argument which I for my part fail to appreciate. If it is put forward on the ground of taxation, I submit it is not a very good augury for the beginning of the first session of the Legislative Council.

"People are complaining that they are already overtaxed and that the Council has not done anything good for the country. Now, 12-30 p.m. if we add to their burden by giving our consent to the passing of this amendment, we will be subjecting ourselves to their blame.

"Again, Sir, if this amendment is brought forward on the ground of uniformity and as a remedy for avoiding certain anomalies, I submit that remedies should also be found for placing all the legal practitioners on a par. So far as those differences are being perpetuated, the theory of uniformity does not also hold water. On these grounds I oppose the amendment."

Rai Bahadur T. M. NARASIMHACHARLU :—"I also oppose this Amending Bill. I do not know whether the advocates made any complaint at all."

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

Rai Bahadur T. M. NARASIMHACHARLU :—"The hon. the Law Member says that the Advocates made a complaint when they were asked to pay court fees in criminal cases. The best remedy is to exempt advocates also from paying court fees in criminal cases. Instead of doing that, the Government have taken advantage of that complaint to increase their revenue. I submit that is not the proper way of doing things. As Mr. Siva Rao pointed out, it is the right of every accused person in a criminal case to be defended by a pleader. That is a statutory provision made in the Criminal Procedure Code. When that has been conceded by the Act, I cannot see how Government can insist on the accused person paying a certain amount of court fees when he wishes to appear by a pleader. This is a vital objection to the course adopted by the hon. the Law Member.

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"Secondly, in considering the prestige and dignity of the advocate, we lose sight of the poor tax-payer. In the last amended Court Fees Act we have raised the court fees, so far as vakalatnama is concerned, by 100 per cent especially in the mufassal. Where it was only $\frac{1}{2}$ a rupee previously, it is now Re. 1. Who suffers by this enhancement? It is not the pleader, but it is the litigant public who unfortunately have to go to courts. I, therefore, submit that, in trying to remove an anomaly, we are proposing an additional taxation on the people; and what will be the result? The result will be, as the hon. the Law Member has just now told us, a further income of $2\frac{1}{2}$ or 3 lakhs of rupees to the Government. I submit that, if the advocates complained, the only way of removing the complaint is to exempt them from payment of court fees in filing any memorandum of appearance and not to extend the same cause of complaint to other legal practitioners who are practising in the City as well as in the mufassal. I submit, Sir, that on no considerations whatsoever is this kind of enhancement commendable.

"Again, the hon. the Law Member has just now told us that Government is contemplating to revise the Court Fees Act in the near future. If that is so, what is the special hurry. The hon. Member began by saying that the last legislation was somewhat hastily passed. May I point out, Sir, that now also he wants to follow the same example by not only trying to introduce this Bill, but also by seeing that no Select Committee is appointed and that the Bill is passed at once? I, therefore, submit that the procedure adopted in trying to pass this Bill at once is equally hasty as it was in the case of the previous Amending Bill. I may add, Sir, that if this Amending Bill is passed, it will prove to be very burdensome on the poor tax-payer. For these reasons, I oppose the Amending Bill."

Rao Bahadur C. V. S. NARASIMHARAJU :—"Mr. President, hon. Members who were in the old Council would remember that it was not an amendment that was introduced from the Treasury Bench in the original Bill. We, the old members, do well remember the controversy between the vakil and advocate members of this Council. When the Advocate members did not support the vakil element for the reduction of the enrolment fees, the vakil members, perhaps including my humble self, took cudgels against the advocate members and wanted to penalize them. A perusal of the proceedings will clear this matter, and show that Government never wanted to tax this particular item, namely, the memorandum filed by an advocate in any court. Mr. Arumainatha Pillai introduced an amendment at that time, rather with an inconvenient wording. Truly it was hastily accepted by the House. Then the hon. the Finance Member referred to his own experience in the High Court, as Registrar or otherwise, and also to the fact as to how advocates put in their memoranda of appearance and avoided payment of vakalat fees and how he tried to devise one or two methods of compelling the payment of court fees and how he failed in his methods. The whole discussion was then concentrated on the payment of court fees by advocates in civil courts. I do not think for one moment that any advocate of the legal profession should be taxed for putting in an appearance in a criminal case. It is a matter of experience that, when a vakil appears for a complainant in a criminal case, he files a vakalat and the court fees are paid. The hon. the Law Member says not necessarily. All right. But the practice was that, whoever appeared for a case in a criminal court, be he an advocate or a vakil, no court fees were paid on account of appearance for an accused. It was never the intention

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of the Government to revise that method. Even when they introduced the Court Fees Amendment Act, it was simply because the amendment of Mr. Arumainatha Pillai was carried in this House that the advocates were made to pay court fees on memoranda of appearance."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I think I might shorten the discussion. I realize that there is much feeling in this House that the poor accused ought not to be mulcted. I am perfectly prepared to exempt them from payment of court fees after this Bill goes into Select Committee. I am only suggesting this as a way out of the discussion."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Mr. President, the question before the House is whether the court fees shall be payable only in civil courts or, in the case of complainants, in criminal courts also. As far as the question of payment of court fees by a complainant is concerned, it is only a question which can be examined in the Select Committee, and it will be brought before this House after examination by that Committee. The hon. the Law Member is willing to exempt the case of an accused from payment of court fees."

Sir K. VENKATAREDDI NAYUDU :—"As the hon. the Law Member said, when the last amendment was accepted, it was understood that court fees had to be charged on memoranda filed by advocates. We were thinking of only civil suits. Thousands and thousands of batches of civil suits and appeals are being filed in civil courts and the common device for litigants in the mufassal was, instead of paying half a rupee for every single suit, which meant Rs. 500 for 1,000 suits, to pay Rs. 500 for 1,000 or 2,000 such suits and engage an advocate even if one was not available in the locality. It was to put an end to that device that the previous amendment was introduced.

"I have been under the impression that in a criminal case when a memorandum of appearance was put in, be he an advocate or a vakil or any other legal practitioner, no stamp fee was required. Now, Sir, I should like to refer to one other point, and that is, occasions may arise when appearances before a magistrate may be so very imminent. The prisoner may be in jail or may be under peculiar circumstances when, if he is asked to go and fetch stamp, it may take sometime and during that period the man has to be in custody. There are occasions which require immediate appearance before a magistrate and the absence of stamp might involve great difficulties. In order to avoid those difficulties, this privilege, i.e., to have his vakil or legal practitioner appear for him without stamp, was accorded to the accused. It was, I think, intended that it must be given as a concession and privilege to a man peculiarly situated under difficult circumstances when immediate remedy should be made available. The question is whether such a privilege to an accused person placed in embarrassing circumstances applies only to persons in custody, or whether it would be right for the sake of $2\frac{1}{2}$ lakhs or 3 lakhs of rupees that such a privilege and right should be taken away by an amendment introduced in this Council."

Dr. P. SUBBARAYAN :—"Mr. President, when the amendment levying fees on advocate's memorandum was proposed last time, I rose to oppose it. Now, again, I want to oppose this amendment on the ground that it would be taxing the poor man. Very likely, he cannot afford to employ costly advocates. There are small pleaders and private vakils who might be engaged in criminal

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proceedings. They would appear for a trifle and, if this amendment is passed, it would be adding additional burden on the poor man. On this ground, I oppose this motion."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Sir, as will be apparent from the agenda, it was proposed at first that we should proceed with the Bill without referring it to the Select Committee. I fully realize the volume of the weight of opposition in regard to this matter and I am prepared, out of deference to it, to have the matter examined by the Select Committee. As I said, I am indebted to many hon. Members who drew my attention to the history of this enactment. It really arose out of what may be called professional and internecine quarrels. Barristers and advocate members of this hon. House would not support a motion for the reduction of the enrolment fee of the vakil, and the vakil members of the House got up and insisted that the advocates should pay a certain duty on these memoranda. That was the psychological history of this enactment."

Dr. P. SUBBARAYAN :—"May I correct the hon. the Law Member, Sir? The amendment about the filing of memorandum of appearance came first and then came the raising of the fees for the enrolment of vakils."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"In any case, I think considerations somewhat foreign to what may be called intrinsic merits—I say that with all due deference and with the respect I always pay to the decision of this House,—considerations which were not weighty, were brought into discussion. Now, what is suggested is this: it would be a wrong thing to compel the poor accused who sometimes would not be in a position to pay for the stamp duty; it would be wrong to subject him to the payment of that duty. Now, that might be got rid of in the Select Committee and the operation of this enactment may be confined to complainants and other private parties who are concerned in criminal cases and also opportunity may be taken to raise up or level down the stamp duty as the Committee deem fit. It is with that object that I gave the assurance to refer the Bill to a Select Committee. I hope this assurance will satisfy hon. Members."

Mr. S. SATYAMURTI :—"I quite appreciate the hon. the Law Member's response to the eloquent appeal of the Leader of the House yesterday for a spirit of compromise. I quite realize that he has noted the feeling of this House that we do not propose to become parties to taxing justice, taxing the poor man when he is dragged before a court of law. But I am afraid I cannot congratulate the hon. the Law Member in having dragged in a previous discussion and tried to show that barristers and vakils showed their professional quarrels. I am quite sure I can speak for all members of this House whether barristers or vakils or non-barristers or non-vakils."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I referred to the last House only and I did not say that there was internecine feud among the various Members of the legal profession in this House."

Mr. S. SATYAMURTI :—"I am glad of that assurance. We are all agreed that the poor man ought not to be taxed. I quite appreciate the hon. the Law Member's change of mind when he said that he was prepared to refer this Bill to the Select Committee. I take it that before a Bill goes to

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a Select Committee, there ought to be something for the Committee to consider. Let the hon. the Law Member give us this assurance that persons appearing for cases in criminal courts will be exempted from paying this fee on the memoranda of appearance. Even persons appearing for the complainant in the mufassal courts, very often, have to pay this fee on their vakalats."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"They need not pay under the rules."

Mr. S. SATYAMURTI :—"That is a matter entirely for the High Court, and if the High Court feels that the existing rules and practices in this respect ought to be amended, they should insist upon changing the rules."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, the High Court may propose to change the rules making stamp duty compulsory in vakalats. If I asked the High Court to do that, I need not have come before the House and it is because I thought that the sentiments of this House ought to be respected that I have come before it with this Bill."

Mr. S. SATYAMURTI :—"Since the hon. the Law Member has come before the House to take its sense, I would humbly and respectfully submit that the sense of the House is against this taxation. I was saying that if the High Court wanted, they might do it. My point is this: There is nothing to go before the Select Committee and I do not think that this House would agree to the proposal for referring this Bill to a Select Committee. The question is whether the House is agreeable to the principle of making money out of justice. I cannot agree with the hon. the Law Member that even this magnificent sum of 2½ or 3 lakhs should be raised by this kind of taxation. This House ought not to be a party to this kind of making money out of justice."

"Now for the anomaly of it, I am sure there are many other anomalies in dealing out justice; and since we can all allow our legal and legislative consciences to rest quiet over those anomalies, let this anomaly also exist. If the hon. the Law Member is anxious to remove this anomaly on behalf of the vakils, the advocates may also be exempted from paying for stamps in criminal cases; and, the legitimate way of removing this anomaly, if it ought to be removed, is to declare that the advocates also need not pay. The poor clients who go before the courts should not be taxed further. Further, as my hon. Friend said, this is not the proper way of beginning the first session of this Council."

"I only want to ask one question. I am sorry the Leader of the party is not here. We are anxious to know what the lead of that party on this matter is. We were told yesterday, in another connexion, that there must be a spirit of give and take. The Reserved half gave their votes freely yesterday and, is the Transferred half going to give freely the money of the poor clients to the Reserved half? That is a question which this House is bound to answer and I would leave it to my hon. Friends who are the leaders of the party in power with a glorious, magnificent majority of two."

Mr. C. RAMALINGA REDDI :—"One."

Mr. S. SATYAMURTI :—"with a glorious, magnificent majority of one, who are still sitting in office supported by that magnificent majority, to say whether they, in the rejuvenated life in which they glory, out of eternal

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gratitude for the votes they got, are going to ask the House to become a party to this taxation of the poor. I am sure, Mr. President, that whatever might have been the views of the party yesterday, my hon. Friends who represent the poor ryot and the taxpayer, are anxious that justice should be done even though the heavens may fall, and that they will not allow the hon. the Law Member to have the first reading of the Bill passed."

The RAJA OF RAMNAD:—"Mr. President, I think the statement of the previous speaker that the income from the Bill will go to the Reserved half cannot possibly be correct."

Mr. S. SATYAMURTI:—"I never said that."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, having heard the remarks of my hon. Friend, Mr. Satyamurti, I may at once inform the House that I am not going to treat this Bill as a party measure at all. I want to look at it, if I may, from a detached and impartial point of view. As a member of the last Council which passed the recent Court Fees Act Amendment Bill, I may say that that Bill was passed at a time of considerable financial depression. At the time when this Amending Bill was taken into consideration by the former House,—I am speaking from memory and in round numbers—there was a deficit of about 106 lakhs of rupees. It was thought that by an amendment to the Court Fees Act, part of that deficit to the extent of about 35 lakhs could be made good; and it was under those circumstances that that Bill was introduced. It was for those reasons that this House, as it was constituted then, readily and willingly gave its assent to the passing of that measure. Now, looking at this measure from a financial point of view and, bearing in mind the fact that the hon. Mr. C. P. Ramaswami Ayyar says in the Statement of Objects and Reasons of the Bill that this is a revenue measure also, I think no case has been made out for the introduction of such a measure for revenue purposes. Certainly, the financial condition of this Presidency, I am very glad to say, is in a very much better position than what it was at the time when the Amending Bill was introduced and passed. So, having regard to this aspect of the question, it seems to me that there is no need at all for the introduction of this measure, and, from that point of view probably there is no need whatever to send this Bill to the Select Committee. But, if my hon. Friends are inclined to give their assent to the first reading of this Bill, I, for one, would not stand in their way. However, as I have already submitted, it seems to me that there is no need to send this Bill even to the Select Committee.

"Now, with regard to the financial aspect of the question, after all, what is the amount that is sought to be raised by the passing of this measure? My hon. Friend says, the amount will be from 2½ to 3 lakhs, and if he is able to show that there is a real and urgent necessity for further taxing the people for the purpose of carrying on the administration, I venture to think that the House, as a whole, will not stand in the way of the Government. But it seems to me that there is no such urgent and real need on the present occasion. Again, Sir, it was from a sense of duty that the Members of the former House assented to the passing of that Bill. Naturally the people are opposed to taxation and one of the questions they put to many of us in the recent elections was 'Why did you consent to the passing of the Court Fees Bill?' However reasonable our answers were, there was not a single man to accept our reasons as satisfactory. In any case, it seems to me that

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no satisfactory reason has been given by my hon. Friend Mr. Ramaswami Ayyar to pass this measure from the point of view of revenue.

"Sir, I do not wish to dwell upon the other aspect of the question, viz., that of the protection of the accused, because it has been already dwelt upon at considerable length. Of course, there is no need whatever to place the accused in a criminal case under a disability. From that point of view also there is no need to pass the first reading of this Bill and send it to the Select Committee. I am, therefore, inclined to vote against this measure going forward."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I just want to say one or two words. Sir, the hon. Member Mr. Krishnan Nayar said that all the Members of the former House agreed to the amendment of the Stamp Act last time."

Diwan Bahadur M. KRISHNAN NAYAR:—"A word of personal explanation, Sir. What I really meant was that the majority of Members agreed to the amendment of the Stamp Act."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I am glad of that correction. I opposed the last Amending Act and one of my reasons for opposing the amendment of the Stamp Act was that there was absolutely no necessity for that in view of the fact that the necessary sum could have been got by retrenchment or otherwise. The only argument now put forward by the hon. the Law Member for amending this Act is that this might probably give the Government a sum of 2½ lakhs or so. By means of this amendment, it is intended that all memoranda that are filed by vakils for prosecution or for defence should be stamped. If, as is now agreed to, the memoranda filed on behalf of the accused need not be stamped, there is very little revenue that can be expected. So far as my experience goes, there is a different procedure adopted as regards the appearance of vakils for the prosecution. In some cases, the law as it is gives full discretion to allow a vakalat or not, but many courts insist upon a vakalat. It is only in a few cases where a memorandum of appearance is allowed by a court on behalf of the prosecution that the stamp to be affixed is avoided. The cases coming under this description would be very limited. Even under the Court Fees Act some complaints are exempt from stamp duty. In cases of a serious nature if a complaint is given, no stamp is necessary at all. Even in ordinary cases in the case of poor people, the court is given the discretion of dispensing with the stamp for complaints.

"While the law ordinarily gives discretion as regards complaints in any criminal case, why should this additional tax be levied upon a poor man? In any case my view is either for the prosecution or for the defence the memorandum of appearance should not be taxed. I do not think that in the Select Committee an amendment that no fee at all be levied in criminal cases for memorandum of appearance can be brought forward."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do not think that an amendment of such a nature can be brought forward in the Select Committee. That will mean the very negation of the Bill. All that I said was that the exemption of the accused from paying any fee can be achieved in the Select Committee."

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Mr. C. V. VENKATARAMANA AYYANGAR :—“ While that is the case, an Amending Bill may be brought forward some time later. We shall then consider whether its introduction is necessary or not. Either for the accused or for the complainant I am strongly of opinion that no fee should be insisted upon. Sometimes poor servants are ill-treated by rich men and they have to go and file complaints. In such cases vakils will demand no fee. If the complainants are asked to pay a fee of rupee one, it will be rather very hard. Therefore, I agree with my friends on both sides in opposing this measure.”

Mr. P. ANJANEYULU :—“ Sir, I come from a mufassal and those living in the mufassal places are mostly ryots. They have been under the impression that justice can be secured cheaply. I take it that this is so, because in some criminal cases where a private party puts a complaint, it is the Crown that pays for the stamps, etc. I take it that the principle is that King's justice is to be dispensed with free, cheap and to all, rich and poor alike. It is on this principle also, I suppose, even the payment of court fees are exempted in certain cases. I learn from the hon. the Law Member that it will be a source of revenue. If it is a source of revenue I take it that revenue ought to be secured, if I may say so with due respect, not by selling justice.”

Rao Bahadur O. TANIKACHALA CHETTIYAR :—“ Sir, I oppose this motion for the introduction of this Bill to the Select Committee. My Friend, Mr. Satyamurti, who is as usual on the war path, having made certain of the general sense that the House whether on this side, or on the opposite side or on any side, is against this measure, threw a challenge to the Ministerialists to take up an attitude of opposition to him merely for the purpose of opposing him and thereby enable him to tell the country that a measure of taxation, which is opposed by one party, is being supported by the other party. I, for one, am not going to allow him the pleasure of saying outside this House that we are reactionaries (Cries of hear, hear). I agree that this measure is not justifiable. An error has been committed in the past and it is freely admitted that it has been committed to satisfy a spirit of revenge among the several kinds of legal practitioners against each other rather than in the spirit of protecting the interests of the Indian tax-payer or litigants. I would ordinarily consent to a reference being made to the select committee to bring about changes regarding matters which do not appear reasonable on the face of the Bill, but when this Bill consists of only two words—‘ legal practitioner ’ and ‘ advocate ’,—where is the necessity for referring it to a select committee? Generally, Bills are referred to select committees when there are a number of sections and provisions, some of which are considered to be necessary and some others objectionable and might be modified. Is it for the purpose of merely modifying the language of the section which consists of two words?”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Mr. President, Sir, it is not for the purpose of modifying the words but for enabling the sense of the House to be manifested on the proposal that I suggested that the Bill be referred to a select committee.”

Rao Bahadur O. TANIKACHALA CHETTIYAR :—“ Sir, if that is the object, I think that that object must be expressed by the House itself instead of by a few Members, because no amendment has been tabled. Select committees are but delegated authorities to express the sense of the House.

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When the sense of the House is for rejecting a measure of this kind, I think it would not be right to refer it to a few gentlemen constituting a select committee and allow it to be modified in a manner which will be beyond the recognition of its parent. Therefore, if we pass this measure or anything akin to it, we will be nullifying the provision of section 340 of the Criminal Procedure Code, which is a measure passed by the Government of India. This section says that ‘ every person accused before any criminal court may of right be defended by a pleader.’ These persons will be affected by this amendment. I doubt very much whether this House can take away by a measure introduced here what has been granted by legislation passed by the Government of India.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ The Government of India's consent has been obtained, I believe.”

Rao Bahadur O. TANIKACHALA CHETTIYAR :—“ However much it may not be illegal, it is open to question. I do not propose to go into the question of circumventing the right given by a measure passed by the Indian Legislature by a provision passed by the Provincial Legislature. Sir, I think it is not right that people who are obliged to defend themselves against charges brought against them and not by their seeking—in most cases it may be against their will,—should be asked to pay a fine of Re. 1 to the State on a vakalat or memorandum of appearance. If it is a luxury, something out of the way, it is but right that they must be made to pay for a memorandum of appearance, which is only a paper showing that such and such a lawyer appears for such and such an accused, and which has hitherto been in conformity with section 340 of the Criminal Procedure Code. The result of the amendment will be to require that every unfortunate person, who may after all be innocent whatever may be the result, whether he is convicted or honourably discharged, shall pay a fine of Re. 1 to the State. It is the same thing as a fine according to the original sense of the word as used in the English language. It will not be right, whether at the commencement of this Council, or at any stage, that we should sanction taxation for that purpose. If it is a question of uniformity, another Bill may be brought forward to rectify the mistake.”

The hon. Sir CHARLES TODHUNTER :—“ Mr. President, a reference has been made more than once to the question of revenue, whether we really require any revenue under this head. We do require a great deal and, as a matter of fact, the revenue anticipated by the amendment of the Court Fees Act has not been realized by many lakhs of rupees. But I do not think that this is primarily a revenue measure at all. Hon. Members who were present at the last Council will recollect there was no question then raised of the poor man or of the accused. What was the point then in issue? A vakalatnama was required to bear a stamp. We required the same stamp to be affixed to a memorandum of appearance by an advocate. The memorandum of appearance by a vakil escaped our notice. In fact, I may say that in my experience as a magistrate, I cannot remember ever meeting with such a memorandum. It was quite a discovery to me to find that there was this rule in the Criminal Rules of Practice. I think, moreover, that hon. Members have rather lost sight of the wording of the rule since they have laid stress all the time on the hardship of making the poor accused person pay a fee. This rule is that whenever a pleader representing a party

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o a criminal proceeding—not an accused person—does not file in court a vakalatnama from his client, such pleader shall be required to file a memorandum that he is appearing on behalf of the party whom he claims to represent. As I said, when I was a magistrate, and I think my hon. Colleague will bear me out, a memorandum of appearance of this sort was never filed. Vakalats always used to be filed. But the rule has now become better known and the profession have taken advantage of it and now we have reached the position that in some courts vakalats are never filed at all. Only memoranda of appearances are filed.

“A great deal has been said about the King’s justice. Is it the King’s justice, I would ask, to require the tax-payer to pay for a great part of the time of the criminal courts to be spent in inquiring, as it is at present, into cases of civil nature? I think hon. Members present who represent the profession will bear me out in saying that a vast amount of the time and, therefore, of money is wasted in inquiring into petty and frivolous complaints which ought to be brought in civil courts. As Mr. Venkataramana Ayyangar has said, all that is necessary is to give discretion to excuse the poor accused. My hon. Colleague is ready to meet him there. If it is a question of giving discretion to excuse the payment of a fee by a poor man, we are quite ready to do that, but not to allow persons who wish to bring petty and frivolous complaints to make the tax-payer pay for giving him an expensive trial without any charge. We are absolutely ready to meet hon. Members in the matter of discussion how to exempt the poor men, and I do ask this House to let this Bill go to the Select Committee so that they may devise a means for doing what hon. Members wish us to do.”

MR. ABBAS ALI KHAN :—“Mr. President, Sir, I was a member of the Select Committee appointed to consider the last Court Fees Act (Amendment) Bill. The hon. the Law Member, the late Sir Srinivasa Ayyangar, then told us that barristers were not required to pay stamp duty in civil cases as vakils and that to remove the inequality, he suggested that they too should be deprived of their historic privilege and should agree for the levy, as we were living in progressive times. It was not, however, intended to mulct the barristers in criminal cases, and so I consented readily that barristers too should pay the fee on memoranda of appearance required to be filed in civil cases. Sir, after the Bill was first published, I was the first to run up to the late Law Member and tell him that when I had to appear before the courts in Madura and Ramnad, I was asked to pay one rupee stamp even in criminal cases, when he replied that he never contemplated it in the Bill. But reading the section, he admitted there was some difficulty and promised that he would rectify it by an Amending Bill. Now, Sir, when by this Amending Bill even in criminal cases the fee is sought to be levied, the sense of the House is in favour of the poor accused who should not be so mulcted. When there is a case hanging over him already, he should not be called upon to pay this additional fine. I perfectly agree with that view. Sir, there is also another alternative suggested by some hon. Members here that, for the sake of uniformity, the barristers too should be exempted from the payment of one rupee in criminal cases. But my hon. Friend, Mr. Satyamurti, said that justice should not be had on payment only of one-rupee taxation. I am afraid the hon. Member has entirely misunderstood the situation, for we have been allowing ourselves to

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be taxed for the administration of justice; our stamp duties and other fees go towards the administration of justice. Then, Sir, the hon. the Leader of the House has asked us why the tax-payer should be mulcted for the sins of the litigant who rushes to court of law on frivolous or trivial grounds. I personally think that the complainant ought to be made to pay the one rupee and not the accused. The hon. the Law Member has, however, told us that the matter could be looked into at the Select Committee stage, and I agree with him. I, therefore, think that the Bill should be allowed to go before the Select Committee.”

MR. S. MUTTAYYA MUDALIYAR :—“Mr. President, Sir, the hon. the Leader of the House in supporting the motion observed that a good deal of time of the criminal courts was taken up in disposing of cases of a frivolous or a trivial nature and for which remedies could be got in civil courts and said that lawyer members of this House would substantiate his statement. I most humbly challenge that statement, for I feel certain that at the highest only 2 or 3 per cent of the criminal cases may have a civil litigation at the bottom. It may be so only in cases of proceedings under section 145 of the Criminal Procedure Code or in cases of technical theft which arise out of dispute as regards possession of property. I believe these are the only cases where civil disputes are sought to be settled in criminal courts and these cases will not be more than two or three per cent of the total number of cases in criminal courts. The hon. the Leader of the House also asked why the tax-payer should contribute to the luxury that complainants or accused have of support by lawyers. I believe, Sir, that the revenues of the country are raised for the protection of the person and property of the subjects and the person who goes to court goes as a tax-payer as well and he is entitled to have the protection that he seeks. What are courts of justice for and what are taxes paid for are questions which do not arise here. But I should say, Sir, that every individual is entitled to seek for protection of his person and property. In criminal courts certain people have been exempted and on certain people have been imposed a fee and the additional fee that is now sought to be imposed is not justifiable. The hon. the Law Member was of course willing to have the accused exempted from the operation of the present Amending Bill. But, Sir, I really do not see the reason why those who seek justice be taxed and those who are accused and who perhaps put in false defences should escape. My humble submission to this House is that all people who resort to criminal courts should not be made to pay any additional taxation by way of vakalatnamas or memoranda of appearance. My hon. Friend Mr. Abbas Ali Khan, who was a member of the Select Committee on the previous Amending Bill, has told us that it was never the intention of the Select Committee to tax the litigants in criminal cases and that the Bill was only intended to cover civil suits. And if that object of the Select Committee has not been properly carried out by the Statute, the remedy will be to bring an amendment to the Act so as to include even advocates among legal practitioners required to pay fees in civil cases and not, as is proposed by the present Bill, to extend the levy to criminal cases. My hon. Friend, Mr. Satyamurti said that the party in power which leads by a glorious majority of one, as he said, has not given the lead in this matter and in spite of his challenge, the Leader on the Ministerial Benches has not yet told us what the view of the party is on the matter. Mr. Satyamurti said

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that the party was leading by a majority of one, but, Sir, I think he is not correct. It seems to be leading by a minority of two for, Sir, the voting of yesterday. . . ."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—"Mr. President, is the voting of yesterday relevant to the discussion on this Bill?"

The hon. the PRESIDENT :—"I may say at this stage, probably to the convenience of hon. Members, that I am going to make an announcement just before we rise for lunch as to what exactly is the voting. So, if hon. Members will keep patient just for a few minutes, they will be gratified to have the actual figures of the voting. The hon. Member, Mr. Muttayya Mudaliyar, may now go on with the Court Fees Act (laughter)."

Mr. S. MUTTAYYA MUDALIYAR :—"The remark was made about the party in power and if, Sir, you think it is not necessary, I will leave it there. I submit to this House that there is absolutely no reason for allowing this Bill to go to the Select Committee. The hon. the Law Member was kind enough to say that the Select Committee can consider the question of exemption of the accused. His estimate by way of revenue was about 2½ lakhs and if the accused is exempted from payment, I take it that the additional income will only be about half of it. From the statement of the hon. the Finance Member it did not appear that the Government was in need of this additional income. And even if further revenues were needed, I wish once more to reiterate the statement already made that it is not advisable to introduce this Bill at the very first meeting of this Council. I wish to call upon the Ministers to give us the assurance that they do not treat this as a party measure and give the lead to this House by asking it to vote unanimously against it."

Mr. C. MUITAYYA MUDALIYAR :—"Sir, as a new member of this House, I do not want to give my support at the very outset to a proposal for additional taxation. Whatever anomalies there may be in the existing law, and I am afraid there are too many of them, I do not want to meet them by proposals involving additional taxation. The hon. the Law Member can seek to remove the anomalies that at present do exist without an additional levy of this kind. That, Sir, is the feeling of all parties in this House. I do not think, Sir, it is necessary to refer it to a Select Committee, and I strongly oppose the motion."

Mr. R. SRINIVASA AYYANGAR :—"Mr. President, Sir, I am one of those who believe that Government have absolutely no right to make any money or profit out of the administration of criminal justice and that criminal courts ought not to be used as media for getting income to the State. If I understood the hon. the Leader of the House aright, he made a significant statement that a great deal of time of the criminal courts was being taken up by disposal of petty or frivolous complaints or complaints of a civil nature. If that is really so, sufficient remedy is provided for in the Criminal Procedure Code itself. Section 203 of the Code confers on the magistracy powers enabling them to dismiss complaints of a civil nature or frivolous or vexatious complaints. To ignore the remedy that exists at present and to penalise a large number of persons

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who unfortunately are driven to criminal courts is arguing in a vicious circle, and I am sorry to say that the time taken by the courts in this direction is not altogether a defensible point. It is a matter of common knowledge that for nearly sixty years, ever since the Act of 1861 was placed on the Statute Book, accused persons have not been asked to pay a court-fee and legal practitioners were appearing on their behalf. Time was, years ago, when we appeared on behalf of the accused, we said simply: 'we appear for so and so, accused' and we never used to file a memorandum. Thereafter, the rule 141 of the Criminal Rules came into operation and since then we have been simply filing memoranda of appearance. There is no reason or justification, and no case has been made out for taking away the privileges which have been enjoyed hitherto without any question and without any interruption for a long number of years. And it is also a matter of common knowledge that accused persons are obliged to incur heavy charges and I believe it is within the recollection of this House that quite recently even the price of copy stamps has been raised from 2 to 3 annas. All things considered, I venture to submit, it is incumbent upon us to vote against the introduction of this Bill."

X

APPROVAL BY HIS EXCELLENCY THE GOVERNOR OF THE ELECTION OF DEPUTY PRESIDENT.

The hon. the PRESIDENT :—"Before the House rises for lunch, I have to inform hon. Members that His Excellency the Governor has been pleased to approve the election of Diwan Bahadur P. Kesava Pillai as Deputy President."

XI

ANALYSIS OF VOTING ON THE 'NO CONFIDENCE' MOTION.

Mr. C. RAMALINGA REDDI :—"Mr. President, with reference, Sir, to the debate which took place yesterday, I beg to thank you for having allowed a question of which I gave private and, I am afraid, very inadequate notice. I wish to know, Sir, if any analysis has been made of the votes that took place yesterday, especially with reference to one of the points mentioned in the terms of the address, namely, that the composition of the Ministry was against the deliberate verdict at the general election. Sir, you will be laying us all under a very great obligation indeed, if you will kindly inform this House how many of the elected Members voted for the address, how many of the elected Members voted against and how many of the elected Members remained neutral."

The hon. the PRESIDENT :—"It is a very unusual request, but I take it, it is due to the unusual circumstances. I hope it will not be made a precedent binding myself or my successors. I think hon. Members are aware that 108 Members voted, 43 for and 65 against the motion. All the 43 Members who voted for the address were elected Members (Applause). Of the 65 Members who voted against the address, 44 were elected Members."

Mr. C. RAMALINGA REDDI :—"Including the Ministers, Sir?"

The hon. the PRESIDENT :—"The Ministers are also elected Members."

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Mr. A. RAMASWAMI MUDALIYAR :—" Do the 48 who voted for the address include would-be Ministers ? "

Mr. C. RAMALINGA REDDI :—" We are not in the confidence of His Excellency, Sir. "

The hon. the PRESIDENT :—" I thought the hon. Members were anxious to get me to give some information. If they want to give information to each other, they can do so immediately--during the lunch interval. "

The hon. Rao Bahadur A. P. PATRO :—" May I, Sir, ask with your permission, with reference to the votes of yesterday, how many of those who voted for the Motion were Swarajists, how many Nationalists and how many non-Brahmans ? "

The hon. the PRESIDENT :—" That I cannot give for the obvious reason that we keep no record of the parties to which Members belong. Hon. Members are aware that parties in all countries are liable to change. They are peculiarly liable to change in Madras just now. And I have no right to give that information without the permission of the hon. Members themselves. I can only say whether they are elected or not. "

" I think I was saying that, of the Members who voted against the address, 44 were elected, 5 nominated officials, 13 nominated non-officials and 3 ex-officio Members. So the 65 is composed of 44 elected Members and 21 non-elected Members. In addition to this, I should say that 10 Members remained neutral of which one was a nominated official, 3 nominated non-officials and 6 elected non-officials. I presume that that information satisfies all hon. Members. "

Mr. C. RAMALINGA REDDI :—" I beg to thank you, Sir. "

The Council then adjourned for lunch at 1-30 p.m.

A BILL FURTHER TO AMEND THE COURT FEES ACT, 1870, IN ITS APPLICATION TO THE PRESIDENCY OF MADRAS—cont.

The Council re-assembled at 2-30 p.m. with the Raja of Ramnad, Chairman, in the Chair, when the discussion on the Court Fees Act (Amendment) Bill was resumed.

Mr. J. A. SALDANHA :—" Mr. President, Sir, I would like to propose an Amendment in the sense of the proposal that fell from the hon. the Law Member, namely, that of excluding the accused from the operation of the Bill, if I am not out of order. "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, this is hardly the time for the moving of Amendments. "

The RAJA OF RAMNAD (from the Chair) :—" The Motion simply is that the Bill to further amend the Court Fees Act be read in Council, and the House is now discussing that Motion only. "

Mr. J. A. SALDANHA :—" In that case, Sir, I would propose the rejection of this Bill (cheers), and avoid all trouble. It is a fundamental principle of the British constitution, and, I believe, also of the British Indian constitution that Government should not sell justice, and any revenue derived from the court fees should not be more than the cost of the expenditure on the establishment and the maintenance of the Courts of Justice. My impression, and I think it is a correct impression, is that the income of the Government from court fees more than covers the cost of expenditure on the establishment and the maintenance of the courts. If that is the case, I

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would emphatically protest against any increase of taxation which goes beyond the reasonable limits of the fundamental principle of any administration, that is, that court fees should not exceed the actual expenditure on courts. Here, in this Amending Bill, it is proposed to levy a taxation which would be quite iniquitous so far at least as the accused, if not other parties, are concerned. And if the revenue is really in excess of the expenditure on the maintenance of the courts, I do not see any reason why we should not go back to the old state of things which had existed before the previous Amendment of the Court Fees Act. It is admitted, Sir, that that Amendment was conceived in a spirit of vindictiveness. . . . "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" It was never admitted, Sir, that it was conceived in a spirit of vindictiveness. All that was admitted was that developments of vindictiveness took place. "

Mr. J. A. SALDANHA :—" There was some such impression, Sir. Anyhow from what has been stated by some hon. Members, we understood that it was conceived in a spirit of vindictiveness. From all accounts, I find that it was due to some sort of pique against a certain class of legal practitioners that the Amendment had been brought about, and if that was the case, I do not see any reason why we should retain this clause. I would, therefore, propose that the Bill should be rejected. "

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, Sir, with your leave, I propose to make a statement which I see will be generally acceptable to the House. The discussion that has proceeded so far has disclosed, I think, three facts; that this Council in its very early infancy does not desire to commit itself, directly or indirectly, to what may be called a taxation enactment. That seems to be the first sentiment animating this Assembly. The second point is that so far as the accused persons in criminal cases are concerned, they ought not to be compelled to pay anything by way of court fees. "

" On the first point I shall have very little to say though my hon. Colleague the Finance Member might have to enter a caveat with reference to the principle animating the House. As to the second point, I have already stated that that point entirely meets with my sympathy. I really see that there may be cases of hardship and indeed of impossibility where it may not be financially possible for the accused to purchase the court-fee stamps, or it may not be possible for him physically to do so. And, therefore, the possibility of amending this Act so as to exempt the accused is a matter which will engage the attention of the Government. Now, the position as it stands is that an advocate has to pay one rupee, two rupees or three rupees in all cases, whether he files a memorandum of appearance or not. That anomaly which is generally admitted will have to be removed and, therefore, a Bill has to be brought forward and will be brought forward for that purpose, and if, as I conceive it, it is the sentiment of the House that a Bill removing that anomaly and exempting the accused person from payment of court fees is necessary, I am perfectly prepared to bring forward a separate Bill in that behalf. I may say at once that I do not desire it to be understood as giving any undertaking that in any Bill to be brought forward, the complainants will be exempted. That is a thing on which I do not desire to be understood as

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giving any undertaking. Subject to that, and with the permission of the House, I would withdraw this motion, with permission to bring in another Amending Bill."

The motion was by leave withdrawn.

XII

THE TUTICORIN PORT TRUST BILL.

The hon. Sir CHARLES TODHUNTER :—" Mr. President, I beg leave to introduce a Bill to make provision for the regulation, conservancy and improvement of the port of Tuticorin and to move that the Bill be read in Council, and I hope nobody will think that this is a taxation measure (laughter).

"As the Council are aware, one of the most urgent essentials, if there is to be any real development of the resources of the Presidency, is the development of the means of communication. Under this head, there are three principal requirements, improvement of roads, improvement of railways and improvement of harbours. Roads are a matter for the local bodies and railways for the Government of India. The development of new harbours is generally a matter in the first instance for the Local Government.

"The position under the law is somewhat complex. There are two classes of dues levied at ports, viz., dues on the tonnage of shipping which are applied in the main to purposes connected with the safety of ships and mariners, and dues collected on goods and passengers which are applied to improving the facilities for the handling of cargo and for the convenience of passengers. Both go into special funds, the former administered by the officers of the Port Department, the latter by the harbour authorities. These authorities again fall into three categories, viz., (1) Landing and Shipping Fees Committees, (2) Port Conservancy Boards and (3) Port Trusts.

"The Madras Outports Landing and Shipping Fees Act, 1885, provides only for the levy of dues on goods imported into a port at rates fixed by Government and for the expenditure of these dues by Government through the Presidency Port Officer. There is no specific provision for any committee to administer these dues. It is customary to appoint committees to advise the Presidency Port Officer regarding the necessities of these ports, but these committees have no statutory powers.

"A Port Conservancy Board represents an advance on this stage but not a great one. The Indian Ports Act, 1908, provides for the appointment of a conservator of each port and there are certain sections under which power can be given to the conservator in regard to the employment of establishment, the carrying out of works, the provision of buoys, lights and other matters. The Act further admits of these powers being given to a body of persons. For want of a better law, therefore, the practice has grown up of appointing boards under this Act and giving them certain restricted powers in the larger of the minor ports.

"Port Trusts are confined to the major ports of Calcutta, Bombay, Madras, Rangoon, Chittagong and Karachi, and they have practically full powers.

"The present position in this Presidency is that we have a Port Trust only in Madras, Port Conservancy Boards at Cochin, Tuticorin and Cocanada; and Landing and Shipping Fees Committees at nine minor ports. I think it will

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be clear to the Council that now that we have large schemes of development in hand, it is essential that we should be able to give to the representatives of the interests concerned at the ports which we are developing much larger powers of taxation, expenditure and finance than they at present possess.

"The way to do this appears to lie in constituting at these ports Port Trusts on the lines of those at Calcutta, Bombay, Madras, Rangoon, Chittagong and Karachi. The three ports which we have selected for an advance are those of Cochin, Vizagapatam and Tuticorin. As the Council are aware, we have already embarked upon most important works at Cochin which have cost us up to date a sum of about twelve lakhs of rupees, in co-operation with the Darbars of Travancore and Cochin, and we are anxious to create a Port Trust there as soon as possible. The matter has been delayed till now owing to the difficulty in securing an agreement between all the parties concerned, viz., the Government of India, the Government of Madras and the Travancore and Cochin Darbars, and to the complex nature of the legislation that will be needed owing to the different Governments and territories that are involved. In the case of Vizagapatam, the attempt has hitherto been to work through the Bengal-Nagpur Railway and that fact and difficulties connected with the settlement of a scheme of finance for the harbour have hindered the introduction of a Port Trust there. In the case of Tuticorin, there are no complications of this sort, but another complication, namely, the proposal to reopen the question of the Pamban canal, has retarded action in connexion with the harbour for some considerable time. That scheme having been finally abandoned, we are now in a position to proceed with the development of the harbour as an independent scheme, and to enable us to do so the first thing to be done is to secure a proper Port Trust Act. When we have got one passed in the case of Tuticorin, we shall, I hope, be able to follow it in rapid succession with Bills based on the same model for Cochin and Vizagapatam.

"As regards the substance of the Bill, the Council will doubtless remember that we recently introduced very considerable amendments to the Madras Port Trust Act in order to bring it up to date. We have now embodied these amendments in the Bill for Tuticorin and, with the assistance of the Legislative Department, have revised the whole wording of the Act and imported several provisions from those in force in the other large ports. We hope that as a result the Bill will prove satisfactory to the Council and enable us with effect from the date on which it is brought into force to establish a semi-independent local body which will devote itself to the development of what we hope will soon become a major port, in which case it will pass from our control into that of the Government of India.

"I need hardly add in conclusion that, though the notice given has been short, there is no intention at all on the part of the Government to rush the Bill through. The only point arising at this stage is whether Tuticorin shall have a Port Trust. That is a question that has already been sufficiently considered and I believe that there are no two opinions upon it. The details of the proposed measure will be fully examined in the Select Committee and thereafter in the Council.

"I beg to move, Sir, that the Bill be read in Council."

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

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The motion that the Bill be read in Council was put and carried.

The Secretary then read the title of the Bill.

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

2-45 p.m. Mr. C. Madhavan Nayar,
 " Bradford Leslie,
 " J. L. P. Roche Victoria,
 Rao Bahadur Cruz Fernandez,
 " C. Gopala Menon,
 " A. M. Murugappa Chettiyar,
 Mr. T. N. Bava Ravuttar Muhammad Sahib Bahadur,
 " A. J. Leech,
 " K. S. Ponnuswami Pillai, and
 The Mover."

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

The motion was put and carried.

XIII

THE MADRAS STAGE CARRIAGES AND HACKNEY CARRIAGE (AMENDMENT) BILL.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, Sir, this measure again, I am glad to say, does not fall within the category referred to in some of the earlier debates excepting to a limited extent which I shall presently explain. I shall first deal with the Bill in so far as it purports to repeal the Stage Carriages Act of 1861. That was a very early Act passed by the Government of India which originally did not apply to the Madras Presidency, but after the passing of the repealing Act of 1870, the Act was extended to the whole of British India with the saving clause that it shall not apply to carriages ordinarily plying for hire within the limits of a municipality or cantonment or other place in which any law for the regulation of carriages is for the time being in force. The Hackney Carriage Act of 1879 was passed to regulate and control carriages plying for hire within the town of Madras. It was revised by Act V of 1911 and has been extended from time to time to other municipalities and specified areas.

"The distinction between the two Acts is this: while the Hackney Carriage Act is applied to towns or other specified areas, the Stage Carriages Act has been till now applied only to roads. As a matter of fact, it has become a dead letter in most places owing to the replacement of the stage carriages by motor and omnibuses on roads in the mufassal. The present Act gets rid of that distinction. Many defects have been found out in the working of the Stage Carriages Act, some of which I shall enumerate now. Under the Madras Hackney Carriages Act, by-laws may be made with regard to the examination and qualifications of drivers and the conditions of their employment. No such provision exists in the Stage Carriages Act. Under section 12 of the former Act the public are very well safeguarded from actual misconduct on the part of the driver. There is nothing like that under the Stage Carriages Act excepting protection to the occupants in the carriage against the driver in case of an assault. The only other protection which the Stage Carriages Act provides is that the driver should not be

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under 16 years of age. Under the Hackney Carriage Act, on the other hand, the carriages have to be registered and the drivers have to obtain licences. There is nothing corresponding to that in the other Act. Then again, it will be conceded that it is to the great advantage of the public that there should be some control over the rates of hire, but that is not possible now under the Stage Carriages Act. That control is being exercised, however adequately or inadequately, under the law which can be enforced under the Hackney Carriage Act, and the idea of the amendment is to put things on the same level. If the rates are higher, no control has been provided under the existing sections of the Stage Carriages Act. This Act has been extended only to a few districts, such as Salem, Ramnad and some other districts. There have been complaints from accredited citizens as to the imperfections of the Act and it is in accordance with the expressed desire of these representatives and in deference to their wishes that this amendment has been introduced. Moreover, there is no express power under the Hackney Carriage Act to extend it to any place outside Madras. The present amendment seeks to get rid of that.

"The other aspect of the matter is this. It has been pointed out that the existing scales, as will be seen from the Bill, were fixed in 1879. They were never altered since then. As hon. Members of this House have more than once stated that it is not their intention, at the present sitting of the Council at all events, to consent to any extra taxation, or to extra fiscal burdens, and as this may at first sight appear to be a taxation enactment, let me make that perfectly clear. The sole and simple object of these apparently fiscal measures is to make both sides of the budget balance. At present we are losing Rs. 8,000 in giving badges and licences to the people which cost us Rs. 8,000 more than the fee we are able to levy from them. It is not the intention of Government to make a single pie of profit out of the working of this Act. The actual figures will be placed before the members of the Select Committee and the sole object of the Government is to see that both sides of the budget are balanced. The Government ought not to lose anything by the working of this Act, and so long as that object is attained, we do not want to make a pie out of this Act.

"Let me examine the circumstances. The existing scale under the Hackney Carriage Act was fixed in 1879 and has never been altered since. The pay of the establishment has been raised; the badges and plates now cost us far more than they used to do. Expenses of working the Act have increased considerably. (I am reading from the Report of the Commissioner of Police). In the year 1923 the total expenditure under the Hackney Carriage Act was Rs. 13,160, whereas the income to Government under the various heads, including fines, came to only Rs. 7,327. It is only in order to remedy that and to make the Act self-supporting that we seek to levy these particular scales. It will be quite open to the Select Committee to scrutinize those figures to see where further modifications might be made.

"With these remarks, I commend this Bill and move that it be read in Council."

The hon. Rao Bahadur A. P. PATRO :—" I second it."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, I wish to make a few observations on the Bill which has just been introduced. I have nothing to suggest against that portion of the Bill which seeks to repeal the Stage

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Carriages Act in its application to the Presidency of Madras. It has been pointed out by the hon. the Law Member that in places where it has been introduced, it has been found to produce considerable difficulties and that it has become necessary to repeal that Act and incorporate certain provisions in the Madras Hackney Carriage Act. What I would think would require further consideration before we can give our support to this Bill is as to the necessity for increasing the existing scale of fees under the Hackney Carriage Act. It has been pointed out that the necessity has arisen on account of the increase in the expenses of working the Hackney Carriage Act."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mainly in the cost of badges and similar expenses."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Yes, mainly in the cost of badges. Sir, I should think that before we accept the principle which this alteration would involve, the matter would require to have a careful and detailed examination. It has been suggested, as one of the reasons for the introduction of this measure, that in a matter like the working of the Hackney Carriage Act, the revenue to Government should approximate to the expenses incurred in the working of the Act, and the only means of bringing this about is to raise the fees. That is what is stated in the Statement of Objects and Reasons."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I may say, Sir, that the Retrenchment Committee, which was a committee appointed by this Council, definitely proposed this after considering other means of making the budget balance."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" With due deference to the Retrenchment Committee, Sir, which, after it found itself unable to effect retrenchment in certain directions, found it necessary to suggest this increase of fees, I should consider it quite undesirable that we should give our assent to a motion which involves the acceptance of a principle that in administering certain Acts, the revenue should approximate to the expenditure which we have to incur in working those Acts. I think, if this principle is accepted in this particular case, there will be other similar cases wherein Acts introduced in the interest of the public would necessitate the imposition of fees and the imposition of penalties for the purpose of covering the expenditure incurred in the working of those Acts. It is more on the general ground that we should not give our assent to that proposition that I oppose this portion of the Bill. I would also point out that the general increase of fees provided in this Bill is likely to cause considerable hardship when we include in this category even rickshaws, perambulators and other conveyances drawn by persons. When we know, as a matter of fact, that these conveyances, even though very large in number in a city like this, are not likely to give immense profits to the individuals concerned, I think we should rather hesitate before we give our assent to a measure of this description. I would, therefore, submit that though we may give our assent to that portion of the Bill which seeks to repeal the Stage Carriages Act in its application to the Presidency of Madras, it is quite unnecessary to amend the provisions of the Hackney Carriage Act so far as the increased scale of fees is concerned."

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The motion that the Bill be read in Council was then put and carried.

The Secretary then read the title of the Bill.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. President, I move that the Bill be now referred to a Select Committee, and the following are the Members of the Select Committee, whose names

I commend for the acceptance of the House :—

The hon. the Raja of Panagal,

The Advocate-General,

Rao Bahadur C. Natesa Mudaliyar,

" O. Tanikachala Chettiayar,

" A. S. Krishna Rao Pantulu,

" C. V. S. Narasimha Raju,

Rao Sahib S. Ellappa Chettiayar,

Mr. Abbas Ali Khan,

Mr. S. Satyamurti, and

The Mover."

The hon. Rao Bahadur A. P. PATRO :—" I second it."

The motion was put and carried.

The RAJA OF RAMNAD (from the Chair) then read out to the Council the names of Members who have been nominated to the Finance Committee and said : "The Secretary will deliver to the Members a list of the nominated Members at his office at 4-30 p.m., and the hon. Members are requested to vote for six candidates and return them to the Secretary before 6 p.m. to-day. The Council will now adjourn and meet again some time early in December on a date to be fixed by the hon. the President of which due notice will be given to hon. Members."

The Council then adjourned.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

THE MADRAS LEGISLATIVE COUNCIL.

Monday, 10th December 1923.

The House met at 11-15 o'clock, the President (the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E.) in the chair.

I

NEW MEMBERS.

The following Members were sworn in :—

- (1) ROBERT WILLIAM DAVIES.
- (2) M.R.Ry. VYRICHERLA NARASIMHA SURYANARAYANA RAJU Garu, Zamindar of Kurupam.

II

QUESTIONS AND ANSWERS.

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

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

(2) The questions 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 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.

Principal, Agricultural College, Coimbatore.

1 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Minister for Development be pleased to state whether the Principal of the Agricultural College was holding three appointments till recently and whether those three offices are now held by three different people; and whether the Government have appointed an additional officer now to look after some work once done by the Principal?

A.—The permanent Principal of the Agricultural College was also Professor of Agriculture and Superintendent of the Central Farm. He had the assistance of an officer of the Indian Agricultural Service as Assistant Principal and an officer of the Madras Agricultural Service as Assistant Professor of Agriculture.

Since the appointment of the Principal and the Assistant Principal to other duty, the duties of Principal have been carried on by the Economic Botanist in addition to his ordinary duties and those of Professor of Agriculture and of Superintendent, Central Farm, by a wholetime officer of the Indian Agricultural Service. The latter has an Assistant Professor and an Assistant Superintendent, both officers of the Madras Agricultural Service.

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ARMS ACT.*Issue of licences for firearms in Kurnool.*

2 Q.—Rao Bahadur C. VENKATARAMA REDDI: Will the hon. the Home Member and the hon. the Law Member be pleased to state—

(1) whether it is a fact that the Collector of Kurnool has issued orders that no licences for firearms will be granted from next year to the inhabitants of Koilkuntla and Sirvel taluks in the Kurnool district;

(2) if so, were the Government informed of the proposal of the Collector, and have they agreed to the proposal; or were the orders issued on his own initiative and without consulting the Government; and

(3) what the necessity was for an order prohibiting wholesale the issue of licences in two taluks?

A.—(1) Yes.

(2) & (3) The District Magistrate has discretion with regard to the issue of licences with which the Government do not propose to interfere. His action is due to the increasing practice of using bombs for the commission of crimes in connexion with party feuds in the two taluks mentioned.

Mr. S. SATYAMURTI:—"May I ask whether as a matter of fact the Government were informed of the proposals of the Collector of Kurnool before he actually passed these orders and whether he had their consent?"

The hon. Mr. A. R. KNAPP:—"In a general report about the troubles in the two taluks, the District Magistrate has informed us that he proposes to refuse renewal of licences or applications for fresh licence at the end of the current year."

Rao Bahadur C. VENKATARAMA REDDI:—"May I know, Sir, whether he has used his discretion properly?"

The hon. Mr. A. R. KNAPP:—"I do not know, Sir, whether you wish me to answer a hypothetical question of that kind."

Rai Bahadur T. M. NARASIMHACHARLU:—"I wish to know if this method has put an end to the use of bombs."

Rao Bahadur C. VENKATARAMA REDDI:—"I wish to know how many offences were committed by the use of fire-arms."

The hon. Mr. A. R. KNAPP:—"I want notice of that question."

FORESTS.*Hirehal forest reserves, Bellary.*

3 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Home Member be pleased—

(i) to state—

(a) when Hirehal A and B forest reserves of Bellary range were handed over to forest panchayats for management;

(b) the average income from them to the Government during the three previous years under the heads of (i) grazing fees, (ii) compounding fees and fines and (iii) miscellaneous revenue;

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(c) the average expenditure in the same period incurred by the Government on account of (i) establishment and (ii) other charge;

(d) the sum for which the right to manage the said forests was first handed over to the forest panchayat for management; and

(e) the sum agreed to in the last year of lease;

(ii) to furnish similar information in the case of the other forest reserves in the Bellary district now under the management of the forest panchayats?

A.—The Government have no information.

Mr. A. RANGANATHA MUDALIYAR:—"Will the Government call for the information?"

The hon. Mr. A. R. KNAPP:—"I may explain to the hon. Member that the answer is this: The question was received even during the last session. We have obtained some information since. The answer to

(a) is 'Yes' in 1916;

(b) & (c) information is not available;

(d) Rs. 250;

(e) Rs. 225.

As regards (b) and (c) it has been ascertained that the information is not available in the Chief Conservator's Office or anywhere else.

As regards (ii) of the question, I think I am entitled to ask for some information as to the kind of information the hon. Member wants in regard to the forest reserves in the Bellary district."

Mr. A. RANGANATHA MUDALIYAR:—"Has the amount been fixed without any reference whatsoever to the income and expenditure in connexion therewith?"

The hon. Mr. A. R. KNAPP:—"The amount is certainly fixed with reference to the income previously received by Government. I understand that my hon. Friend, Mr. Tireman, has recently given some attention to this matter and the tendency now is to reduce the amount that we ask the panchayats to pay."

Mr. A. RANGANATHA MUDALIYAR:—"I take it that these were fixed with reference to the rates during the previous year. If so, how is it that they are not able to provide information? I ask for the income and expenditure in that connexion."

No answer.

Distribution of the disafforested areas in Erode taluk.

4 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Law Member be pleased to state—

(a) whether it was the intention of the Government that a portion of forests recently disafforested in the Erode taluk should be given to the members of the depressed and backward communities; and, if so, whether that intention was communicated to the Collector;

(b) if it is a fact that the Collector passed orders that two-thirds of the lands available should be given to the London Mission authorities to be disposed of by them; and, if so, whether the Collector gave any directions as to their distribution;

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(c) if it is a fact that the Mission authorities have given some lands to Christian Adi-Dravidas only who are natives of Erode taluk or strangers coming from other taluks;

(d) if it is a fact that the Christian Adi-Dravidas form only a very small portion of the population of Erode taluk and there are a large number belonging to several depressed and backward classes such as Chuckliars, Koravas, Oddars, etc., and non-Christian Adi-Dravidas who are absolutely landless;

(e) whether mahazars were sent to and deputations met the Collector requesting that lands be given to the persons referred to in the latter portion of clause (d); and what orders have been passed by the Collector regarding them;

(f) whether the Government have any intention of taking the matter and passing orders as to the equal distribution of lands to all landless people belonging to all depressed and backward communities in Erode taluk; and

(g) whether the Government have any objection to consider the advisability of appointing a small committee to go into the whole matter and recommend the best way of equitably distributing the abovementioned two-thirds of the available lands in Erode taluk among people belonging to depressed and backward communities?

A.—(a), (b), (c), (d), (e), (f) & (g) The hon. Member is referred to G.O. No. 1410, Revenue, dated 17th September 1923, a copy of which was communicated to him.

IRRIGATION.

The Sangameswaram project.

5 Q.—Rao Bahadur C. VENKATARAMA REDDI: Will the hon. the Law Member be pleased to state—

(1) whether the Sangameswaram project will be taken up for execution in the near future;

(2) if not, in what stage the project now is;

(3) whether any special officer has been appointed for the purpose;

(4) the estimated cost of the project; and

(5) the probable extent of land in the Kurnool district that will be served by that project?

A.—(1) & (2) Arrangements are being made for a preliminary examination of the site of the proposed reservoir but the suitability of the site has not yet been decided and the plans and estimates are not likely to be prepared for sanction in the near future.

(3) The Special Chief Engineer who is revising the estimates for the Metur Reservoir to provide for current rates for work is also arranging for the investigation referred to.

(4) About 26 crores.

(5) About 175,000 acres.

Irrigation projects in the Coimbatore district.

6 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Law Member be pleased to give a list of all irrigation projects under consideration in the Coimbatore district with their approximate cost and the probable time when each of them is likely to be taken up?

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A.—The only large irrigation scheme in the Coimbatore district under consideration is the Siruvani scheme. It is connected with the scheme for the water-supply of the Coimbatore town. An estimate for the irrigation channel has been received from the Superintending Engineer.

About four schemes in the Kollegal taluk are also under investigation by local officers, details of which have already been furnished to the hon. Member. A report on the Hebbehalla scheme has been received from the Superintending Engineer, but he is investigating an alternative scheme for the construction of a high level channel for the supply to the Kollegal tank. Till the Superintending Engineer's further report is received and the scheme is considered, it is not proposed to make further investigations of the two schemes for a separate channel from the Gundal and for improvements to the Doddaranganatham supply channel. In regard to the Uduthuraihallam project, gauge readings are still being taken to determine the supply available in the river.

As estimates have not been drawn up, no information regarding approximate cost can be furnished and it is not possible to say at this stage when they can be taken up for execution.

The Cauvery-Mettur project.

7 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Law Member be pleased to state—

(a) in what stage the Cauvery-Mettur project scheme is at present;

(b) whether the Secretary of State has passed final orders on the matter; and

(c) whether the Government have any intention of beginning the working of the project in the near future; and if so, when?

A.—The Government of India have said that as soon as a satisfactory settlement has been arrived at between the Madras and Mysore Governments regarding the Mysore-Kannambadi reservoir, they will be prepared to give the Mettur project their careful and immediate attention. An agreement between the two Governments has not yet been reached, but efforts are still being made to come to a settlement which will, it is hoped, be reached shortly. The revision of the Mettur project estimate so as to allow for increase in the cost of labour, materials, etc., since it was last sent up to the Government of India has been taken up and the revised estimates are almost ready.

As the project estimate requires the sanction of the Secretary of State, it cannot be stated when its execution will be taken up.

The RAJA OF RAMNAD:—"May I ask the hon. the Law Member whether the proposed projects depend upon the passing of the Irrigation Law?"

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

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LAW AND JUSTICE.

Report of the Committee to make suggestions regarding the separation of executive and judicial functions.

8 Q.—MR. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Law Member be pleased to state—

(a) whether the report of the Committee appointed to make suggestions regarding the separation of executive and judicial functions has been received and whether there is any intention on the part of the Government to publish the same for public criticism;

(b) whether it is a fact that if the main recommendations of the Committee are accepted, they will lead to a redistribution of the jurisdiction of all the present revenue and criminal officers?

A.—(a) The report of the Committee has been received and will be placed before the Council as soon as possible together with a statement of the Government's views thereon.

(b) The recommendations of the Committee would necessitate an alteration in the jurisdiction of practically every Revenue Divisional Officer and Subdivisional Magistrate. A certain amount of alteration in the jurisdiction of subordinate magistrates would also be required.

MR. S. SATYAMURTI:—"May I ask the hon. 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 hon. MR. C. P. RAMASWAMI AYYAR:—"I have just revised the draft order and it is probably in the press now."

LOCAL SELF-GOVERNMENT.

Levy of railway cess by district boards.

9 Q.—MR. A. RANGANATHA MUDALIYAR: Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the district boards that were levying a railway cess until the new Local Boards Act of 1920 was passed and put into force;

(b) the district boards that ceased to levy the railway cess after the new Act came into force, the reasons for the discontinuance of the cess, the total sum accumulated till then to the credit of each of these boards and the arrangements, if any, made for its disposal; and

(c) the district boards that are at present levying the railway cess and the amount that remains under that head to the credit of each of them?

A.—(a) (1) Arcot,	(6) Guntur.	(12) Salem.
South.	(7) Kistna.	(13) South Kanara.
(2) Coimbatore.	(8) Kurnool.	(14) Tinnevely.
(3) Cuddapah.	(9) Madura.	(15) Trichinopoly.
(4) Ganjam.	(10) Nellore.	(16) Vizagapatam.
(5) Godavari.	(11) Ramnad.	

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(b) & (c) The Madras Local Boards Act, 1920, does not permit the levy of railway cess. District boards therefore ceased to levy the cess when the new Act came into force. The amount of railway cess accumulated up to 31st March 1923 was as shown below:—

Name of the district board.	Amount invested up to 31st March 1923.	Cash balance on 31st March 1923.
	RS.	RS.
1. Arcot, South	13,99,600	35,810
2. Coimbatore	9,06,875	1,52,462
3. Cuddapah	2,12,353	11,136
4. Ganjam	2,26,400	81,729
5. Godavari	3,75,200	6,782
6. Guntur	5,69,303	1,33,787
7. Kanara, South	3,24,100	12,322
8. Kistna	23,04,500	7,33,626
9. Kurnool	7,16,800	1,25,152
10. Madura	8,04,000	2,36,945
11. Nellore	6,79,419	...
12. Ramnad	7,56,300	2,03,915
13. Salem	7,14,500	1,60,671
14. Tinnevely	...	1,01,593
15. Trichinopoly	5,38,700	91,344
16. Vizagapatam	4,76,700	33,284
Total	1,10,04,750	21,20,558

Most of the amounts shown as cash balance have since been invested.

The report of a committee appointed to consider the question of utilizing these accumulations for the construction of light railways in the Presidency is under the consideration of Government.

Distance-limit between toll-gates in Coimbatore.

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

(a) whether there is any provision for a minimum distance-limit between toll-gates under the rules of the Government; and

(b) whether the Government have received any memorials objecting to the creation of several new gates in the Coimbatore district which are within about 15 miles distance from existing toll-gates; and whether the Government have taken any action on them?

A.—(a) The answer is in the affirmative. Toll-gates on the same road should ordinarily be 20 miles distant from each other. Local fund toll-gates should ordinarily be at least 10 miles distant from municipal toll-gates.

(b) The Government have not recently received any such memorial.

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PENSION.*Memorial from the Government pensioners.*

11 Q.—**Mr. C. V. VENKATARAMANA AYYANGAR**: Will the hon. the Member for Finance be pleased to state if the Government have received a memorial from the Government pensioners to increase their pensions and whether they have any intention of giving effect to the same to any extent whatever?

A.—The Government of India sanctioned a scheme for the relief of pensioners in receipt of the smaller pensions in January 1921 and this has been in operation since. It was declared to be subject to reconsideration at the close of three years and reconsideration is now in progress. Pending final orders, the Government of India have authorized the continuance of the payment of increased pensions whether they are chargeable to Central or Provincial revenues.

Some memorials have been received requesting the continuance of the temporary relief and others asking for an increase in the scale. These will be dealt with on receipt of the final orders of the Government of India.

POLICE.*Punitive police in Kurnool.*

12 Q.—**Rao Bahadur C. VENKATARAMANA REDDI**: Will the hon. the Law Member and the hon. the Home Member be pleased to state—

(1) whether any proposals have been submitted to Government for the imposition of punitive police in the Koilkuntla and Sirvel taluks of the Kurnool district;

(2) if so, the grounds on which the imposition of punitive police has been recommended;

(3) whether any orders have been issued by Government regarding that matter; and

(4) if so, what orders have been issued?

A.—(1) Yes.

(2) The hon. Member is referred to the answer of question No. 2 which gives the reason for the District Magistrate's recommendation.

(3) No.

(4) The question does not arise.

Rao Bahadur C. VENKATARAMANA REDDI:—"Will the hon. the Law Member hear me privately before any order is passed by the Government?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I have no objection, Mr. President."

RAILWAYS.*Railway programme for the Madras Presidency.*

13 Q.—**Mr. A. RANGANATHA MUDALIYAR**: Will the hon. the Home Member be pleased to state whether there is any programme of railway construction for the Madras Presidency and, if so, whether any, and, if so, what district board railway schemes are included in it?

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A.—The question of a programme of railway construction in the Presidency, including district board lines, has been under discussion with the Railway Board for a considerable time and it is hoped that a decision will shortly be made.

Mr. A. RANGANATHA MUDALIYAR:—"Sir, the decision is expected to be made shortly. May I have a little more precise information as regards the probable time?"

The hon. Mr. A. R. KNAPP:—"The decision referred to is of the Railway Board and the Government of India. I do not know how long it will take."

Duties of Secretary to Government (Railways) and Inspector of Railways.

14 Q.—**Mr. A. RANGANATHA MUDALIYAR**: Will the hon. the Home Member be pleased to state what the duties are of—

(i) the Secretary to Railways, Public Works Department; and

(ii) the Government Inspector of Railways; and whether they contemplate the abolition of either of the posts; and if so, which of them?

A.—(i) The Senior Government Inspector of Railways, Madras, who is also the Secretary to Government, Public Works Department (Railways), assists Government in his latter capacity in disposing of all references to the Government of Madras on Railway matters. A proposal to abolish this post of Secretary to Government, Public Works Department (Railways), is under the consideration of the Government.

(ii) The Government Inspector of Railways is under the direct control of the Railway Board and not subordinate to the Local Government.

III**COMMUNICATION TO THE COUNCIL.**

The SECRETARY laid on the table a copy of the order made by the hon. the President of the Madras Legislative Council under Standing Order No. 15 on the 6th December 1923. *

IV**THE FINANCE COMMITTEE.**

The hon. the PRESIDENT:—"I have to inform the House that the following members have been elected as members of the Finance Committee at the election held on the 29th November 1923:—

Mr. A. Ramaswami Mudaliyar.
Janab Muhammad Yahya Ali Sahib.
Mr. A. Ranganatha Mudaliyar.

Mr. C. Nicholson.
Rai Bahadur Sir K. Venkatarreddi
Nayudu, Kt.
Dr. P. Subbarayan."

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V

AMENDMENTS TO STANDING ORDERS OF THE LEGISLATIVE COUNCIL.

The hon. the PRESIDENT :—" I have to inform the House that the following six gentlemen were nominated for election to the Select Committee to consider the amendments to Standing Orders 46 (1), 46 (2) and 49 (3) :—

Mr. K. Sitarama Reddiyar.	Rai Bahadur T. M. Narasimha-
Khan Bahadur Haji Abd-ul-lah Haji	charlu.
Qasim Sahib Bahadur.	Mr. S. Arpudaswami Udayar.
Rao Bahadur P. C. Etirajulu Nayudu.	Mr. C. Muttayya Mudaliyar.

" 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.

" I have already informed the House that the Raja of Ramnad has been nominated as a Member of the Committee by me."

VI

THE TUTICORIN PORT TRUST BILL, 1923.

The hon. the PRESIDENT :—" I have to announce that I have appointed the hon. Sir Charles Todhunter, K.C.S.I., to be the Chairman of the Select Committee on the Tuticorin Port Trust Bill, 1923."

VII

THE MADRAS STAGE CARRIAGES AND HACKNEY CARRIAGE (AMENDMENT) BILL, 1923.

The hon. the PRESIDENT :—" I have to announce that I have appointed the hon. Mr. C. P. Ramaswami Ayyar, C.I.E., to be the Chairman of the Select Committee on the Madras Stage Carriages and Hackney Carriage (Amendment) Bill, 1923."

VIII

COMMITTEE ON PUBLIC ACCOUNTS.

The hon. the PRESIDENT :—" With reference to the motion passed at the meeting of the Council held on the 29th November 1923 in regard to the election of the Members of the Public Accounts Committee, I have to inform the House that with reference to Regulation II of the Regulations for the holding of elections by means of the single transferable vote, I fix 2 p.m. to-day as the time by which nominations of candidates should be sent to the Secretary."

IX

HOUSE COMMITTEE.

The hon. the PRESIDENT :—" With reference to the motion passed at the meeting of the Council held on the 29th November 1923 in regard to the election of the Members to the House Committee, I have to inform the House that with reference to Regulation II of the Regulations for the holding of elections by means of the single transferable vote, I fix 2 p.m. to-day as the time by which nominations of candidates should be sent to the Secretary."

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X .

ELECTION OF MEMBERS TO THE BOARD OF INDUSTRIES.

The hon. the PRESIDENT :—" With reference to the motion passed at the meeting of the Council held on the 29th November 1923 in regard to the election of two persons to be the Council's representatives on the Board of Industries, I have to inform the House that with reference to Regulation II of the Regulations for the holding of elections by means of the single transferable vote, I fix 2 p.m. to-day as the time by which nominations of candidates should be sent to the Secretary."

XI

MOTION ON THE MADRAS HINDU RELIGIOUS ENDOWMENTS BILL.

Mr. SAMI VENKATACHALAM CHETTIYAR :—" Sir, I beg to move—

(1)

" That a humble and dutiful address be presented to His Excellency the Governor conveying the sense of the House that the Madras Hindu Religious Endowments Bill as passed in the Legislative Council on 3rd April 1923 is against the opinion of the electorate as expressed in the recent general election and praying that His Excellency be pleased to withhold his assent to the Bill or in the alternative return it to the Council for reconsideration as provided under section 81-A, clause 1, of the Government of India Act, 1919."

(2)

" That a humble and dutiful address be presented to His Excellency the Governor conveying the sense of the House that the Madras Hindu Religious Endowments Bill as passed in the Legislative Council on 3rd April 1923 is against the opinion of the electorate as expressed in the recent general election and praying that His Excellency be pleased to withhold his assent to the Bill

Or

return it to the Council for reconsideration as provided under section 81-A, clause 1, of the Government of India Act, 1919

Or

if His Excellency has already given his assent praying that he would graciously represent to His Excellency the Viceroy this Council's submission that His Excellency the Viceroy will be graciously pleased to withhold his assent to the Bill."

The hon. the PRESIDENT :—" In regard to the alternative motions of which the hon. Member Mr. Sami Venkatachalam Chetti has given notice, and which he has just read out, for an address to the Governor regarding the Hindu Religious Endowments Bill, I have examined the question of their admissibility most carefully. Though as President I do not ordinarily give reasons for my rulings, I have felt, in view of the great importance of the point at issue, that I owe it to hon. Members to take them fully into my confidence and to state at some length the reasons for my decision.

" Communications from the Council to the Governor are provided by S.O. 70 which lays down that they shall be made (1) by formal address after motion made and carried in the Council, and (2) through the President. The Standing Order does not say what the matters are which can form the subject

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of an address to the Governor. But in admitting motions under this Standing Order the President has to be guided by the general scheme of the Act, the Rules and the Standing Orders; and it was because I felt that the motion for an address made a few days ago by the hon. Member Mr. C. Ramalinga Reddi would be in accordance with such scheme that I allowed it. Rules 18 to 21 and Standing Orders 37 to 52 lay down the procedure which should be adopted in regard to legislation. That procedure begins with the motion for leave to introduce a Bill (a Government measure need not go through this stage, and ends with the final passing of such Bill in the Council under S.O. 49). When the motion that the Bill be passed into law is carried, it is the duty of the President under Standing Order 50 to prepare and sign a copy thereof, and it is this copy which is finally laid before the Governor. Now under sections 81 and 81-A of the Act, the Governor is given certain powers in regard to a Bill passed by his Legislative Council; firstly, he may assent to the Bill, and send it up to the Governor-General; or secondly, he may withhold his assent from the Bill; or thirdly, the Governor may, instead of assenting or withholding his assent, return the Bill to the Council for reconsideration, either in whole or in part, together with any amendments which he may recommend; and the procedure when such return is made is regulated by Standing Order 51.

"The question now is, whether in the case of a Bill finally passed by the Council and pending before the Governor, the Council may of its own motion ask the Governor to adopt one particular course out of the three courses which he is in law competent to adopt. Though there is nothing in the Act, Rules or Standing Orders explicitly prohibiting the Council from doing such a thing, it seems to me that it would be against the general legislative procedure laid down for our guidance that the Council should take upon itself this function. It is true that in the present case there has been a considerable interval between the submission of the Bill to the Governor and action by the Governor under sections 81 and 81-A of the Act: and the hon. Member Mr. Sami Venkatachalam Chetti in his letter to me of the 3rd instant stresses the delay of eight months which has already occurred and considers it to afford sufficient proof that the Governor recognizes the peculiar importance of the measure and the strength of public feeling against it. Further, the hon. Member urges that a general election has taken place in the meantime; and that the Bill itself formed one of the issues in that election and as such may be said to have been the subject of an informal referendum, the result of which could only be ascertained by a vote of the Council.

"Whatever weight these considerations may deserve, they are not considerations which I as President can take note of. It is not for the President to interpret the time taken by the Governor as indicative of any particular view held by him in regard to a Bill. To the President all Bills are of equal importance. The President can have no knowledge of the strength of public feeling outside the Council for or against any Bill, nor is the President in a position to say that any particular matter was or was not at issue in a general election. To ask the President to take note of such considerations as the hon. Member Mr. Sami Venkatachalam Chetti has mentioned, is to ask him to do what he probably cannot and in any case should not do.

"The constitutional practice in England on the subject is clear; there is no precedent there of an address to the Crown by either House of Parliament praying the Crown *not* to assent to a Bill, and it is equally clear that an

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address to the Crown should *not* refer to a Bill pending in either House. The reason for this limitation is not far to seek; if a Bill is passed by Parliament and assented to by the Crown, it is perfectly open to a hostile majority, should it come into power, to repeal or alter such a Bill at a later date. If, as the hon. Member Mr. Sami Venkatachalam Chetti appears to think, there is a majority in the present Council against the Hindu Religious Endowments Bill, the way is open to that majority to assert itself and have it repealed at a later stage even if it is in the meantime assented to by the Governor and agreed to by the Governor-General. But I am of the decided opinion that the Council should not *just now* intervene in the matter. I therefore rule that the motions of the hon. Member Mr. Sami Venkatachalam Chetti are out of order."

MESSAGE FROM HIS EXCELLENCY THE GOVERNOR ON THE MADRAS
HINDU RELIGIOUS ENDOWMENTS BILL.

The hon. the PRESIDENT:—"I have to convey to the
11-30 a.m. Council a message from His Excellency the Governor—

"His Excellency the Governor has under section 81-A of the Government of India Act decided to return the Hindu Religious Endowments Bill to the Council for re-consideration with reference to parts of the Bill which will be duly notified to hon. Members.—WILLINGDON."

[Opposition—Cheers]

9-12-23

XII

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

MINIMUM PAY OF VILLAGE OFFICERS.

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I beg to move—

that this Council recommends to the Government that the minimum pay of village officers be fixed at Rs. 20.

"It may perhaps be surprising that I, who have been urging for retrenchment in the various public services, should make this motion for the increase of pay of the village officers. But I am one of those who think that, while we should always try to keep the Government expenditure at a proper limit, still there should be complete satisfaction on the part of the village officers of the Government and that the difference in pay between the higher classes and lower classes of the Government should be reduced as much as possible. I have always complained, both in this House and outside it, that the pay of an officer in an office is much larger than the pay of all the establishment under his charge put together. Take for instance the district and sessions judge. His pay will be about Rs. 3,000 and the next man, viz., the sarishtadar, will be getting only Rs. 200 and all the other servants in that office put together will be drawing about Rs. 700 or 800, so that the whole establishment will be getting very much less than what the one individual, the head of the office, will be getting. This, I submit, is a thing which should be put an end to. If we want that the discontent among the lower services should be reduced and if possible removed, we must try to reduce the difference in the salaries of the higher and the lower officers. This can be done only in two ways: by levelling down or by levelling up. It may even be done by both. I would divide this subject into two aspects, namely, the desirability and necessity of enhancing the salaries of the village officers and the financial aspect. So far as the pay of the village officers is concerned, it is very low compared with

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the pay of even the peons and other servants of that class. We know that in several offices the peons are paid about Rs. 17 or 18. The police constables are paid on the average about Rs. 20. There can be no two opinions on the question of the importance of the work the village officers are expected to do. The position and the functions of these village officers are far more important than those of any other officer including even the district officer. It is possible—I do not mean to say that it is likely—that if officers belonging to other departments non-co-operate with or boycott the Government, the Government can very well go on. But if the village officers boycott the Government, the Government will have to come to a stand-still. If, therefore, there is any faithful, useful and indispensable branch of service which should be recognized by the Government as such, it is this village establishment. There was a fear in the days of non-co-operation that some of these people in the north would non-co-operate with the Government and hence a hasty Act was enacted imagining all possible difficulties. But the village officers proved loyal to the end and I don't think that there was any necessity to use the Act in the case of even one village officer. That shows that not only these servants are loyal and that their service is very useful and indispensable, but that it is necessary that they should be made content so that the Government may carry on its functions satisfactorily. I do not think it is necessary for me to go at length into the question of giving these officers reasonably higher pay. But if any hon. Members on the other side of the House question the desirability of doing so, I may probably say a few words in reply. I may say this now, that if we only consider the history of this question for the last two or three years, lip sympathy or even heart sympathy will be coming in abundance from hon. Members belonging to the Government. Only they plead want of money. It is, therefore, necessary that we go into the question of the finances. We know that, so far as some of the Government establishments are concerned, the salaries have gone up by leaps and bounds. From the information that was supplied to us two years ago by the hon. the Leader of the House, we know that within 20 years—from 1901 to 1921—the salaries of all the officers excepting the village officers and menials and servants have gone up from $1\frac{1}{2}$ crores of rupees to about 5 crores of rupees. If we include the salaries of the servants of the various departments, the increase may come to 6 crores of rupees. But though there was an increase in the pay of the village headmen and the karnams about three years ago, there was practically not much increase in the total salary paid to them. Owing to the incessant pressure of public opinion both inside and outside this House, the Government were compelled to increase the pay of these village officers to a certain extent. But what has been given by the right hand has been to a large extent taken away by the left hand. After a slight increase had been made in their pay, a large reduction has been made in the number of the village officers and menials. Thus even though there has been an increase in their pay, it is curious enough to find that within the last two years there has been a considerable reduction in the charges on account of these establishments. In the case of the village vettis there has been a reduction of 6 lakhs of rupees in their pay during the last two years and in the case of talaiyaris, who come under the Police head, there has been a decrease of 6 lakhs of rupees in their pay. In the case of karnams and assistant karnams there has been a decrease of $3\frac{1}{2}$ lakhs of rupees. Thus, Sir, if we take the village establishments alone, there has been a reduction in the establishment charges of nearly 14 or 15 lakhs of rupees. This fact should well be noted. I am

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one of those who think that the villages should not be grouped and the grouping of the villages for purposes of economy has caused considerable injustice and injury in the various villages. But still there is the fact that while the Government pretend to increase the salaries by a few rupees, there has been a reduction of about 14 lakhs of rupees in the total cost of the establishment. Therefore, Sir, if there had been no reduction in the total cost, if the salaries of the village officers had been really increased, the cost of establishment of these village officers would to-day have been 14 lakhs of rupees more than what it is. Exaggerated notions may exist as to the probable cost which would involve in giving effect to my resolution. My resolution says that the minimum pay of village officers be fixed at Rs. 20. Generally speaking, there are some village officers even to-day who do not get even Rs. 15 a month. But taking the average pay of the village officers including the assistant karnams to be Rs. 15 a month, if their pay is raised to Rs. 20, the total additional cost will come to about Rs. 14 or 15 lakhs and not 30 or 40 lakhs. I think that an expenditure of 14 or 15 lakhs of rupees is an absolute necessity to satisfy the thirty thousand village officers.

“No doubt the question will arise as to how we are to get Rs. 14 or 15 lakhs and probably some of the gentlemen who are going to reply on behalf of Government may say ‘we fully sympathise with these people, we know that they want something, and yet there is no money available.’ Well, all I can say is that in the last few years, or rather for the last twenty years, the expenditure over establishments has gone up by leaps and bounds, so much so that it has gone up by over 300 per cent; and when the Government have been able to devise some means or other for meeting this increased expenditure on establishments, and when they have increased the pay of officers who are getting such fat salaries as Rs. 2,000 or Rs. 3,000—when they have been able to find means for all this expenditure, they must, by any means whatever, certainly keep the 30,000 people contented and above wants. It is not for us to say as to how the Government should find funds. We have been told over and over again in recent times that any expenditure would be absolutely impossible in the present state of financial stringency. However, for all the expenditure that the Government had to make, they were able to find money from some source or other, in some cases by making retrenchment and in other cases by various other means. So far as we are concerned, it is not for us to say as to how the Government should find funds. All that we say is that these poor people, who have to supply all the sinews of war in times of emergencies, and have to keep accounts, should be kept above wants, so that at any time they may not be induced by fair or foul means to go against the Government or to give up their appointments the latter of which, if they do, will lead to useless and dishonest people getting into their places. On the whole it cannot be denied that the village officers as a class have been satisfactory, have been honest, have been faithful and loyal in the discharge of their duties, and if any class of people deserves encouragement, it is the village officers.

“Many of us I suppose have met these village officers in the election campaign. We must have noticed what their influence is and what their responsibilities are in their respective villages. In spite of their responsibilities and in spite of their influence, these officers think they are very badly paid, so much so this feeling might at any time be translated into action against the Government. Therefore we should take some precaution as it were and keep these people contented. It may be said that it is difficult to find the whole

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sum in this particular year even if Government express the desirability of giving an increase in their pay. Let us hope that His Excellency the Viceroy will not leave this town without giving us some hope of reducing our annual contribution of 2½ crores of rupees to the Government of India. It seems to me clear that there will be some appreciable reduction in our payment, and let us hope that a small portion of this might go to satisfy these village officers.

"I am one of those who think that the menials, the village officers, village teachers and the non-gazetted officers are very badly paid and I say that their salaries should be increased at an early date. This has been my conviction all along and this is only one step in the course of the realization of that object. In any case, so far as the village officers are concerned, there can be no doubt that this House will give its emphatic opinion that it is desirable that the pay of these officers should be increased to Rs. 20 at present."

MR. R. SRINIVASA AYYANGAR:—"Mr. President, it may perhaps be somewhat unfortunate that the first resolution in this session is calculated to put the Government to an expenditure of 17 lakhs of rupees. I am fully conscious of that, but if I venture to give my support to this resolution, it is upon a weighty consideration of the situation which I shall presently submit for the consideration of this House. That situation the Government must be prepared to meet sooner or later, better sooner than later. I have not the slightest doubt, and I am perfectly certain, that the cause of the village officers will receive, at the hands of this House, and ultimately of the Government, a fair, generous and sympathetic consideration.

"Hon. Members of this House will be perfectly aware of the fact that about two years ago a resolution was tabled by my hon. Friend Mr. Narasimhacharlu to increase their pay to Rs. 12. Then another hon. Member from Bellary came forward with an amendment to substitute Rs. 15 for Rs. 12. That resolution, notwithstanding the vehement opposition that proceeded from the Treasury Bench, was carried by an overwhelming majority. The Government then found it difficult to give effect to this resolution. After deliberate consideration they came out with a Government Order in August 1922 with a view to give effect to the opinions of this House and passed orders increasing their pay to Rs. 15.

"We find that the number of these village officers comes to about 30,000 and the expenditure of the State on account of this establishment comes to nearly Rs. 50 lakhs. If this resolution is carried, the effect will be an expenditure of 66 or 67 lakhs of rupees, or in other words one-third as much again will have to come out of the public exchequer for the purpose of meeting the enhanced pay which is claimed for them. I am fully conscious of the fact that we are having a deficit budget. I am equally conscious of the fact that our finances are by no means cheerful or encouraging, but in view of the large and important part played by the village officers in the general structure of the administration—for they form the very foundation on which the Government rests—and in view of the onerous and important duties that they are called upon to perform, it is absolutely necessary that the discontent which now prevails among them should be removed by the Government coming to their rescue. Hon. Members of this House are perfectly aware that the monigars are the real representatives of Government in villages and if they only look to chapter V of the Village Officers' Manual they will find as many as 44 or 45 important duties assigned to them, and after all they are getting only Rs. 15 per month. They are also aware that peons in

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certain offices get Rs. 15, and muchis and attenders get Rs. 20 a month. The daffadar in the district registrar's office gets Rs. 20 a month. Can it be said in all conscience that the position of the village officers is inferior to that of the other persons to whom I have just made reference either in point of responsibility or onerous duties which devolve upon them? I therefore submit that time has come for the Government to come to their rescue and concede the legitimate demands of this class of officers who play a large and important part in the administration. It is true that we are faced with a financial crisis or stringency and if I venture to second this resolution it is more to reflect the opinion of this House, so that this Government may apply to the Government of India to set free a large amount of money to meet this legitimate demand of the village officers and other officers as well, and also to spend a lot of money on nation building departments which have been compelled to starve just at present. It is in that spirit to emphasise that point and out of sympathy for these low paid officers I give my support to this resolution."

The hon. the PRESIDENT:—"The House will now adjourn for lunch, rather early, and will meet again at 2 p.m. and I propose, if it is agreeable to hon. Members, to adjourn the House again at 4-30 p.m."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"At 4 p.m., Sir."

Diwan Bahadur M. KRISHNAN NAYAR:—"It would be more convenient for hon. Members if the House dispersed at 4 p.m."

MR. S. SATYAMURTI:—"I would suggest, Sir, that the House should go on with its business as long as possible and not adjourn on account of other functions elsewhere."

The hon. the PRESIDENT:—"I am sure Mr. Satyamurthi is right (laughter). We will meet again at 2 p.m."

12 noon.

The House then adjourned for lunch (at 12 noon).

The House re-assembled after lunch at 2 p.m. with the hon. the Deputy President in the Chair.

MR. E. W. LEGH:—"Mr. President, I note that the hon. Mover of this motion expected that the House would be surprised at the terms of a motion suggesting expenditure of large sums of money and coming from that (Opposition) side of the House, and judging from our experience of this House in the past, I think he is right in anticipating such surprise. I was myself tempted to enquire why this motion has been brought forward at such an early stage and it suggests itself to me whether it is possible that the hon. gentleman had made a promise during the time of his candidature that such a motion would be brought forward and that in consequence thereof he now finds it necessary to fulfil his promise. If that be the case, it is for Members of this House to consider how far a pledge given in the course of electioneering deserves their consideration. I would ask the House to consider what would be the condition of the finances of this Presidency if, at each election, Members, in order to obtain the support of village officers—who no doubt are able to give very large support to candidates—make promises such as these."

MR. C. V. VENKATARAMANA AYYANGAR:—"May I give a personal explanation, Sir, to make this theory fall to the ground? Notice of this motion was given several months before the election, and because there was no meeting at all, it has been re-tabled and brought forward now."

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Mr. E. W. LEGH :—" I am very glad, Sir, that there is no ground for my suggestion. Sir, if village officers are given the hope that in return for their support to hon. Members in this House resolutions of this kind will be brought forward, the finances of this Province would, I think, in a very short time, be in a disastrous condition.

" Now, Sir, listening to the speech of the hon. Mover I was not able to understand clearly what class of village officers are to be given this minimum of Rs. 20. In his motion he simply says 'village officers', and so I was preparing the defence thinking that this motion had reference to a particular class of village officers only, viz., headmen and karnams. Now, I see that he referred to vettis and that the seconder of his motion referred to another class of village officers, viz., talayaris."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I never referred them as village officers. I know well the difference between the village officers and the village establishment."

Mr. E. W. LEGH :—" I take it that this motion is therefore confined to headmen and karnams only. Do I understand the hon. Member correctly ?"

Mr. C. V. VENKATARAMANA AYYANGAR :—" Yes, Sir. I include also water and revenue monigars and assistant karnams. We all know what 'village officer' means; it includes headmen, revenue monigars, karnams, assistant karnams, etc."

Mr. E. W. LEGH :—" Now, Sir, I do not know whether the hon. Mover intends to include also the headmen and karnams of proprietary villages who have been recently given an increase of pay. I should be grateful to him if he would enlighten me on this point."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I have only included village officers of the ryotwari villages for the present."

Mr. E. W. LEGH :—" Sir, I take it that the Members of this House will, in the first instance, ask, what is the justification for giving the concession which the hon. Mover is asking for. The only points which I understood him to make on behalf of the village officers were two. The first is that it is necessary to satisfy the officers themselves. Now, Sir, if that is the consideration for giving them increased salaries, there will be many members of the Public Services who would request him to give evidence on their behalf before the Royal Commission on Public Services. If we are to give to an officer the pay that he demands in order to satisfy him, then I think the cost of the public establishment will have to be very largely increased in a very short time.

" There was one other point which was made by the hon. Mover and that was that certain other officers or rather menial officers were paid more than these officers. Hon. Members know that the amount of pay a man draws does not always represent the value of his post. Now, if you go down to the villages with the post of a peon in one hand and the post of a village headman in the other—the post of peon carrying Rs. 20 and that of the headman carrying only Rs. 15—I do not think there would be much doubt as to which post people would prefer to have. They would surely prefer the post of the village headman with its prestige and position to that of a peon which latter post people take in order to get a living. Besides, the question of pay is partly governed by the law of supply and demand. So long as we can find

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suitable and reliable persons who are willing to take up the post for the pay which is at present offered for it, I do not think we have any right to ask hon. Members for any increase whatever.

" Let us look at the facts for a moment. It is within the memory of hon. Members of this House, and the hon. Mover has already drawn our attention to the fact that the pay of karnams in ryotwari villages was raised as recently as in April 1920. The pay of the headman was raised only last year, viz., from 15th August 1922. These had to be done owing to the exceptional rise in prices due to the war, and I think the House will agree that prices have not increased since then. Under the circumstances it is for the hon. Mover to justify his proposal to the House in the light of these facts. He has to show that since the date on which these increases were made there have been causes operating which have increased the cost of living, and I leave it to the House to decide whether the hon. Member has, so far, in his speech given us any reason for asking for the large increase which he is asking.

" Then we come to the financial aspect of the question. I regret I am quite unable to understand how the hon. Mover suggested that the cost of this proposal would be only 14 or 15 lakhs. I have got the actual figures here giving the cost of the increased pay given in 1920-22 and the cost of the increased pay which would be necessitated by the present proposal. The cost of the village officers' pay in 1920 was 16 lakhs and the cost after the increased pay was given is 25. The difference between the pay in 1919-20 and the present day pay (1923-24) is 9 lakhs. This includes the reduction which the hon. Mover referred to. When the pay of the headman was raised, the cost increased from 12½ lakhs in 1920 to 16·79 lakhs in 1923-24. So the total increased cost under these two heads came to nine plus four or 13 lakhs. Sir, the cost of the rise now suggested is more than that. The cost of the ryotwari karnams alone would be 8·18 lakhs and of ryotwari headman 8·52 lakhs, i.e., a rise of 16½ lakhs for the ryotwari karnams and headmen alone. If proprietary estates are included, the total cost runs up to 40·70 lakhs for karnams and headmen alone.

" Now, the next question before us will be, where is the money to be found ? I know that the hon. Mover suggested that the Government must find it. Well, Sir, that would have been a proper suggestion in the pre-Reform days. But surely Members of this House have by now realized that it is this House itself which ultimately has to find the funds; that they will have to cut out of some departmental provision made in the budget and vote for it. We do not yet know exactly what this year's budget will reveal to us. But as far as I can understand from facts which have already come to my notice, there is no probability at all that there will be a large provincial balance from which we can draw 16 lakhs with which to increase the pay of the village officers.

" The next possible method would be to meet the amount by further reductions in the staff of village officers. Now, Sir, the hon. 2-15 p.m. Mover has already referred to this reduction. I do not understand his figures when he said that the cost of village officers had been reduced. The total cost of village officers has very much gone up at each rise, as I have shown already. The total cost of ryotwari karnams and the headmen alone has gone up from 39 lakhs to 67·65 lakhs, in four years. And the reduction of the number of village officers has not in any way

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reduced the total cost. The reduction has been very small and not at all proportionate to the extra cost incurred by the increase in salaries. The total cost involved has gone up from 70 lakhs to 121 lakhs, a difference of 50 lakhs altogether in these four years. If we are to make a further reduction adequate to meet the amount of 16 lakhs now required, we should have to make drastic reductions. I ask the House whether it is their wish that such a thing should be done, or whether they think that it would be a real benefit, that in order to pay certain officers larger sums, certain others will have to lose their posts altogether.

"Well, then, Sir, the next suggestion would be that taxation should in some way be imposed to meet the cost of these village officers. The House would remember that in the year 1922—only last year in February—two Bills were presented to this House with the object of providing funds for increasing the pay of village officers. These two Bills were thrown out by this House. Each of them proposed that the cost should be levied from the villages themselves, that is to say as a land cess. I think one would very properly argue that if the pay of the village officers should be increased the cost should fall on the villages themselves. I do not think it will be right to ask other people to pay for the cost of the village officers. It seems to me that if the village officers are to be benefited, the cost should be found in that particular way. It is for the House to decide whether they desire that such a Bill should be introduced. There is a saying that he who wills the end, wills also for the means, that is to say, if a man desires a certain thing to take place he should also be prepared to take the means which would make it possible. Then, Sir, I would ask the hon. Members of this House, or such of them as would vote for this motion, whether they are prepared to go the whole length, not only to vote for this Resolution, but also to provide funds where necessary, and if necessary, to undertake taxation for that purpose.

"Lastly, there is one other possible way of getting over the difficulty. I think the House will see that if the cost of village officers is going on increasing, there would, sooner or later, come a time when it would be cheaper to abolish the village officers altogether and get the work done in some other way. Now, Sir, the House will see that, supposing that in four villages the cost of the karnams at Rs. 20 per village comes to Rs. 80 in all, it would be cheaper for the Government, and possibly in some way better, to pay any one revenue inspector at Rs. 35 to Rs. 60 and get rid of the karnams altogether. That would not benefit the village officers. It is one possible method by which the problem of the increased pay for village officers could be met, and it might possibly be the result of continuous increase in their pay especially when such increases cannot be justified."

Mr. S. SATYAMURTI:—"Mr. Deputy President, when this motion was first made in this House, I was sceptical as to the attitude which I should take up. But after hearing the speech of the Member of the heaven-born service, who spoke on behalf of the Government and opposed the Resolution, I have clearly made up my mind, and it is my duty, to vote for the Resolution and persuade hon. Members of this House who have not already made up their minds to vote for this Resolution also. The hon. Member has referred somewhat cynically to the election pledges of Members who may have been elected on the pledge of increasing the salary of this poor-paid service. Sir, there are no village officers in my electorate. I believe there is none.

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Therefore I am not bound by any election pledges whatever. But I should like to ask the House very seriously whether it is a matter of honour or dishonour to give election pledges to your voters, whether they are village officers or anybody else. They may well ask us, You ask our votes and we will give them to you if you will serve our interests—public interests and not private interests. Public servants, in the interests of the public, must be paid a minimum living wage. I do not think, Sir, there is any code of ethics by which we ought not to give such pledges. Hon. Members here have given those pledges—I know some who have given those pledges. I have no doubt in my mind that hon. Members would keep them even in spite of the cynicism of the hon. Member who spoke on behalf of the Government. And after all, these are poor-paid servants, and it is our duty to stand by them and see that they get a living wage. The hon. the Mover of the Resolution has made the scope of the Resolution very small. He only wants some increase in the pay of the headmen and karnams of the ryotwari villages. But it is very strange to hear from the hon. Member who spoke for the Government, whether the satisfaction of the officers was a relevant factor in fixing their pay. I see, Sir, from the evidence that the Members of the Great Service to which the hon. Member belongs have given—I read it in the newspapers—they seem to think that no other consideration ought to weigh except their satisfaction. Member after Member insisted that it should outweigh all other considerations, and they have not at all considered how the taxpayer is going to be bled white, in order to pay the already highly-paid service. If therefore men who are already overpaid according to my humble judgment, want a Commission and say that for no other reason except their satisfaction they ought to be paid more, surely is it not a fanciful argument to suggest that men who do honest and hard work, and are paid starvation wages, ought to be paid only to the extent the public purse can afford? I do hope that the hon. Member spoke for himself and not for the Government when he said that the satisfaction of the officers is no relevant consideration. No Government, Sir, deserving to call itself civilized and desirous of getting the best service out of its servants can afford to neglect their reasonable requests, provided they are reasonable, and do not ask for fanciful salaries. And is it right to say that in this country 20 rupees a month for the village headman is an unreasonable salary? Surely I do hope that we shall not have one thing for the Indian Civil Service and another thing for the village service.

"Sir, we had another lecture upon pay not representing status or prestige. I make a present of that statement to the Indian Civil Service. That service has so much prestige in this country and they may therefore exchange some of that prestige for the money that they are getting and release the taxpayer of his burden. They want prestige; they want money. Then, when it comes to the village service they are asked to be satisfied with prestige. The village headman is passing rich with Rs. 15 a month. Surely, Sir, what is sauce for the gander is sauce for the goose also.

"Then there was a strange theory of supply and demand. I believe that the hon. Member who spoke on behalf of the Government had this theory in mind of people who undersold and underbought their services and went about hawking appointments to find out people who are really starving and would accept even five rupees. If they are anxious to get anybody and everybody they can get men on five rupees a month. Is that the test I ask

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that any Government should consider? The Government had some idea in fixing the pay of their servants. If it is suggested that because we can get men and therefore we reduce their pay, I submit to the House that we shall advertise for membership in the Indian Civil Service on the Continent, in America, and I am sure that we can get men for half the pay they are now getting. To suggest therefore that we should apply the doctrine of supply and demand is to break the fundamental functions of a Government which calls itself civilized.

"Then, Sir, we had the other doctrine that the pay of karnams had been recently raised and that it ought not to be raised now. Shortly after the Montagu-Chelmsford Reforms, we had increases all round for all the superior services. They now claimed they were living in atrocious poverty and discontent and found themselves unable to keep their body and soul together. Then a Commission has been brought out in spite of the refusal of the Assembly to vote for it. Now, Mr. Deputy President, the present demand for increase in the pay of the village officers is not altogether unjustifiable. The hon. Member who spoke for the Government asked, 'What are the causes that had intervened between the last increase and the present time to necessitate a new increase.' But was the last increase adequate? No, it was not.

"Again the hon. Member said that the data on which the hon. Mover proceeded were wrong. I was thinking that he was going to smash the whole thing. But I find it was only two and a half lakhs or two and three-fourths lakhs—the hon. the Mover said, I believe, 14 or 15 lakhs—and the answer of the Government was 16½ lakhs. It does not require much arithmetic to see that the difference is not very great.

"Sir, it is a strange theory that this House should be asked to find the money for this. Under the reformed constitution, this House has not got absolute control over the purse. To suggest that we should find the money and the Government will sit quiet without making the necessary adjustments in their expenditure in order to find the money, is saying something which the House will not easily swallow. Whenever any beneficial measure is brought forward, we are met with the stereotyped answer of the Government 'Find the money'. It assumes that we are satisfied with the present scale of expenditure. There are two ways of paying the way: one is taxation and the other is retrenchment. Then we can find the money for these village officers. Apart from that, Mr. Deputy President, whenever any proposition is brought forward by us, to challenge us to find money is impudent. If they say they cannot find the money, let them cross the floor of the House and give place to other people who can find the money. To say that they cannot find the money and sit tightly in their places is to say something which no responsible Government in the world says.

"If you cannot find money, Sir, please give place to others who will find the money for it either by retrenchment or by any other means. I have nothing more to say, Sir; I only want to warn the House against the unnecessary dilemma with which the hon. Member for Government has threatened us, namely, that if we vote for this motion, there will have to be a regrouping of villages. This House will not approve of such a course. This House will not take away with one hand what it gave with the other. I am afraid that, when this motion is carried, as I hope it will be, there may be another attempt made to prevent its scope by regrouping the villages in the Presidency.

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"Before I sit down, Sir, I do most earnestly appeal to the hon. Ministers to give the lead to the House on this matter. We are anxious to note what their opinions are on the question. If they wish to support the Reserved half of the Government, let them get up and give their reasons for such a course and not give a silent vote and appeal to their party men to vote with them. Sir, this is not a matter for this party or that. This is a matter in which the lives and happiness of thousands of individuals are involved, most of them belonging to communities other than my own small community, and I do hope that the hon. the Ministers will not keep a Sphinx-like silence, lift their hands and cry out 'Happy family,' but let them stand up and say: 'Support it or oppose it' and give an honest, clear lead to the House."

Mr. R. VEERIAN:—"Sir, I am glad that a motion has been brought forward to improve the prospects of the village officers, but, Sir, I am sorry that the hon. Mover has not foreseen the practical difficulties involved in the acceptance of the resolution. The pay of the village officers was increased only three years ago and now an increase of Rs. 5 per head will amount to an enormous amount of money. We shall have to find the necessary funds and that we can do only at the expense of other activities which are bound to suffer on this account. The increase now proposed is indeed a high jump from one end of the ladder to the other and it involves lakhs of expenditure. That, Sir, is my sincere opinion. I am very sorry, Sir, to note that the village officers are the only persons coming within the category of the village establishment whose prospects are sought to be improved by this resolution. The hon. Mover has not realized that the other menials who are part of the village establishment have also a claim for similar treatment. I am sorry, Sir, that my friends want reform only at the top and at the middle and fail to realize that it should begin at the bottom. Ignoring that all reform should begin from the bottom, we proceed straight to the top and the middle. What is the use of such a reform? I believe that hon. Members realize what I mean. I am sure there are several members of the depressed classes who come under the category of village establishment and their pay has not been taken into consideration. If the hon. Mover had taken the least trouble to put their case before this House, certainly I would have great regard for him; I would admire him. With all his eloquence, he has not satisfied this hon. House. It is a great pity, Sir, that my hon. friend, Mr. Satyamurti, has not also convinced this House. The hon. Members have not taken the least trouble to put forth the grievances of the lowest-paid classes of the village establishment. I think, Sir, I am not, out of my ardour, exaggerating their claims. They are very responsible persons in collecting revenue. If they do not do their work, the village officers will become non-entities. Not one of them will shine unless they co-operate with these menials. From the very beginning, Sir, we have not done anything to ameliorate their condition. I am very sorry that with all their eloquence, my hon. friends, Mr. Venkataramana Ayyangar and Mr. Satyamurti, have not done anything to do justice to these persons who are paid most inadequately. What is the use of simply pleading for one class of people excluding the other class that also comes under the category of village establishment? We should press their claims in this Council. The hon. Mover fails to realize that these people too are an indispensable part of the village administration and that their claims too should be considered. My hon. friends who have spoken in support of the motion have not been able to convince this learned House with facts and

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figures why the village officials alone should be given increase of pay. I appeal to my hon. Friend, the Mover, not to press the motion. With these few words, I oppose the motion."

MR. G. RAMESWARA RAO:—"Mr. President, Sir, while I appreciate the argument of my previous speaker and if I rise to oppose this motion, it is on other grounds also. My previous speaker has said that the resolution seeks to improve the condition of only one class of people and neglects the other class who also form part of the village administration. My hon. Friend has rightly said that the whole staff must be looked upon as one solid entity. It has been said, however, that the pay of the village officers has recently been increased, but, Sir, what the Government have really done is to limit the scope of such an increase by cutting short the establishment and so making many of these village officials feel the loss of their appointments very keenly. What has really been done in the name of giving higher salaries to one or two of these officials of the village, is cutting short the establishment, removing many vettians and talaiyaris. Sir, when there is only one talaiyari or one vettiyan in a village, if unfortunately by the use of a bomb or gun which were being mentioned just before there is a murder in that village, the vettiyan or the talaiyari is asked to hurry off with a report of the case to the magistrate or the police, and then, the revenue inspector comes to ajmaish a particular land, the village karnam has to carry the chain to measure the land. The hon. Member who spoke for the Government has talked about the prestige of the village officers. Where is the prestige, Sir, when the karnam is asked to carry the chain all the way? The question of prestige is also lost sight of when a large part of the village establishment is dispensed with by a regrouping of the villages. It is only raised whenever an increase in the pay of the staff is asked for. Again, Sir, there is a divergence of views regarding the establishment itself. Difference is sought to be made between service and service. Both my predecessor and the hon. Member for the University have stood for the advaitic theory of making no difference between service and service. The difference made by the Government is between the superior and inferior services and that made by my predecessor the village officers and menials. It is only adding to the differences where there really ought to be none. If you want to raise the salary of the village officers, do raise it if you are competent to raise the necessary funds, if you can convince the people that they must necessarily bear the burden which the villager should bear for the support and advancement of the village officer. If you are unable to do so, then leave it as it is. Do not ask the Government on the ground of their prestige for a higher salary and make the Government get rid of a large portion of the staff. Do not tell the village staff that they should leave their service and go abegging. If, as I said, you are unable to increase their pay without at the same time a curtailment, the strength of the village staff retain the present strength of the service and leave their prestige as it is. Sir, a motion for the partial advancement of a section of the village staff is altogether unjustifiable. Believe me, Sir, when I say that what has been done in the name of raising the salaries of the village officers has resulted in untold miseries. I am not going to contaminate the pure atmosphere of this House by narrating in detail the corruption that has been practised in the mufassal in the name of grouping villages. It is not justifiable for me to state specific cases, because the matter should come before a proper tribunal or the executive in charge of administration. You can take it from me, Sir, that there is a

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loud complaint against the grouping of the villages which has always been attended with insurmountable burden to the village officers who feel that their sense of vanity should be respected and find the same very difficult to cope with. They have to run into enormous debts to keep up their position as village officers even for the paltry sum that they receive. That is the position and I state it with authority. I myself belong to karnams' family and I have consulted many hon. Friends here who are similarly members of the karnams' (Reddies) families and we are unanimously of opinion that the village officer rather abhors the scheme of raising the salary because he is always stared in the face by that mighty demon the regrouping of villages and cutting short of the number of appointments. The incumbents, he is afraid, will be reduced and one will be asked to do the duties of two and more. Twenty-five to thirty per cent of the staff is dispensed with, and when the officer feels his work more heavy he is told that as his pay has been increased he must do more work. In one village, I know, the extent has been increased to 12 miles and how can we expect one karnam with a diminished staff to carry the chain on his back and ajmaish the fields with the revenue inspector in such a vast area? We have added to the large number of revenue inspectors who sit in judgment over the karnams. And when there is a large number of revenue inspectors who are keenly watching the work of the karnams, there is a great danger of the village karnams losing their appointments unless they are all vigilance and all eyes. When the jurisdiction is so vast, is it human to expect the karnam to go round all the 12 miles and have a proper ajmaish of the village? It is too much to expect of them. Now the Government threatens us that if you vote for the resolution and wish an increase in the emoluments of the village officers, it will only result in a diminution of the number of incumbents. We are not going to bargain with the Government for more pay and less establishment. In the name of efficiency of village administration, in the name of humanity, I ask that the village officers should not be asked to bear a greater burden. The village officers do not want increased salary if it will result in curtailment of the establishment and entail additional responsibilities. Sir, reference was made to pledges given at elections. You may take it from me, Sir, that there was no such pledge given by any of us so far as our districts are concerned. My hon. Friend, Mr. Ranga Reddi, coming from Kurnool, has not given such a pledge at all. I do not say, Sir, that we gave no promises, but I should say that we have given no such pledges. I sounded many other hon. Members who said that they too had not given any such. When Members have been returned to this Council without giving any such pledges, it is not fair to hit the Mover who is actuated by the best of motives with the argument that he has given a pledge to redeem which he has brought forward this motion. Pledges or no pledges, if it is possible, it is our duty to vote for the resolution. But if the Government bargains and says, 'accept less officers', then I am not going to accept it. It is an unconditional demand that is put forward by the hon. Mover and if it is not accepted without any bargaining, we must reject the proposal. In virtue of the fact that such a bargain is now made by the Government, I am obliged to vote against the motion."

MR. T. ADINARAYANA CHETTIYAR:—"Mr. Deputy President, Sir, my acquaintance with the village officers did not begin with the elections. It is at least twenty years old and I came across the village officers more intimately from my work in the co-operative field. My previous speaker found

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fault with the hon. Mover for restricting the scope of the resolution only to one class of village officers and my explanation to him is this. It is not that the hon. Mover is very partial in his sympathies or limited in them, but it is because he knows the class of officers, the particular officers of the village, who are more hard hit than the other class. It is an economic question. These village karnams belong to what is called the respectable middle class and all the world knows that in these days of economic pressure it is this middle class that suffer the most. It is they that have to keep up the usual paraphernalia, the usual expenditure of a middle-class household. I take it that it is for that reason that the hon. Mover of this resolution has restricted himself to that particular class, not because that he is not sympathetic to the lower strata of village officers.

"I would, therefore, request even my hon. Friend, Mr. Rameswara Rao, and my other hon. Friends to support this motion. Mr. Deputy President, Sir, we are all familiar with the theory that the village officer is given larger credit, larger status, larger prestige and all that sort of thing. Of course, he can stand for election to this Council, but this question is more an economic question than any other, and in considering any scheme for the betterment of his salary we have to remember not his respectability but the fact that he is a full-time officer. My hon. Friend, Mr. Srinivasa Ayyangar, has detailed or rather referred to as many as 40 or 50 duties the village officer has to perform, and some of those duties are very very important. Everything that you can conceive of in village administration is in his charge, and yet only paying a pittance of Rs. 7 or 8 and odd and saying that he has larger prestige to his credit is cheating a poor class of officers. The speaker on behalf of the Government has said that since 1920 the prices have not risen, but whoever in the world admitted that in 1920 the salaries were sufficient, or that they satisfied the village officers. The salaries were unsatisfactory then, they are unsatisfactory now, and they will be unsatisfactory until at least the wage which the hon. Mover has recommended in his proposition is granted. Even then I think it will be unsatisfactory, but considering the poor condition of our finances, only so much rise has been recommended. It is also well known to everyone who has got any acquaintance with village officers, that the village officer in spite of his various and numerous duties—45 as my hon. Friend, Mr. Srinivasa Ayyangar, would have it—has got also what is called mamul supplies. Many of us know, and the hon. the Deputy President knows very well with his intimate knowledge of the country and the village officers particularly, that these supplies, whatever may be the official description of them, are a real burden on the shoulders of these people. The village officer is also the common host of the village; there are no hotels in the villages and they have to feed the in-comers, and especially men of the high castes they are bound to feed. I think that several of my hon. Friends here in their election campaigns or otherwise would have enjoyed the hospitality of the village officers (hear, hear). In fact, one village officer told me in a conference over which I presided that the village officer cannot be sure at all that the rice which was boiling in the pot would be coming into his mouth; some one or other comes and all that is cooked goes to him. I would request hon. Members of this House to remember all these things. There is no use saying that the pay was increased in 1920 and it must have satisfied them. The pay was never adequate, and it will never be adequate until it comes at least to what any other full-time officer in the mufassal receives. But we

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are a cautious set of people and with the nightmare of the budget before us we are proposing quite a modest increase in their salaries. Sir, I also sympathize with my hon. Friend, Mr. Rameswara Rao, in his speech, as he said, against this motion. But every word that he said was in favour of this motion with this difference, that he was afraid that the so-called sympathy of this House might after all end in disaster, because the poor officer may find himself reduced owing to any regrouping in consequence of increased salaries. I am also aware from my intimate knowledge of the district which I have the honour to represent, North Arcot, that the regrouping of villages has done immense havoc to this class of people. Not only has the system been at fault, but the manner in which the regrouping has been carried out has spelt ruin to many officers. Apart from this fear of regrouping, the other fear referred to by Mr. Rameswara Rao and also vaguely hinted at by the hon. Member for Government is the abolition of the posts of these village officers. It is that nightmare that makes these village officers say, as my hon. Friend put it, 'Save us from these increases'. Sir, I am afraid that my hon. Friend, Mr. Rameswara Rao, has taken a narrow view of the matter. If any such attempt is made, this House will take care to press on the Government the interests of the village officers and see that the abolition is not carried out. Then, Sir, there is the ground, often trotted out, that our finances cannot support any large increase. The hon. Member for the University has sufficiently laid threadbare the faultiness of this argument. Now-a-days, whenever we open a newspaper, we are reading of huge demands—demands not made with good grace, but demands in their literal sense—for increases which would cost lakhs and crores, but when a large body of people who are ill-paid and yet who are very important, who form the foundation of all good Government, comes and asks for a pittance of an extra two annas a day, it does not come well from the Government to say there are no funds. The budget will soon be upon us and this House may be trusted to find the means of paying this class of people adequately. Therefore, Mr. Deputy President, I join my humble voice in supporting the resolution moved by my hon. Friend for Coimbatore, and request that all Members of this House may vote for it with one voice."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, I wish that this question had been discussed on its merits and with due regard only to the financial considerations of the subject. The hon. Member who spoke for the Government has unfortunately brought into discussion certain aspects which could have been avoided in a discussion of this problem. The question of the pledges made or which might have been made or which he took it might have been made at the time of elections, could have been avoided or should not have been brought into play in a discussion of this question. It must have been presumed, to start with, that a motion like this moved by a Member of this Council is moved with a full sense of the responsibility he owes to himself, to the country and to the Government. In moving a motion of this description and even in coming to a decision on this question, it may be taken that the question of the statements which might or could have been made would have formed a certain ground which may be taken into account. Another matter which might have been avoided by the hon. Member who spoke on behalf of the Government is this: that in the case of increase of salaries of village officers alone, he should not have called upon the Members of this House to find ways and means of providing for the increased expenditure. That is one

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of the difficulties which we have noticed in dealing with the claims of these officers put forward on this occasion as also on previous occasions. If the attempts made to introduce Bills for the purpose of collecting cesses to provide enhanced salaries for village officers were rejected in this House, it was because they found it inequitable, unjust and improper that in their case alone the House should be called upon to vote additional taxation in order to provide for an increase of over two crores of rupees. Especially in the case of a Bill introduced after the Reforms, when no question was asked as to how the additional sum to provide for increases should be procured or whether the country could bear that additional cost in providing for the additional expenditure, and when a vote for special taxation was asked for, this House very properly rejected the proposal. And if any such attempt is made hereafter, I have not the slightest doubt that this House would reject it with even greater force and vigour. Therefore, leaving aside these irrelevant considerations brought into this discussion, I wish that this House would come to a decision only as to whether the rate of Rs. 20 which is proposed as the minimum pay of village officers is reasonable or unreasonable. I am rather sorry that the hon. Mover of this resolution has circumscribed its scope by confining it only to ryotwari areas, but for the present we shall be satisfied with the limitations which he has placed, though the resolution itself does not impose this limitation, namely, restricting its scope to ryotwari areas. I may myself state, Sir, on this occasion that I have not been able to find any justification for any wide divergence between the treatment accorded to village officers in ryotwari areas and that accorded to those in zamindari areas. I am quite aware of the financial difficulties of the problem, but when we do attempt a solution of the problem, we must be fair and just to all classes of these officers. What are the circumstances under which it was resolved that even in the case of proprietary estates, village officers should be paid their salaries by the Government? Could it have been anticipated that persons who are doing fairly the same onerous duties as others should be placed especially in a disadvantageous position? That could not have been contemplated. Though I personally would think that a limit like the one which the hon. Mover has chosen to place on the resolution is not a reasonable one, still I would put it to the House to consider whether the minimum of Rs. 20 which has been suggested as the pay of the village officer can be said to be an unreasonable one. That is the first plain question which this House ought to set itself to consider. If it should think that Rs. 20 is too high for one occupying the position and performing the duties of a village officer the House may reject the resolution. But if, on the other hand, it should consider that in view of the large increases we have been providing for others owing to the rise in prices this increase is quite reasonable and just, this House, apart from other financial considerations, has no other alternative but to vote for the resolution. That is the plain question now before the House. If this motion is voted upon, the effect is this: recommendation will be made to Government and then it will be for the Government to consider and make proposals for adjustment of expenditure under various heads and to see in what manner effect can be given to the decision of this House. We need not therefore speculate as to the manner in which the Government would be able to give effect to this motion, before we make up our minds, for so long as we are satisfied that the limit or minimum we suggest is reasonable and modest, I think our duty is plain and it is that we should vote for this motion."

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Mr. A. RAMASWAMI MUDALIYAR:—"Mr. President, Sir, I do not know whether I am called upon to speak on the merits of the resolution, but I think it would be well for hon. Members of the House and especially those who are new to know something of the history of the question of the revision of pay of the village officers. Sir, the Salaries Committee which was presided over by Mr. Marjoribanks took up the question of the revision of the salaries of the village karnams and fixed their pay at Rs. 15. After that an agitation was seriously started by the village officers, the monegars and the headmen, and it was felt that their position was very much worsened by the fact that the karnams who were supposed to occupy an inferior status got a higher salary. The second Salaries Committee, which was composed of the Members of this Legislative Council, went into this question rather elaborately and their recommendations are found in the report which they submitted. And they considered that the village officers should be paid a salary of Rs. 15. They further submitted that from the evidence tendered before them, it was found that the village officers were more anxious to retain the hereditary character of their offices, and in some districts at least they were less anxious that their salaries should be increased. And if you go through the report, you will find that the Salaries Committee's suggestion that a distinction should be drawn between districts and districts, and that in some districts the village officers might be honorary and that in other districts where their services could not be secured except on payment, the rate of pay should be Rs. 15. My hon. Friend from Cuddapah, I believe, subsequently brought forward a resolution that the pay of the village officers should be fixed at Rs. 12 a month and my Friend from Bellary suggested an amendment to the effect that it should be fixed at Rs. 15, an amendment which was carried by the vote of this House.

"After that, the hon. the Revenue Member, on the 27th March 1922, came to the House with a supplementary demand of nearly 3 p.m. 20 lakhs of rupees in order to provide for the revised salary on the basis of Rs. 15 a month for all the village officers and for all the village headmen who were to be affected by the proposal. The amount to be voted by the Legislative Council was intended to provide for an increase in the pay of every village officer who was drawing Rs. 15 a month and who, according to the professions of this House and presumably, according to the opinion of the hon. the Revenue Member—his converted opinion, if I may say so—deserved to have a salary of Rs. 15. Between the dates March 1922 and April 1923, some change seems to have come over the Government. For we find for the first time that some time about April of this year the question of amalgamation of villages has been taken up seriously, and in district after district villages after villages have been re-grouped, two villages being converted into one village with a single headman in charge of it. I charge the Government with not being fair to this Legislative Council (hear, hear!); I charge the hon. the Finance Member and the hon. the Revenue Member with having done something behind the back of this Legislative Council. When we voted the supplementary demand, we did not dream for a minute that this proposal of re-grouping of the villages was going to be taken up. We voted for the supplementary grant so that the pay of every single village officer who was getting a salary of Rs. 12 in March 1922 would be raised to Rs. 15. That was the basis on which the calculation of the supplementary demand was made. I ask, Sir, by what authority, under whose order, did the Government make

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proposals for the re-grouping of villages? Sir, this is a question which has seriously affected the village headmen in all these places. The Salaries Committee suggested that the hereditary character of their appointment much more than their salaries must be considered. I know, as a matter of fact, Sir, that in some villages in the Chingleput district they would far rather continue to be hereditary officers even with an honorarium, or without an honorarium, and the Government comes forward with a proposal that the villages are to be re-grouped and that for every two villages one headman ought to be sufficient and one ought to go. Sir, the village headmen in scores and hundreds appealed to the Board of Revenue, appealed to the Collector, and their appeals have been in vain. Time after time I had been myself instrumental in forwarding these appeals to the Board of Revenue suggesting that these village headmen should not be removed and also suggesting that, even if this re-grouping was considered, these village headmen were prepared to work honorary if only they were allowed to continue the hereditary character of their appointment, but the Board of Revenue did not accede to their request. We are trying for retrenchment. We have asked that villages may be re-grouped, taluks may be amalgamated, divisions may be re-grouped, but none of these have been done."

The hon. Sir CHARLES TODHUNTER :—" May I rise to a point of order, Sir? It is not correct to say that none of these things has been done."

Mr. A. RAMASWAMI MUDALIYAR :—" I understand that the hon. the Finance Member says that in some places the villages have been amalgamated. A very microscopic minority of the taluks seems to have been amalgamated, but in every village I have gone to in the Chingleput district during my election campaign the one cry that was heard was this, that without anybody's notice, and with no sanction from any proper quarter, these villages have been amalgamated. Sir, as I was saying, the village is one unit which is incapable of being amalgamated. If you understand the proper character of a village, you will find that it has its own parties, that it has its own factions and other things and it is impossible for a village to get itself amalgamated with another village. I know of instances where two villages have been amalgamated and one of the village headmen, both of whom being respectable, being asked to go to the wall. It has been his hereditary right. I know that in one case the village headman was one who was paying a kist of Rs. 4,000 to the Government; that man has to give place to another. These things ought not to be done in the name of economy. When the supplementary demand came, we were never given to understand that that was the proposal of the Government. I ask the hon. the Finance Member whether he will be able to resume any amount out of that supplementary demand. I ask him whether he had this proposal in view when he came forward with this demand, or whether he wanted to take up the question of amalgamation at a later stage. I accept Mr. Venkataramana Ayyangar's proposal, because I believe that more and more of amalgamation will otherwise take place. The Government may show its reluctance to accepting this proposal, and when pressed, it may accept it; but the result will be that instead of two villages being amalgamated, three or four villages may be amalgamated. I hear, but I do not know how far the rumour is true, that the ultimate idea may be to group five or six villages and to have one revenue inspector to look after them. I say that the whole basis of this proposal for amalgamation does not take into account the essential character of the village, the essential character of the unit of administration, and the essential

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character of the powers, the privileges and the duties of the village headmen. If, therefore, I do not vote for the proposition of the hon. the Mover, it is not because I am in less sympathy with the village headman in his getting Rs. 20, but it is because I think that, under the guise of increasing the salary, more men will have to go to the wall. In several places I know that these people would rather be honorary officers, given a better status. We have pleaded for him a better status in the village; we have pleaded that he may not be treated arrogantly by these petty officials, and I do not know how much has been done to him in respect to all these things. Depriving him of his hereditary village headmanship is not doing fair to us who have never asked for that. When we went to the villages we were puzzled for what reason the Government took up the proposal of amalgamating these villages and under whose authority it was done. Was it the Retrenchment Committee whose report is yet to come before us? I should like to know whether the Retrenchment Committee had any hand in this. It was not a proposal which was put forward by any responsible section of this Legislative Council either. Therefore, Sir, for these reasons, I strongly object to the proposal, because I think that that will be a thin end of the wedge to remove these headmen so that they may put in their place S.S.L.C.'s."

Mr. P. ANJANEYULU :—" Mr. President, I thought that this was one of those questions where there would be less of controversy and more of support, because it is after all more to benefit this class of Government servants (viz., the village officers) themselves that the hon. the Mover brought forward this proposition. I do not think there is any one in this House who would like to have a low-paid servant and who is always starved. I should have thought that even the Government Members themselves would sympathetically view this proposition, and I was rather startled when I found that these village officers were merely treated as so much of human commodity based on the theory of supply and demand. We know that the cost of living in the whole of this country has risen considerably owing to various reasons which it is unnecessary for me to formulate here. Even the coolie (daily labourer) gets on an average 8 to 12 annas a day, whereas these village officers whose duties have already been enumerated get only something less and they have to discharge practically almost all the responsible duties in the village. If the hon. the Mover has restricted his proposition to the village karnam and the headmen only, it is perhaps for financial reasons; and if he can find ways and means for the enhancement of the salaries of these people, he thinks, possibly, that he may come forward next time with another proposition for the enhancement of salaries for the other establishment also. It is no doubt true that the solution of this question rests on the state of the provincial finances and it may perhaps be as well to put all our heads together and see whether it is not possible, under the circumstances, to increase their pay. I should think that no sympathetic Member here would feel that a pay of Rs. 15 per month to the village officers would be a sufficient remuneration for all the duties they have to discharge. If this question is to be viewed in the light in which it ought to be viewed sympathetically, with due regard to the financial aspect of the question, I should have thought that there would have been a better understanding between those who are opposing this proposition and those who are in favour of it. Anyhow, Sir, on the principle that the salary as paid to these village officers is quite inadequate and insufficient for the proper discharge of their duties, I support this motion."

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Mr. J. A. DAVIS :—"Sir, for the same reasons as were given by Mr. Ramaswami Mudaliyar, I strongly support this resolution. I take the very reverse view of the proposition from the one he took. He said that if this motion were to be given effect to, the village officers would be reduced in their number. We should see that they are not thus reduced in number in giving them the salary of Rs. 20 a month on the ground that Mr. Ramaswami Mudaliyar put it. Our object now is to see that the salaries of these men are enhanced; and because once before, when their salaries were enhanced, their numbers were cut down, we should not now presume that the same thing is going to happen again. It is our duty to see that such a thing does not happen. If we are satisfied that these men must be given a living wage, then we should not withhold our support to the proposition for the mere reason that if we support the motion, something is going to happen and that, therefore, we should not support it. With these few words, Sir, I strongly support this motion."

Mr. G. F. PADDISON :—"Sir, I have been spending all my time for the past four years in considering questions of wages and questions of pay. I have personally been in touch with the village officers and have spent most of my time for about 20 years in their very pleasant company. I need hardly say, therefore, that this question appeals to me personally very strongly. At the time of the coal strike in England a railway porter once said to me, 'Well, what we railway men really want is that the whole people should get a fair pay'; that is to say, they were anxious that nothing extravagant should be given, but that the people in question should be given fair and reasonable terms. It is the very same question that is now before the House. If we go down to the economic details, we shall find that there was once a strike in the Godavari district. I do not want to mention the very taluk. The question was as to whether the labourers should get 2 annas or $2\frac{1}{2}$ annas a day, and ultimately they succeeded in getting 2 annas 3 pies. Then again, it is not a question of exactly how much they want. The question for us to consider is what is the fair rate of pay for these officers whom we all respect."

"The more interesting thing about this proposition is this: It has been suggested by Mr. Ramaswami Mudaliyar that this is only a thin end of the wedge. It has been suggested that the ryotwari karnams and the ryotwari headmen should be the only men to get this increased salary. I may tell the House quite frankly that I am sure that if we decide to-day that the ryotwari karnams and ryotwari headmen only are to get this increased salary, there is no doubt that Mr. Veerayan will at once come forward on behalf of the talaiyari; I belong to the depressed classes myself (laughter) and I am sure there will be an agitation on the part of the zamindari karnams and headmen who will come forward and say that if you are going to give this enhanced salary to these people, you must give it to everybody. In that case, we have to find not only 15 or 17 lakhs but ultimately we must find—I think I am right in saying—40 lakhs, a sum

3-15 p.m. which will make the mouths of the representatives of the depressed classes water. We have got schemes of water-supply and all kinds of really urgent things on hand for the depressed classes, and we should not throw away the money reserved for these in increasing the pay of the village officers. I say this quite seriously.

"Now, Sir, as regards the question whether Rs. 15 is a reasonable pay for the village headmen, I think this was well answered by Mr. Ramaswami

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Mudaliyar. A village headman paying a kist of Rs. 4,000 has been referred to, and it was asked whether it was reasonable to pay him only Rs. 15. In the old days—I always used to think that those days were very much better days—the village karnam and the village munsif were remunerated not in money but in land, but they were not remunerated all on the same level. Unfortunately, that system was given up and a new system of paying in money came in. But the original mode of payment was the ideal way, in my view, of remunerating these village officers. Now we have not got lands to give, and we expect these village headmen and karnams to know that we are conferring on them a position of respect; that is what Mr. Ramaswami Mudaliyar told us. I do not know if I am in order in referring to a zamindari area, and, if not, I apologise. When I was Collector of Madura, the question of karnam's place in an out-of-the-way proprietary village went up to the Privy Council, and the remuneration of the job was, I think, very very small, about a few rupees. That showed that the position of the village headman was prized very high. It is really one which is very much coveted, and we have therefore to consider this question of position and its worth fairly and squarely. We get men for the place and for the pay, giving up better remuneration. For instance, the late Sir K. Srinivasa Ayyangar giving up his enormous income at the Bar accepted Rs. 5,000 a month as Member of the Government apparently for the position. Again, Mr. F. E. Smith gave up his £40,000 a year in order to accept £10,000 on the Bench, for the sake of the position. As Mr. Ramaswami Mudaliyar said, we want the village officers to realize that we respect their position. Now, as regards their pay, we do not know where the exact limit should be placed, whether it should be at Rs. 15, 20, 30 or even at 40. Rs. 15 was considered reasonable last year; Rs. 20 is considered reasonable this year; when the next election comes—perhaps it is coming in shortly (laughter)—the figure is likely to go up to 25. Is it fair to go on asking for an increase when every new Council or a new session comes in? We had the Government Salaries Committee, the Non-Official Salaries Committee, and all manner of Salaries Committees, considering this question and giving decisions. Ultimately, it was only last year that we passed Rs. 15, and if we are going to pass Rs. 20 this year, a similar proposal may be made next year for Rs. 25 or 30. As my hon. Friend, Mr. Legh, put it, if we want to do it, we can do it only by reducing the number. But we must stick up to the number which we value so much, lest the Government should lose the services of several persons who will be willing to place theirs at our disposal. I think we had a Committee of this Council which considered the question thoroughly, and when you have clearly made up your mind a year ago that Rs. 15 is—I do not say that you can get men in the open market for that pay—reasonable, I find nothing has happened in the interim to make us increase it to Rs. 20. I think it is a very great mistake to make changes so quickly while nothing in any sense has happened to justify any further increase.

"The other point raised was this. One of the hon. Members said that large reductions had been made in the number of village officers and that what had been given by one hand was taken away by the other. But I shall give some figures from a paper in my hand: the actuals in 1919-20 for all village officers—I am giving for all the village officers—was Rs. 70 lakhs, and in 1923-24 the estimates are Rs. 121 lakhs, which makes a difference of Rs. 51 lakhs. Very well, then, in the next budget year 1924-25, we

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put in Rs. 117 lakhs, that is four lakhs lower. Therefore what was raised by Rs. 51 lakhs was reduced by only Rs. 4 lakhs."

Mr. C. RAMALINGA REDDI:—"What is the reduction in the number of officers?"

Mr. G. F. PADDISON:—"That I cannot tell you, Sir, from this paper."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know the years for which the comparison is made?"

Mr. G. F. PADDISON:—"The years are 1919-20 and 1923-24."

Mr. S. SATYAMURTI:—"May I know what the paper is from which the hon. Member is reading?"

Mr. G. F. PADDISON:—"The figures I gave are from a note to the Government."

"Then, Sir, I would like to say one word, a very brief word, about my own little bench here. Mr. Satyamurti asked whether we of the Heaven-born Service with our swollen salaries were going to object to this money being given to these poor people. I submit that I am a bureaucrat myself, and that I have a great deal of interest in the Public Services Commission which is coming now. But I should like to say that we hate asking for anything, and we have never asked for anything up till now. But there is a feeling, a very very strong feeling that we should like to lay before the Commission."

The hon. the PRESIDENT:—"We are now speaking of the village officers and their pay and not of the public services"

Mr. G. F. PADDISON:—"I was referring to the speech made by the hon. Member, Mr. Satyamurti, in your absence, Sir, in which he said that it was very unfair for gentlemen in my position, or in the position of Mr. Legh, to object to the raising of the pay of village officers, and at the same time for us or for some of us to ask for an increase of our own pay."

Mr. S. SATYAMURTI:—"I did not say so, Sir. The hon. Member who spoke for the Government (Mr. Legh) said that the contentment or the satisfaction of the service was not the deciding factor in fixing the salaries. I said that this argument came with an ill grace from those members of the Heaven-born Service who for the sole reason that they are not satisfied with their salaries come forward and say that they want more pay."

Mr. E. W. LEGH:—"What I said was that if the hon. the Mover, Mr. Venkataramana Ayyangar, was prepared to stick up to his statement that the satisfaction of the officer was the first consideration there will be many members of my own Service who will be glad to have him as their witness before the Public Service Commissioners."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I shall answer to the charge in my reply."

Mr. G. F. PADDISON:—"My point is this. The whole question of the pay of village officers has been considered since the War, along with that of the other services such as the non-gazetted officers. But we of the Heaven-born Service, as Mr. Satyamurti put it, and the other so-called superior services had our pay fixed at a time when the exchange was two shillings per Rupee on the report of the Public Services Commission which sat in 1914. The

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Salaries Committee in this case was one appointed in 1919-20. That is the distinction I wish to make, and although I might agree with Mr. Satyamurti that we are anxious that the village officers should be satisfied, I do not agree with him when he says that we should not object to this increase of Rs. 20. If his ground was that we objected after getting something that would satisfy us, if we had waited till we got that and if in the following year he had got up and said so, his criticism would be fair and just. With this slight reference to my own Service, which as you said was not quite relevant, I now turn to the question of village officers' pay.

"I am now speaking as head of a department which is a spending department and where a great deal of money is wanted. All over Madras, all over the Presidency, I want houses, I want schools and everything else for the depressed classes. Once we begin to discuss a thing of that sort, I would ask the House to consider seriously whether we should not set right that thing once for all, and settle it before other changes take place. So I do strongly ask the House to consider the importance of making the best use of our money."

Rai Bahadur T. M. NARASIMHACHARLU:—"Sir, I was responsible for tabling a motion to increase the pay of village headmen and 3-30 p.m. that was passed by this House and the Government no doubt gave effect to it. But if I could have in the least dreamt that the Government was going to give effect to that resolution by reducing the number of village officers and servants, I should certainly have not brought it at all. It is not a great thing for the karnam or the village officer that he is paid a little more or a little less; but the action of the Government has resulted in depriving the means of livelihood of many a poor depressed class-man. Many *talaiyaris* were sent home; many *vettis* were sent out, and many *neer-kuttis* were asked to go out. These men were actually depending upon the very poor pay they were getting. It would have been better for the hon. the Mover to have brought forward a more comprehensive resolution, a resolution which would include not only the village officers but also the poor village servants (hear, hear). As it is, the increase of the pay of the village officers will result in the increase of the pay of the servants also, if we pursue the argument to its logical conclusion. But as I told you, the responsibility for this resolution rests on the Government itself. If they did not reduce the number of village headmen, karnams and servants, I do not think this proposition would ever have been brought at all so soon after the pay has been raised."

"It has been said that an increase in the village officers' pay might have been an election pledge; I may tell this House that this question of increase of pay to village headmen and others and the consequent reduction of the number of the staff has been a great handicap to several of us in the last elections. For, people said: 'Yes, yes, you are the cause of the reduction in our number; by your resolution it was that there was such a decrease in our camp.' Therefore I submit, Sir, this question of bringing in the election pledge is altogether irrelevant."

"We should consider it purely from an economic point of view and nothing else. As the hon. Mr. Paddison pointed out, even Rs. 20 as the minimum may not be adequate to the duties performed by the village headmen and karnams who enjoy a great deal of prestige and dignity and many

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of whom said in the recent grouping of villages, that they did not care for the pay provided they were left alone in their employment. Therefore it is not the pay that counts; it is the office, the dignity and prestige attached to it that matters: and notwithstanding the great expenditure they are put to, there is a hereditary nature attached to that post and that is what they covet.

"At the same time, it cannot be gainsaid that the economic pressure and the difficulty that the village officers find in making both ends meet are so great that we are bound to see that they are paid adequately. I think, Sir, that the minimum fixed by the hon. the Mover of this resolution cannot be considered too much. No doubt a good deal of amount has to be spent, and the hon. Member, Mr. Legh, has just said that some levy or other should be found to meet the expenditure. I submit that these village officers are persons who are responsible for the collections of the Government and when they do collect I think it is but fair that they should be paid a compensation for their work and I do not see why an additional cess should be levied to meet the extra expenditure. Considering the increased work after the regrouping and the increased responsibility which is now thrown upon them I think the pay now suggested does not appear to be high. I therefore support the Resolution."

Mr. J. A. SALDANHA :—"Mr. President, Sir, this very simple proposal of the hon. the Mover has become a very complicated question. It cannot be treated as a party question as one of the hon. Members wanted to make it. It has to be seriously dealt with from various points of view, not only from the point of view of economy but also from that of the amalgamation or regrouping of some of the villages and also from yet another point of view, viz., from the point of view of the village officers."

"Well, Sir, the village in India is an ancient institution, with its old boundaries, and with its staff which were existing hereditarily from time immemorial. Now to tamper with this old institution by regrouping or amalgamating them would be a very serious matter. These men regard their position as a sacred one and honourable; there are village officers in South Kanara who would either have big pay or receive no salary if they are treated with better consideration and respect. Every officer that goes to a village expects these men to attend on him and provide supplies—and I hope they pay for it, judicial officers generally pay, only forest and revenue officers are more exacting in their requests. But, Sir, be it as it may, we must bear in mind that it would be better that these officers should be treated with more honour and more respect as befit their position rather than that their salaries should be increased after additional worries and troubles are added by the revenue officers to their old charges. This question cannot be disposed of, Sir, by a simple resolution like this. The question is really more complex than it appears and if the hon. the Mover will bring in a more comprehensive resolution, I am sure the Government and the Ministry will give it a more adequate consideration. A committee might be appointed to consider the grievances of the work, position and salary of not only these village officers but also the subordinates. Also it might be ascertained if the regrouping is a grievance and if so what can be done to remedy the grievances. I am not sure, as it is, whether I should support the resolution: and if it is possible to bring a more comprehensive resolution I shall be able to lend my support to it; but if that is not possible I must give to this

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resolution my half-hearted and provisional support. I hope that some exit will be found from this difficulty and the mover will come forward with a comprehensive resolution on this subject."

Mr. S. ARPUDASWAMI UDAYAR :—"Sir, I am fully in sympathy with the object of the hon. the Mover of this resolution. This resolution aims at improving the status and position of village officials. These have an association of their own and by constitutional agitation and by holding annual conferences they try their best to increase their prestige and pay. I for one, Sir, under normal conditions—with a bumper crop, in the absence of financial stringency and of retrenchment schemes and committees working havoc in all directions—would have had no objection to a resolution of this kind. I would have had no objection to the minimum pay being raised even to Rs. 25. But, Sir, with the failure of the monsoon, which has rendered the agricultural outlook in the southern districts very gloomy indeed, necessitating remissions, with the loss to property and life caused by the recent cyclone in the northern districts, necessitating relief measures. I do not know how my hon. Friend proposes to raise the sum of money which alone will enable him to meet this extra expenditure. I remember a discussion in this House—which took place in March 1922, if I remember right—in which the hon. the Revenue Member moved a Supplementary Grant of 21 lakhs and odd which comprised three items the largest of which represented expenditure owing to the revision of the salaries of village officers. If we pass this motion, a similar demand is inevitable and we shall only be mounting up the deficit of this province. My hon. Friend, Mr. Narasimha Raju, said that the attitude of the Government seemed to be that if the hon. Members did not pledge themselves to that grant, they would be threatened with additional taxation. Well, how could the Government help it? That is the crux of the problem. It is all very well for the hon. Mr. Satyamurti to say that the Government should give effect to this recommendation and that the Members on the Treasury Benches should devise ways and means. I for one have no objection, if ways and means are found, to support the resolution. But we have to face facts, and facts are very hard. We know that certain items of the salaries of the higher grade officers cannot be touched. That is a fact; we have also other hard facts. The hon. Member representing the depressed classes complained that very many of the menial servants had to be sent home; the hon. Member, Mr. Rameswara Rao, made a similar complaint about the reamalgamation scheme. In my own district and in the Tanjore district this process is going on and I am not able to show my head before the villagers, for they come to me in large numbers and pester me with requests. We had a Bill imposing a village officers' cess thrown out by this Council. In these circumstances, unless it is made clear that there will not be any more additional taxation or any special cess, the inevitable result will follow, the mounting up on the one hand of the deficit of this province and on the other, taxation, that is, in other words increase of the burden which already falls very heavy on the ryot. In the interests of the ryots therefore I would strongly object to this motion being passed."

Mr. R. W. DAVIES :—"Sir, I regret that I have been absent from the House for a portion of the debate and so have been unable to follow the whole course of the discussion. I have, however, heard the hon. the Mover of the Resolution and three or four other Members who have spoken.

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My reason for intervening in this debate is that, so far as I am aware, with the exception of the last speaker who has touched upon the fringe of the Finance Department, all other Members have appeared to ignore its existence and responsibilities. The Finance Department has a continual struggle for self-preservation. It is the cinderella of the Departments, but I trust that this House at least will consent to rescue it from the neglect from which it has hitherto suffered; and I am sure that I can appeal to the many Members of this House who have been Members of the Finance Committee. There have been three such committees since the Reforms, and the committee that has recently been constituted contains a number of new Members including my hon. Friend Mr. Narasimhacharlu, who, I regret to see, has supported this Resolution for increased expenditure. The latter has introduced the question of talaiyaris into the debate and has bemoaned the fact that their numbers have been reduced. In contrast with his present attitude, I should like to recall to this House the budget speech made by Mr. Narasimhacharlu in 1921 when he said:

"These (the talaiyari-) serve no useful purpose; they are 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. 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."

Rai Bahadur T. M. NARASIMHACHARLU:—"Time has considerably changed now. (Laughter.) That was at a time when the Government had not thought of re-grouping these villages consequent on the passing of a Resolution of this House."

Mr. R. W. DAVIES:—"The re-grouping of villages has recently been attacked in the course of the discussion, but the power to re-group villages is an inherent and statutory power of the Board of Revenue, which is carried out, and has been carried out throughout my service in this country, irrespective of any questions of increase in pay. In the present case, however, the re-grouping of villages that has been referred to in the debate has been due to the recent increases in pay of village officers. It was in order that the wishes of the Members of this House should be met and that the salaries of village officers should be increased without throwing an excessive burden on the revenues of the province that re-grouping of villages has become necessary. Even after the re-grouping that has taken place, a salary of Rs. 15 for a village headman and of Rs. 8 for a talaiyari should prove sufficient. To pay more than Rs. 8 to the talaiyari is, to my mind, a fantastic proposition."

The hon. the PRESIDENT:—"There is no proposal to pay the talaiyaris more than Rs. 8."

Mr. R. W. DAVIES:—"I must apologise for mentioning the talaiyaris but a number of speakers have referred to them before myself."

Rai Bahadur T. M. NARASIMHACHARLU:—"They were mentioned not for increase of pay, but because they were sent away without any pay at all."

The hon. the PRESIDENT:—"In any case, from this moment forwards every hon. Member will be so good as to confine himself to the village officer whose pay they want to fix at Rs. 20."

Mr. R. W. DAVIES:—"There was one point made by Mr. Saldanha who, I think, is going to vote against this Resolution. . . ."

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Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Half-heartedly against it and half-heartedly for it."

Mr. R. W. DAVIES:—"To the effect that the problem is a prickly problem which cannot easily be solved. I agree with him that the problem cannot be solved by a mere debate on this Resolution across the floor of the House. Questions of salaries have invariably been referred to a committee for consideration and should not be disposed of in a direct debate on a Resolution moved in this Council. Mr. Paddison has referred to the large number of committees that have sat, the conclusions of which it takes long to consider and to act upon. I therefore suggest that Mr. Saldanha was perfectly correct when he said that the moving of a Resolution such as this is not the proper method of attaining the object aimed at."

"Turning to the speech of the hon. the Mover—he has made a comparison between the highly paid officers of Government and the lowly paid village officers and stated that he had moved his Resolution on the ground that the lowest paid officers require the greatest consideration. With regard to the degree of consideration that has been shown to Government officers of different grades, I would refer the hon. Member to the statistics which have been placed before the House and should be within the cognizance of the Mover. The increase of pay which has taken place since the war is in the case of the All-India Services 21 per cent, of the Provincial Services 41 per cent, of the Subordinate Services 45 per cent, in the case of police constables and menials 80 per cent, whereas the centage increase in the case of village officers has been 87."

Mr. C. V. VENKATARAMANA AYYANGAR:—"May I know the paper from which he is reading?"

Mr. R. W. DAVIES:—"So far as I remember, these figures were given in one of the budget speeches of the hon. the Finance Member. I hope, however, that the hon. Mover will accept them as correct, from whatever source they have been taken. With regard to the increase of pay of the village officers with whom we are now dealing, village munsifs and karnams, I do not know whether it has been brought to the notice of this Council during the debate that an addition has been made to their emoluments in the shape of jamabandi and other allowances. This represents a form of remuneration which they did not receive before."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"I have been told that the travelling allowances of these members have been reduced to half an anna."

Diwan Bahadur P. KESAVA PILLAI:—"They are paid 3 pies per mile."

Mr. R. W. DAVIES:—"The hon. Member is referring to attendance at courts. I am speaking of the jamabandi allowance which has been introduced in the case of these officers. So far as village headmen are concerned, the increase covers the expense of travel to and stay at headquarters during jamabandi. This is, however, a minor point. With regard to the general proposition which the hon. Mover has brought forward, that the individual who draws the lowest salary should receive the most careful and earliest consideration, this principle is not, so far as I am aware, applied in other walks of life. For instance, in the profession of law of which the hon. Mover was a distinguished member, it is not the practice that the vakil's gumastah should

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receive the larger share or the greatest consideration. In the case of the mercantile community, it is not the practice that the Komati's gumustah receives as careful financial consideration as the Komati himself. If so, how is that my hon. Friend, who has recently retired from the bar and who has, I think, been engaged in business for some time, should come forward with a proposition of this sort?

"Another point that has been put forward by the Mover, and has been emphasised by subsequent speakers, is that the cost of giving effect to this Resolution should be met from the expected diminution in the provincial contributions to the Government of India. The hon. Mover went so far as to say that he had chosen a fortunate moment for the introduction of his Resolution, in that it coincided with the arrival of the Viceroy in Madras. I should be glad to know from the hon. Mover whether this coincidence has been pre-arranged. The prospective source from which the money is to be found is, however, an illusory source, for, so far as my own individual opinion is concerned, I may say that neither now nor in the near future is there a likelihood of the remission of our contribution to the Government of India. The only ground therefore which he has put forward to support a statement that money will be forthcoming to meet the expenditure, viz., the diminution of the contribution of 3½ crores, which we have been paying to the Government of India, is so illusory that if, as he affirms, the prospective remission forms the basis of his proposals, the Motion he has brought forward is *ipso facto* stultified.

"Another ground for opposing the Resolution is the state of the finances of the province. During the last two years, the province has had a tremendous struggle to keep down expenditure. Its endeavour to increase its revenues has met with only limited success. The extra taxation that has been levied has produced a small result, much below expectation, and it is not intended at the present moment to introduce further taxation so far as I am aware. The proposal, if carried, must therefore be met by increasing our financial commitments. That cannot be done by increasing taxation. We should have to resort to further borrowings from the Government of India and a proposal to this effect would be bound to prove abortive. I trust that all the Members of the Finance Committee will, with the exception of my hon. Friend, Mr. Narasimhacharlu, vote against this Resolution. But even he will, I hope, repent at the last moment and vote against it. The burden upon the resources of the Presidency is greater than they can bear.

"When looking through the programme of business for to-day and the succeeding days, I noticed that the greater number of the Resolutions that are being moved are being moved either with the intention of increasing expenditure or in order to eliminate prospective increases in revenue. There is only one exception among the Resolutions and that is the Resolution to be moved by the hon. Member of the Madras University. His is a Resolution intended to diminish expenditure, but whether it has been brought forward from motives of economy or . . ."

The hon. the PRESIDENT:—"Order, Order. The hon. Member's Motion is on the agenda. It has not yet been moved."

Mr. R. W. DAVIES:—"I beg your pardon. I am new to the procedure of the House. There is only one other point on which I should like to touch, Sir; that is if I am allowed to indulge in personalities, it is with regard to

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the Mover of the Resolution. We knew one another in Coimbatore and have discussed a variety of subjects together, although not the finances of the Province. Mr. Venkataramana Ayyangar is well known to be a shrewd business man. But when he comes forward to this House, he comes not with a shrewd business proposition but, throwing aside the ordinary garb of business acumen, he appears before us in the mantle of extravagance, with a halo of prodigality and wearing on his banner the legend of 'squandermania'. I must ask the House to stand by the side of the Finance Department and to reject the proposition."

Rao Bahadur C. VENKATARAMANA REDDI:—"Sir, the effect of this Resolution, if carried, will be that there will be some reductions in the village establishment. For instance, when the

Resolution was brought forward in 1921 recommending that the pay of village officers should be raised to Rs. 15, we least thought that there would be a reduction in the number of village officers and that there would be clubbing of villages and so on. We first thought the Government themselves would meet the additional cost from other resources. But after all when we came to know that there would be reduction in the village establishments, we thought that we did a foolish thing in bringing forward that Resolution. At any rate our district is quite averse to the present Resolution. The people of my district are really bent upon going back to the old state of things and giving the village officers no pay at all. The immediate effect of this Resolution, if carried, will be further grouping and clubbing of villages. If that is so, I think it is better that there would be no increase in the pay. If this Resolution is passed we must be prepared for further re-grouping. In my district of Kurnool, which is somewhat criminal, three or four villages have been grouped together. It is not possible for village officers in such circumstances to make prompt reports as to offences committed in a place. It will take some time for the village officer to reach the place, and there will be considerable delay in reporting the offence. If there are a number of villages under one village officer, villages far removed from each other, it is absolutely impossible for him to send his report immediately; it will take about a day for the report to be sent. We were hearing here this morning about bombs, and I submit that if four or five villages are grouped together, it is absolutely impossible for the village administration to go on smoothly and efficiently. Even now, after the increase of the pay of village officers to Rs. 15, the village administration is suffering, and if the pay is increased to Rs. 20, I submit that the efficiency of the village administration would certainly suffer much more; and so far as people in my district are concerned, I submit they are not in favour of this increase of pay, as the effect of the Resolution will be further re-grouping and clubbing of villages. With these few words, I oppose the Resolution."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, I thought it was a privilege of a lawyer who has no case for himself to abuse the other side. I never thought that a gentleman holding the status and responsible position of the Secretary of the Revenue Department, drawing a large pay, would make an irresponsible statement that I brought forward this Resolution because I had given some pledges during the election period. He could have easily ascertained that I gave notice of this Resolution several months ago. He might have easily ascertained that for the last three or four years

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I have been crying again and again both in this House and outside it that the salaries of all subordinate officers, village officers, non-gazetted officers and others, should be increased, and that the minimum pay should be at least Rs. 50. I have always been maintaining that the menials and peons should have their pay increased. Ignoring all these facts or being indifferent to all such things, that a gentleman of the responsible position of a Secretary to the Government should come and say that this is an election cry, is, I submit, a thing which I cannot understand."

Mr. E. W. LEGH :—"I did not suggest that that was the intention of the hon. Member. I said the fact that this Resolution has been brought forward now may give rise to such an inference."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I know he was not bold enough to attack me personally, but he made such a suggestion and I leave the point there."

"Knowing that he would fail on that point, the hon. Member cried 'wolf!' I made it quite clear that so far as this Resolution is concerned, it must be decided on its merits, i.e., whether the village officers deserve an increase in their pay or not. I clearly showed that the Government were wrong in saving a few lakhs of rupees by grouping the villages. I have been putting questions after questions about this matter making a suggestion that the villages should not be clubbed together without previously consulting the hon. Members belonging to the particular district. The hon. Finance Secretary has said that it is the inherent power of the Board of Revenue to group villages and therefore we should not vote in favour of this Resolution, although on its intrinsic merits, it might be carried. I do say, Sir, that hon. Members of this House have got the power to vote for this Resolution and also to bring in a proposal later on that under no circumstances should this inherent power of the Board of Revenue to club villages be given effect to without the sanction of this House or without a committee being appointed for each particular district and their recommendations considered. Then, Sir, so far as additional taxation is concerned, I submit that it is not a new threat. Two years ago, when we wanted an increase in the pay of the village headmen, the Government said that we would have additional taxation. They actually brought forward a proposal to levy a cess, but this House refused sanction to it. Therefore, we should not be carried away by such useless threats. We should first try to increase the salary of these officers. My hon. Friend, Mr. Ramaswami Mudaliyar, who is generally accurate in his facts, is incorrect in saying—I hope he will correct me if I am wrong—that the pay of all village officers has increased in 1922 whereas the pay of the karnam was increased in 1921-22. The question the Salaries Committee considered was only about the village headmen."

Mr. A. RAMASWAMI MUDALIYAR :—"I was referring only to the village headmen in the course of my speech."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I am glad, Sir, that the hon. Member corrects himself. I thought that he made a mistake and referred to all village officers. My Resolution refers to village officers. There was also the question of honorary offices. Many of the village headmen were prepared to accept honorary offices; but the Revenue Department is very shrewd. The Revenue Department did not accept that offer though

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the Salaries Committee recommended it. The Revenue Department said 'they must be treated only as servants and they should be paid only a pittance of Rs. 15 a month.'

"Again the question of the talaiyaris was also brought forward. I do sympathise with them."

The hon. the PRESIDENT :—"Order, order. I have already said that that question should not be referred to in this connexion. We must confine the debate now only to the village officers, whatever might have been the irregularities before."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I was only referring, Sir, to the fact that money to the extent of 14 lakhs of rupees had been saved and that could be paid to these village officers. Nobody need think that I am going to stop with that. I just now confine myself to the village officers because there is the Rs. 14 lakhs saved. Five lakhs have been saved under vettis, six lakhs under talaiyaris, 1½ lakhs under karnams and 1½ lakhs under assistant karnams; and thus there is a saving of nearly 14 lakhs. No additional taxation and no additional grouping is necessary to give effect to my resolution if the Government are good enough to return to the villages this 14 lakhs which they have saved during the last two or three years under village establishment."

"I thank the hon. Member, the Finance Secretary, for his certificate about my business capacity. I will make use of it in this connexion. If we want honest servants, they must be paid properly. The good life of a village depends upon the honesty and good character of the village officers and therefore, to have honest people and to make them content, I submit, we must increase their pay. We should not say, just as the hon. Member, the Labour Commissioner, has said, that there was an increase three years ago and so there must be a full stop now."

Mr. G. F. PADDISON :—"Three years?"

Mr. C. V. VENKATARAMANA AYYANGAR :—"Yes, we forget facts and come here to make speeches. What I say is that the village officers should feel satisfied with their pay and position. The speech of Mr. Narasimbachariu made on a previous occasion was referred to. What he said was that their pay should be at least Rs. 12."

"We thought that the pay was too low and we therefore increased it to 4-15 p.m. Rs. 15. It does not mean that for ever the village officers should receive Rs. 15 and no more."

"Sir, to sum up what I said, all of us are satisfied including the hon. Members sitting on the Treasury Bench that these poor servants deserve encouragement if finances are available. One way I would suggest is the cutting of our contribution to the Central Exchequer. There are also other ways of getting money. All I can say is that the increment of their pay is quite necessary and that the principle of this resolution should be accepted by the Government. It does not matter much whether this is given effect to at once or to-morrow or some time later."

Mr. E. W. LEGH :—"I wish to say only a very few words in reply. I listened with pleasure to the dialectic used in reply to my previous speech. But I do not think I deserve the vials of wrath poured out on me. All that I

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have done is my duty, viz., to put before the House, so far as I have known, the plain facts in dealing with this resolution and I can only just repeat them.

"We are asked here immediately to find 16 lakhs of rupees. We are warned that this is only a beginning. As I said before, the cost of increasing the pay of all headmen and karnams, ryotwari and zamindari, would be Rs. 40 lakhs. The increase of pay to all village officers will be double at least, it may be even treble. The total cost would be one crore and twenty lakhs of rupees (so the Finance Secretary has just mentioned). I would ask hon. Members of this House to consider as to how they are going to provide for this sum.

"Then again the Revenue Department has been blamed for the action which has been taken through the instrumentality of that department in the matter of reduction of village establishment and regrouping of villages. Well, what the House tells the Government is 'you must increase the pay of village officers, but we will not give you a penny to meet it'. I ask, Sir, the hon. Members of this House what the Government can do under those circumstances, and what course is open to them for finding funds.

"I have not made threats of any sort. It is not my habit. If you want the Government to pay increased salaries to these village officers you must give them the necessary funds. You say the House can give no money and I ask what position will the House be putting the Government in if this resolution is passed."

The resolution was put to vote and declared lost.

A poll was demanded by Mr. Satyamurti and the House then divided as follows:—

Ayes.

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| 1. Mr. J. A. Davis. | 13. Rai Bahadur T. M. Narasimhaachari. |
| 2. " Ari Gowder. | 14. Mr. P. Anjaneyalu. |
| 3. " P. N. Marthandam Pillai. | 15. " A. Chidambara Nadar. |
| 4. " C. Ponnuswami Nayudu. | 16. " P. Siva Rao. |
| 5. " O. M. Narayana Nambudripad. | 17. Rao Bahadur A. S. Krishna Rao. |
| 6. " B. Ramachandra Reddi. | 18. Mr. S. Satyamurti. |
| 7. " P. T. Rajan. | 19. " T. Adinarayana Chettiyar. |
| 8. " Chavadi K. Subramania Pillai. | 20. " C. Marudavanam Pillai. |
| 9. " C. V. Venkataratnam Ayyangar. | 21. Rao Sahib U. Rama Rao. |
| 10. " R. Srinivasa Ayyangar. | 22. Mr. P. C. Venkatapathi Raju. |
| 11. " M. R. Seturathnam Ayyar. | 23. " B. Venkataratnam. |
| 12. " J. A. Saldanha. | 24. Rao Bahadur K. Krishnaswami Nayudu. |

Noes.

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| 1. The hon. Sir Charles Todhunter, K.C.S.I. | 17. Mr. S. Arpudaswami Udayar. |
| 2. " Mr. A. R. Knapp, C.S.I., C.B.E. | 18. Sir P. Tyagaraya Chettiyar. |
| 3. " the Raja of Panagal. | 19. Rao Sahib S. Ellappa Chettiyar. |
| 4. " Rao Bahadur A. P. Patro. | 20. Rao Bahadur P. C. Ethirajulu Nayudu |
| 5. " Diwan Bahadur T. N. Sivagnanam Pillai. | 21. Cruz Fernandez. |
| 6. Mr. H. Tireman. | 22. Mr. P. V. Gopalan. |
| 7. " G. F. Paddison, C.S.I. | 23. " L. C. Guruswami. |
| 8. " P. L. Moore, C.I.E. | 24. Diwan Bahadur M. Krishnan Nayar. |
| 9. " E. W. Legh. | 25. The Raja of Kurupam. |
| 10. " R. W. Davies. | 26. Hony. Lt. Madurai. |
| 11. " C. Nicholson. | 27. Mr. T. Mallesappa. |
| 12. " A. J. Leech. | 28. " B. Muniswami Nayudu. |
| 13. " S. R. Y. Ankineedu Prasad Bahadur. | 29. Rao Bahadur A. M. Murugappa Chettiyar. |
| 14. " C. E. Wood. | 30. Mr. C. Muthayya Mudaliyar. |
| 15. " A. V. Bhanaji Rao. | 31. " B. Obulesappa. |
| 16. " P. K. S. Arumuga Nadar. | 32. " K. Raghuchandra Bellah. |
| | 33. " P. S. Rajappa. |

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Noes—cont.

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| 34. Rao Bahadur P. Raman. | 47. Sir K. V. Reddi Nayudu. |
| 35. Mr. A. Ramaswami Mudaliyar. | 48. Mr. P. V. S. Sundaramurti. |
| 36. " J. D. Samuel. | 49. Diwan Bahadur K. Suryanarayanamurti |
| 37. " K. Sitarama Reddi. | Nayudu. |
| 38. " R. Srinivasan. | 50. Rao Sahib T. C. Tangavelu Pillai. |
| 39. Diwan Bahadur P. Kesava Pillai. | 51. Rao Bahadur O. Tanikachala Chettiyar. |
| 40. Rao Bahadur C. V. S. Narasimha Raju. | 52. Mr. K. Venkatachala Padayachi. |
| 41. Mr. K. Koti Reddi. | 53. Rao Bahadur C. Venkataranga Reddi. |
| 42. " J. Kuopaswami. | 54. Mr. M. Ratnaswami. |
| 43. " S. Muthayya Mudaliyar. | 55. Mr. W. Vijayaraghava Mudaliyar. |
| 44. Dr. P. Subbarayan. | 56. Mr. Virappa Chettiyar. |
| 45. Mr. A. Ranganatha Mudaliyar. | 57. Mr. R. Virayyan. |
| 46. The Raja of Ramnad. | 58. Mr. G. Ramaswara Rao. |

Neutral.

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|---|-------------------------------------|
| 1. Mr. Abbas Ali Khan. | 11. Mr. Manshi Abdul Wahab Sahib. |
| 2. " Haji Abdulla Sahib Bahadur. | 12. Janab Muhammad Yabya Ali Sahib. |
| 3. " G. Abdul Ghatula Sahib Bahadur. | 13. Mr. M. Sitayya. |
| 4. " Abdul Hye Sahib Bahadur. | 14. " V. C. Velingiri Goundar. |
| 5. " V. Hamid Sultan Marakkayar. | 15. " P. Peddi Raju. |
| 6. Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. | 16. " K. V. Ramachari. |
| 7. Mr. T. M. Moidoo Sahib. | 17. " K. Prabhakaran Tampan. |
| 8. " Muhammad Moosa Sait. | 18. P. Sagaram. |
| 9. T. N. Bava Ravattar Muhammad Sahib. | 19. Mr. K. Sarvarayudu. |
| 10. Mr. K. Uppi Sahib. | 20. " N. Devendrudu. |

Ayes 24: Noes 58: Neutral 20.

The Motion was lost.

The Council then adjourned to meet again at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council

APPENDIX A.

[Vide page 201 supra.]

THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Order made by the President of the Madras Legislative Council under Standing Order No. 15 on the 6th December 1923—

(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.

(3) 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.

L. D. SWAMIKANNU,
Secretary to the Council.

THE MADRAS LEGISLATIVE COUNCIL.

Tuesday, 11th December 1923.

The House met at 11 o'clock, the President (the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E.) in the chair.

I

NEW MEMBER.

The following Member was sworn in :—

Sriman BISVANATH DAS Mahasayo (Ganjām).

II

QUESTIONS AND ANSWERS.

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

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

(2) The questions 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.]

ARMS ACT.

Licences issued under the Arms Act in the Coimbatore district.

15 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Home Member be pleased to state—

(a) the total number of licences issued in the Coimbatore district under the Arms Act and the number of licences issued for the possession of revolvers in the first four months of the year 1922 and in the corresponding period of the year 1923; whether there has been a large reduction and, if so, whether there are any special reasons for the same;

(b) whether the reduction has been made by the order of the District Magistrate himself or at the suggestion of the Government;

(c) whether there are any rules framed by the Government in the matter, or whether it is left entirely to the discretion of the District Magistrate;

(d) whether the Government have any intention of interfering in the matter, especially in view of the fact that the Coimbatore district contains a large area as reserved forest having wild beasts, etc.; and

(e) whether the Government have any objection to form a small committee to advise the District Magistrate on the matter of issuing licences?

[11th December 1923]

A.—(a) The figures asked for are as follows :—

	1922.	1923.
Total number of licences issued during the first four months of ...	246	257
Number of licences issued for the possession of revolvers during the first four months of ...	41	15

There has been a reduction in the number of revolver licences because in certain cases their possession was found to be unnecessary or undesirable.

(b) The District Magistrate made the reduction on his own initiative.

(c) The hon. Member's attention is invited to the Resolution of the Government of India in the Home Department No. 2125-C (Police), dated the 21st March 1919, published at pages 528-530 of the supplement to the *Gazette of India*, dated the 22nd March 1919, of which paragraph 4 (7) (i) runs as follows :—

“Licences for revolvers and pistols will be issued only in cases of real necessity and to persons of approved character, the fee being fixed at an enhanced rate of Rs. 10.....”

District Magistrates have general discretion as to the grant of licences under the Arms Act.

(d) The Government do not propose to interfere with the District Magistrate's discretion in the matter. A revolver except perhaps in the hands of a very expert marksman is of no value as a means of destroying wild animals.

(e) The Government are not prepared to appoint a committee to advise the District Magistrate regarding the issue of licences.

MR. A. RANGANATHA MUDALIYAR :—“Sir, in the answer to question No. 15 it is said that the District Magistrate made the reduction in the number of licences on his own initiative. May I know whether any police report was received in those cases to say that licences should not be issued?”

The hon. Mr. A. R. KNAPP : “I have no information as to the procedure adopted by the District Magistrate in refusing licences.”

MR. A. RANGANATHA MUDALIYAR :—“I wish to know, Sir, whether the parties concerned were given notice to explain why their licences should not be cancelled.”

The hon. Mr. A. R. KNAPP : “I have no information, Sir; but if the hon. Member wishes to obtain the information, he may give notice of a fresh question.”

LOCAL SELF-GOVERNMENT.

Influenza-vaccine tubes.

16 Q.—MR. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Local Self-Government be pleased to state—

(a) the number of influenza-vaccine tubes prepared in the years 1921 to 1923 in the King Institute and the rate at which they were sold to the public;

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(b) how many of them were sold or sent on demand to Government institutions; and

(c) whether the number of tubes manufactured was far in excess of the demand for them, and whether the large excess was buried under-ground, and if so, the number and cost of the tubes so buried?

A.—(a) The amount of influenza-vaccine prepared during the years 1921-1923 in the King Institute was as follows :—

Year.	Cubic centimetres.
1921	4,070
1922	15,820
1923 from January to 24th November ...	7,235

Till October 1921 the rate charged for the vaccine was two annas per cubic centimetre. Since then it has been supplied free of cost to the public in British India.

(b) The quantity supplied to Government and other institutions was as follows :—

	Government institutions. Cubic centimetres.	Other institutions. Cubic centimetres.
1921	18,609	2,971
1922	8,030	1,950
1923 from January to 24th November ...	5,370	940

(c) No. None of the stock manufactured in the years 1921-1923 was destroyed; but the stock manufactured in 1919 at the request of the Government of India was destroyed in April 1923, as in October 1920 the Government of India approved the manufacture of new strength vaccine and as it was impossible to convert the old strength vaccine into new strength vaccine.

Repairs to the Srirangam temple.

17 Q.—MR. C. V. VENKATARAMANA AYYANGAR : Will the hon. the Law Member be pleased to state—

(a) if the Resolution of this Council to appoint a Committee to report about the repairs to the Srirangam temple has been accepted by the Government and if a Committee has been appointed;

(b) if the Committee has begun its work; and if so, to what extent?

A.—(a) Yes.

(b) The Committee met once at Trichinopoly and perused the records available. Before proceeding further, the Committee thought it desirable to examine certain pleas of the temple trustees and appointed a Sub-Committee consisting of the Collector of Trichinopoly as President, Sir T. Desikachari and Mr. T. C. Tangavelu Pillai to examine them. The report of the Sub-Committee is awaited.

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Water-supply to the Coimbatore town.

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

(a) what stage has been reached by the scheme for giving a water-supply to Coimbatore town; and

(b) whether the matter has been considered by the Government after the hon. the Minister in charge of the Local Self-Government Department visited Coimbatore and gave some hope at a public meeting of the scheme being given effect to very soon; and, if so, whether any decision has been arrived at; and if no decision has been yet arrived at, whether there is any chance of such a decision being arrived at in the near future?

A.—A scheme for the supply of water to Coimbatore from the Siruvani river was submitted by the Sanitary Engineer in December 1919. According to the latest estimates, the scheme is likely to cost Rs. 44.2 lakhs, including centage charges at 30 per cent of the cost of the works. The Government usually pay half the cost of major water-supply schemes and lend the other half to the Council concerned. In this case, the Council has therefore to borrow Rs. 22.1 lakhs, but it is not prepared to levy the water-tax at more than 10½ per cent of the rental value of property, which will enable it to borrow only about Rs. 14 lakhs. The question of reducing the centage charges for the execution of water-supply schemes is now under the consideration of the Government and as soon as a decision is arrived at, the Government will pass final orders on the Coimbatore scheme. In the list of schemes approved by the Government for execution, Coimbatore occupies the first place in the order of priority.

MR. R. VEERIAN:—“Will the hon. the Chief Minister be pleased to inform me of the approximate sum spent for experimental purposes in connexion with the introduction of water-supply for Coimbatore town from Siruvani up to this date?”

The hon. the RAJA OF PANAGAL:—“I have no information, Sir.”

Water-supply of Coonoor.

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

(a) at what stage the question of improving the water-supply of Coonoor is at present;

(b) whether the Municipality of Coonoor has submitted plans and estimates regarding this matter;

(c) if an application has been made for financial help and whether the Government have any intention of rendering any such help; and

(d) if so, when and to what extent?

A.—(a) & (b) The Sanitary Engineer prepared in August last a scheme of improvements known as the ‘Karadipallam Scheme’ which has been accepted by the Council. The Chief Engineer, Public Works Department, has however, after an inspection of the

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place on the 29th and 30th October last in company with the Sanitary Engineer and some municipal councillors, proposed a revised scheme. This has been referred to the Municipal Council for acceptance. The Sanitary Engineer is also being asked to submit estimates for the revised scheme.

(c) & (d) In December 1920, the Council applied for a grant of Rs. 22,691 equivalent to half the *increased* cost of the revised estimates for the scheme as it then stood and for a loan of a like amount with interest at 4 per cent per annum. The question of finance will have to be considered afresh when a decision has been arrived at on the scheme to be adopted. Ordinarily the Government bear one half of the cost of water-supply and drainage schemes and advance the other half as a loan, if the local body requires it.

RAILWAYS.

Scheme regarding Railway line between Singanailur and Podanur.

20 Q.—MR. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Home Member be pleased to state if any scheme to divert the Railway line between Singanailur and Podanur so as to make it run *via* Coimbatore is in consideration; and if so, if there is any likelihood of the scheme being taken up at an early date?

A.—Yes. The matter is under correspondence with the Railway Board.

REVENUE ESTABLISHMENT.

Removal of the Revenue Divisional office, Gobichettipalayam.

21 Q.—MR. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Member for Revenue be pleased to state whether the proposal to remove the Revenue Divisional office from Gobichettipalayam is still under consideration and, if so, in what stage or whether it has been dropped?

A.—The proposal is under the consideration of Government and has not been dropped.

VILLAGE ESTABLISHMENT.

Pay of village officers.

22 Q.—MR. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Law Member be pleased to state—

(a) if there were village officers getting a salary of Rs. 15 a month before the introduction of the scheme to give village officers a minimum salary of Rs. 15 per mensem;

(b) if the answer to (a) be in the affirmative, the number of such officers and the reason that enabled them to receive a higher pay;

(c) whether the introduction of the new scheme of enhanced pay referred to in (a) has benefited in any way those village officers who were receiving not less than Rs. 15 per mensem; and

(d) if they have derived no benefit, whether the Government have any intention of taking their case into consideration and giving them any increase whatever?

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A.—(a) Yes.

(b) Four hundred and fifteen karnams and 19 headmen were in receipt of Rs. 15 and more each per mensem before the minimum pay of village officers was raised to Rs. 15 per mensem.

The comparatively large beriz, the size and the importance of the villages concerned account for the higher pay in the case of these officers.

(c) No.

(d) No.

The Madras Hindu Religious Endowments Bill.

22-A Q.—MR. S. SATYAMURTI: Will the hon. the Chief Minister be pleased to state whether his attention has been drawn to a leading article in the issue of the *Madras Mail* of Saturday the 5th December 1923, wherein it is stated that His Excellency the Governor is sending back to the Council the Madras Hindu Religious Endowments Bill for reconsideration on the hon. the Chief Minister's advice and whether the statement is correct?

The hon. the RAJA OF PANAGAL: "Sir, in sending the message to the Legislative Council about the Hindu Religious Endowments Bill, His Excellency the Governor decided to take the step in consultation with me and with my approval."

MR. S. SATYAMURTI: "May I know at what time the hon. the Chief Minister and his colleagues were consulted by His Excellency the Governor?"

(No reply.)

MR. S. SATYAMURTI:—"Sir, I would, with your permission, put another question since the previous question has not been answered. I should like to know from the hon. the Chief Minister as to when he was consulted by His Excellency the Governor with regard to the sending of the gracious message given yesterday. Again, Sir, I wish to know if the hon. the Chief Minister knew of this intention of His Excellency the Governor at the time the hon. the Chief Minister replied to the No-Confidence Motion in this House. Sir, I wish also to ask the hon. the Chief Minister whether, in view of the statement that he has now made and in view of the terms of the message of His Excellency, he still considers it consistent with the dignity of his office and the dignity of this Council that he ought to continue as Minister."

MR. C. RAMALINGA REDDI:—"Sir, I should like to put a few supplementary questions arising out of the answer given by the hon. the Chief Minister. I would like to know on what date the hon. the Chief Minister was consulted and on what date he gave his advice or expressed his approval. That is very important and I do not think that is a supplementary question."

The hon. the PRESIDENT:—"If it is not a supplementary question, the hon. Member is out of order."

MR. C. RAMALINGA REDDI:—"Sir, I was going to say 'which requires notice.' Because, this is a thing which must be within the personal knowledge of the hon. the Chief Minister and he owes it to this House that he should give a reply in such matters. That is my submission, Sir."

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The hon. the RAJA OF PANAGAL:—"I do not think it is necessary that I should answer this question."

MR. C. RAMALINGA REDDI:—"Sir, there are some other points also on which I should like to know what view the hon. the Chief Minister takes. That is, whether it is not a fact that with regard to this Bill the Government of India sent a despatch, and the Madras Government also sent a despatch. Was any suggestion made in that reply that this Bill, either in part or in whole, would be referred back for the reconsideration of this House?"

The hon. the PRESIDENT:—"I rather think that these questions do not at all arise out of Question No. 22-A. Question 22-A simply asks the Chief Minister to state whether his attention has been drawn to a leading article in the issue of the *Madras Mail* of Saturday, etc., and whether the statement made therein is correct. He has answered both these questions. Now, the hon. Member goes on and wants some information about the correspondence between the Governments of Madras and of India. Surely, that is not a supplementary question."

MR. C. RAMALINGA REDDI:—"Sir, my humble submission is this: The hon. the Chief Minister now confesses that he gave a certain advice to His Excellency with regard to the gracious message which was delivered by you yesterday. Now, it is very important for us who are trying to understand the constitutional position adopted by the hon. the Chief Minister, to know on what date such advice was given and whether there was any indication previous to that, that he would be prepared to take the course now adopted. My submission is that you, Sir, lay down certain rules with regard to the legislative procedure; and if the hon. the Chief Minister who is supposed to have the confidence that he is supposed to have enjoyed, could give His Excellency this advice, viz., that a certain measure for which he is supposed to have enjoyed the entire confidence of the former House would be referred back to this House, then this House, with due submission, may claim to exercise the same right. Sir, what I am trying to show is that the hon. the Chief Minister's position is untenable."

The hon. the PRESIDENT:—"We cannot have a general debate with regard to that matter."

British Empire Exhibition.

22-B Q.—MR. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

(a) the amount of money so far spent by the Government on the British Empire Exhibition of 1924, and

(b) the amount of money which, according to present calculation, will have to be spent hereafter on the said Exhibition?

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"The amount already spent is Rs. 55,461 and the amount that is expected to be spent is Rs. 2,53,039."

The hon. the PRESIDENT:—"Is the hon. the Minister quite certain as to the figures?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"That is what I gather from the office records."

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Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ With your permission, Sir, I shall try to clear the situation. Though it may be that only Rs. 55,461 has been spent already, obligations must have been incurred which go much higher than that figure. I may say that it exceeds a lakh and odd rupees.”

Mr. S. SATYAMURTI :—“ Sir, I did not ask any such question.”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ The hon. the President wanted to know whether the figures given by the hon. the Minister for Development were correct.”

The hon. the PRESIDENT :—“ Probably I was in error—(laughter)—and my interruption was uncalled for.”

III

ELECTION OF MEMBERS TO THE BOARD OF INDUSTRIES.

The hon. the PRESIDENT :—“ I have to announce that the following candidates have been nominated for election as representatives of the Council on the Board of Industries :—

Mr. J. A. Saldanha,

Mr. K. V. Ramachari,

Diwan Bahadur K. Suryanarayanamurti Nayudu,

Khan Bahadur P. Khalif-ul-lah Sahib,

Mr. Sami Venkatachala Chettiyar.

“ As the number of candidates exceeds the number of vacancies, viz., 2, election by means of single transferable vote has to be held. The Secretary will deliver to the Members a list of nominated candidates at 1-30 p.m. to-day and hon. Members are requested to vote for two candidates and return the voting papers to the Secretary before 11 a.m. to-morrow.”

IV

COMMUNICATION TO THE COUNCIL.

The SECRETARY laid on the table * G.O. No. 1054, Finance, dated 4th 11-15 a.m. December 1923, regarding the constitution of the Finance Committee for the remainder of the year 1923-24.

V

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

EXECUTION OF THE POLAVARAM ISLAND PROJECT IN THE GODAVARI DISTRICT.

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ Mr. President, I beg to move :—

2. *That this Council recommends to the Government the immediate execution of the irrigation scheme known as the Polavaram Island Project in the district of Godavari, the investigation of which has been completed in all its aspects.*

This scheme, Sir, relates to the island of Polavaram in the taluk of Amalapur in the Godavari district. It is an island in the sense that it is surrounded by

* Printed as Appendix on page 304 infra.

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water on all sides. Two branches of the river Godavari bound it on the east, north and west, while on the south the Bay of Bengal borders it. The whole of the taluk, together with the adjoining villages, forms what is known as the central delta of the Godavari and its system. It is only this portion of the island of Polavaram that is not irrigated, because it is intercepted by a branch of the river known as Vridha Gowtami. This scheme involves the construction of an aqueduct over that branch of the river and taking water by means of a canal which passes alongside the embankments of the river down to the island itself. If only the aqueduct is constructed over this branch of the river, water can be taken. Sir, there is every facility to undertake this work. The commandable area is about 23,134 acres. There are eleven villages in this island with about 20,000 people occupying them. At present the cultivation is carried on with the precarious aid of the rain water or of the Godavari water in high floods, and it is only in high floods that water can be taken from the Godavari and the river is not always in high floods. When the floods are low, and when the river is not in floods at all, the sea water has its ebb and flow with the result that the water will be saltish and not fit for cultivation. The whole island is surrounded by embankments. But unfortunately, added to the precarious measure of the rains and the river water, other difficulties like the breaches in the bund on the south have to be faced. Some 20 years ago the southern bund was breached with the result that the sea water had its own inundation and crops were submerged year after year. During the last twenty years it was perhaps the order of the day that there was suspension in the kist because the crops had failed. So far as the zamindari villages are concerned—there are four of them, the others being Government villages—the suspension of kists and rent suits were very common. The result is that to-day we find that this portion of the district surrounded on all sides by plenty and prosperity is in a very wretched and unhappy condition of misery and poverty.

“ This work was originally intended to be started about the year 1913. We first heard of this scheme in that year, but though ten years have passed, the work has not yet been executed. I find, Sir, from a book that was recently issued to us containing a report of the irrigation projects, this scheme is included as No. 14 in the list there. I take it that the serial order is of no consequence.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ The hon. Member is correct.”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—“ I told the House that the commandable area is about 23,000 and odd acres. In this report I find that the area proposed to be brought under irrigation is said to be 19,200 acres. Lower down, however, under the remarks of the Chief Engineer for Irrigation, I find that the irrigated area is estimated at 16,316 acres. I may mention, Sir, in this connexion that for the area originally proposed to be irrigated the water-rate was thought to be fixed at Rs. 6-4-0. The estimated cost of the capital expenditure was somewhere about Rs. 9,60,000. To-day the prices have risen and we find that the estimated cost has gone up to Rs. 18,70,000. That is beyond the control of any Government or Public Works Department authorities. Everything has gone up in price, and the cost of these works has naturally gone up. But there is one point which I wish to bring to the notice of the hon. Member in charge of Irrigation, namely, that this estimate

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of 16 thousand acres to be brought under irrigation is very low indeed. I have already said that the area commanded is 23 thousand acres and though in the first part of this book I find 19 thousand, it is now reduced to 16 thousand acres. The result, Sir, is that the cost per acre will be more and the water-rate will have to be enhanced accordingly. I wish to bring to the notice of the hon. Member that it is possible to increase the area to be brought under cultivation by some three or four thousand acres. I do not see the reason why it is now brought down to 16 thousand acres. Possibly the area known as the mamul wet area is excluded. In these villages there is something like 3,832 acres of land said to be mamul wet area. But surely the hon. Member is aware that there was a time when Government actually issued orders to obtain relinquishment fees from the owners of these villages, relinquishing any rights to free water. In fact even the form was prescribed and the Collector of the district was asked to take promissory deeds from these people. I know another thing, namely, that there was a time when no water-tax was charged for taking water from the Godavari river. Later on, Government issued an order to charge water-rate on these so-called mamul wet lands. Out of the eleven villages the people of ten villages pay the water-rate for the so-called mamul wet lands. Only one village called Tillakuppam refused to pay. I was told that with the exception of a single village of about a thousand acres all the other villages have been paying the water-rate. If that is so, Sir, it will be noticed that out of 3,800 acres of land known as mamul wet land at least 3 thousand acres could be charged water-rate and the cost of construction would be reduced and the water-rate need not be raised to the high figure of Rs. 11-8-0 as I find in this book. As I told the House at first it was only Rs. 6-4-0. Later on, when the expenditure rose it was proposed to levy Rs. 9-6-0. I believe that several people have signed agreements willing to pay that rate—nearly three-fourths of the people have already signed. Now, Sir, there is a proposal to raise the rate to Rs. 11-8-0. If this so-called wet area is included certainly the revenue would rise and the percentage of recovery would be quite sufficient to meet the interest on the expenditure proposed to be incurred.

"I have one remark to make to this House. Let them not suppose that the money to be spent on this work will have to be taken from the revenues of the country. It will come from borrowed money, and under the recent Act Local Governments have wide borrowing powers. This I am sure is known to many in this House, though I thought it necessary to remove any misapprehension on that account. Assuming for a moment that this rate of Rs. 11-8-0 would be necessary, or that the mamul wet area is to be excluded in calculating the rate, I would suggest one point for the consideration of the hon. Member in charge of Irrigation. This scheme is only an extension of the existing anicut system and everybody knows that when the anicut system was constructed, it was by money borrowed at the rate of 3 per cent; and to-day, if I am not mistaken, not only the whole money spent on the great anicut system was recovered, but something like 19 or 20 per cent is being realized year after year. I put it to the hon. Member to consider whether it is fair to take into calculation the profits and the losses for each extension, say, the extension of a single canal having a few thousand acres to irrigate, and whether it would not be right to take into account all the profits which the Government derived during the last 30 or 40 years. I mention that, Sir, only to show that this rate of Rs. 11-8-0 need not be charged and the

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Government may be content with a lower rate of Rs. 9-6-0. It is only a difference of Rs. 2. As I have already submitted to the House, the villagers are poor. They have suffered on account of want of rains, inability to get the Godavari river water and the inundations of the sea. It will be a great hardship if Rs. 11-8-0 is charged. I hope, Sir, that the Government will be able to see their way to construct this work as early as possible. I do not want to reduce or lower the rate of Rs. 9-6-0. But certainly any increase over that would be a great hardship to the people.

"I hope, Sir, that the hon. Member in charge of Irrigation will take up the matter at the earliest possible moment and begin to execute the project."

11-30 a.m.

Diwan Bahadur K. SURYANARAYANAMURTI NAYUDU :—"Sir, I heartily second the Resolution now moved. The Polavaram project is not a new one as the hon. Mover has said. It was under investigation for more than 12 or 13 years. The investigation is now complete and the preliminary works have also been done. It is high time, therefore, that the work be taken up as early as possible. As regards the rates that are now raised, the hon. Mover has spoken at great length, and I do not propose to waste the time of the House. With these words, I wish to heartily second the Resolution."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, Sir, before dealing specifically with some of the points adverted to by the hon. Mover of the Resolution, let me assure him and the House that it has been my humble endeavour since I took charge of the portfolio of Irrigation to try and extend irrigation facilities as far as possible, and no effort will be spared to get the funds necessary for the inauguration of the great schemes which are now pending execution. Hon. Members of the House who have been undoubtedly following the course of events must have noticed that there are two great schemes on hand, the Cauvery and the Tungabhadra schemes, which are engaging the anxious attention of the Government. I am only mentioning this as a prefatory remark to show that the Government have been conscious that in irrigation lies one of the main roots of prosperity in this country and it has been the object of the Government to extend irrigation facilities in order to produce the much desired result. In regard to this particular project, hon. Members will excuse me if I give them a few details. The investigation of the project, as rightly stated by the hon. Mover, is now complete. The proposal is to extend the Godavari delta irrigation across the Polavaram island, the required supply of water being obtained from the central delta by means of an aqueduct as rightly stated by the hon. Member, Sir Reddi Nayudu. The estimated cost of the scheme as revised comes up to Rs. 18.55 lakhs, and according to the revised revenue forecast furnished by the Board of Revenue in 1922, the total area irrigable under the project is 16,316 acres from which a net revenue of Rs. 1,34,094 is anticipated taking the water-rate at Rs. 9-6-0 which is the rate which the ryots were willing and have agreed to pay. It is found that this project can, now under the classification of the Government of India, be classed as productive only if a water-cess of about Rs. 11-8-0 per acre is guaranteed. Such a guarantee, as hon. Members will know, cannot be enforced unless and until there is on the Statute Book some statute like the Irrigation Law. And one of the main reasons, and indeed, the chief reason why, the execution of this project has been delayed by Government, why it has not been set on foot, is the delay in

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the passing into law of the Irrigation Bill. And hon. Members may rest assured that this particular project is one which has obtained the assent of every competent authority which has investigated the matter and will be put on hand at the earliest possible moment subject of course to that consideration which I have already adverted to, namely, the passing of the Irrigation Bill.

"Sir, I shall now deal with some of the points raised in the debate by the hon. Mover. As regards the area, as to which there has been a certain difference of opinion, viz., whether it is 16,000 or 19,000 acres, it is undoubtedly true that the question of the mamul wet is in abeyance and it is the diminution of the total forecasted area of 19,000 by 3,000 and odd acres that has led to the present forecast of 16,000 acres. Following the line of the remarks that fell from the hon. Mover, investigation will at once be set on foot by me in order to ascertain whether the changes in the direction proposed by him cannot with safety be resorted to by the Government. My hon. Friend referred to a recent Act enabling the Local Government to borrow more freely. I wonder if the hon. Member had in his mind the Trade Facilities Act and the resolution of the Economic Conference or whether the hon. Member referred to his own Act."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"Neither, Sir. I referred to the Devolution Rules under the Government of India Act under which greater powers of borrowing were given to the Local Governments."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"It is perfectly true, Sir, that greater powers are given to the Government, but they have very large irrigation programmes everywhere in the country and though the Government of India are much more free in handing over all moneys for irrigation purposes than before, their resources, they have assured us, are not limitless. But so far as this particular scheme is concerned, I do not think financial reasons will stand in the way of its being put into execution. It seems to me, as already referred to by the hon. Mover, that Mr. Morgan's report of the irrigation projects deals exhaustively with this and many other projects and it will be seen that not only this but a dozen other schemes have been held over not for financial reasons—for we are confident that financially we shall be subsidised—but on account of the irrigation law being in a somewhat inchoate condition. Hon. Members will rest assured that when matters are set right with regard to that particular, this scheme shall be pushed forward. In the meantime, I shall set on foot the investigation which is contemplated and suggested in the course of the valuable remarks of the hon. Mover."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"Sir, I wish to take this opportunity of thanking the hon. Member for Irrigation for the kind assurance that he has given and for the kind statement that he has made. He has told us that there are no financial difficulties. He has told us that the Government are willing to execute the work at the earliest possible moment. It is only the difficulty of the passage of the Irrigation Bill that stands in the way. I hope, Sir, that the Irrigation Bill will be introduced in the House as soon as possible and I can assure him that so far as the provisions regarding this particular matter are concerned, enabling the Government to recover such rates as they may prescribe, enabling them to enter into and obtain contracts, to obtain relinquishment deeds and matters like that, he can rest assured that the support of myself and of the hon. Members from my district

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will be at his service. There is, however, one remark which I should like to mention in this connexion. If, for any reason, he is not prepared or unable to place the Bill before the House as soon as possible . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I expect, Mr. President, to place the Bill before the January session."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"I am glad of that, Sir. I would only add that if for any reason, on his own account or for reasons beyond his control, there should be any delay in the passing of the Bill, I would suggest, Sir, that a separate Bill might be brought for each of such schemes as this. In fact, in England, it is the practice that whenever a certain loan has to be given, or an industrial enterprise has to be financed, or any work has to be executed, a separate Bill is brought forward and passed. I do not mean to suggest that he should undertake such a step here at this juncture. But, if for any reason, the Bill is not to be placed before the House, or has to be delayed in its passage, I submit, Sir, that in order that this project may be executed without delay, a separate Bill may be undertaken and if that is not possible on behalf of Government, I hope that it will not resist any attempt made on the part of private Members to introduce a Bill of their own in order to have the project executed. With these words, I withdraw my Resolution, with the leave of the House."

The Resolution was by leave withdrawn.

COMMITTEE TO CONSIDER WATER-SUPPLY TO THE TOWN OF COIMBATORE.

Mr. C. V. VENKATARAMANA AYYANGAR :—"Sir, I beg to move—

3. *That this Council recommends to the Government that a Committee of officials and non-officials be appointed to report on the best way of introducing water-supply to the town of Coimbatore at an early date.*

"This proposition, Sir, is very simple. I am sorry to see that the hon. the Minister for Local Self-Government is not here. In his absence, I wish that the hon. the Member in charge of Irrigation at least may hear me."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I assume no responsibility for hearing the speeches relating to subjects with which I have no concern."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I know, Sir, the hon. Member does not assume any such responsibility. But what I meant was that in the course of my speech some remarks might be found to be of use to the hon. the Law Member as concerning him."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I always find the hon. Member's remarks useful."

Mr. C. V. VENKATARAMANA AYYANGAR :—"And therefore it is, Sir, that I wish that he listens to me. I was going to say, Sir, that Coimbatore is one of the most important towns and yet it has been suffering the most for want of good water-supply. It is a fact admitted on all hands. It is a pitiful sight, Sir, for any one that is in Coimbatore to see ladies belonging to respectable families walking three or four furlongs to get a potful of fresh-water. Attempts are being made from year to year, decade to decade—shall I say century to century?—to get some good water-supply for the town of Coimbatore. If doctors differ according to the proverb, engineers seem to

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differ more so far as the water-supply of Coimbatore is concerned. Scheme after scheme once supposed to be best by one set of engineers is declared to be useless by another set. A scheme which is supposed to cost a few lakhs by one engineer is given up as very costly by another. Now, Sir, the Government have been tantalising us for long. About 15 years ago we were sure of water being brought to our doors and the municipality was asked to levy a tax. The tax was actually levied and, in some parts of the town, taxes were actually collected for water-supply. But the Government, through their engineers probably, learnt that there was no water-supply available and the taxes collected had to be returned and the notices issued for collection had to be cancelled. The Reformed Council came in, and we were very hopeful when our own Minister took charge of the Local Self-Government Department. And what is more, to satisfy the curiosity of some of our friends, our mouths were actually watering when the hon. the Minister in charge of Local Self-Government came to Coimbatore immediately after he took charge of the portfolio, and at a grand meeting held at the Town Hall, made rather grand promises—I had the honour of translating his speech then—and gave very promising hopes to the townsmen. It was then said that the cost would be about 34 lakhs and the Government were prepared to make a grant of 17 lakhs and only the municipality had to make up their 17 lakhs. Engineers differed and so do mathematicians; and we also differed as to the rate at which the tax should be levied for the water-supply and for the purpose of meeting this loan of 17 lakhs. The hon. Minister promised in all solemnity that the matter would be deeply considered. There are one or two points which we have been urging from decade to decade—for this is the history of decades—that the Government are bound to pay a large sum of money out of these 34 lakhs.

“Whatever that may be, out of this water, they are going to supply their Agricultural College, their Forest College, their Police School, and their Central Jail which are anomalously inside the town, but outside the municipal limits. They have all the advantages of the municipality, but only they do not pay the taxes raised by the municipality and they want to have the benefits of this water for which we pay taxes. If we make a calculation of all these things, a large sum of money would have to be deducted out of this 34 lakhs. In the answer that the Government were pleased to give yesterday—that has been given by the hon. the Law Member probably—it is stated that there is a combined scheme of water-supply and irrigation. Therefore (this scheme, which is supposed to supply water to Coimbatore, I am glad to know, is supposed to irrigate some of our lands, the nanja lands near the Coimbatore town which are suffering very much. The Government will therefore naturally get additional tax upon those lands for the irrigation facilities which they will obtain. That also has to be taken into consideration and I have no doubt whatever that the hon. the Law Member, who is always interested in hearing me, will, in consultation with the Minister for Local Self-Government, agree to a contribution on that account.

“But the most important point that is referred to in the answer given to-day is this: it is what is called centage allowance. If Government takes up a work or does something for us, they must get a large allowance. We appealed to the hon. Minister in charge of Local Self-Government to take this matter kindly into consideration and arrange that the Government should have no centage at all or at least should have a reduced centage. The hon. Member was pleased to say that the matter would be deeply considered.

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Three years are over and in to-day's answer we are told that the matter is still under consideration. We are dying for want of water, and the hon. Members, the Minister in charge of Local Self-Government and the Minister in charge of the establishment of the Engineering Department, who are sitting together opposite could talk a little and settle the matter. But unfortunately, Sir, we are under the impression—I hope it is not a correct impression—that there is a little difference of opinion between the Ministers. The Education Minister wanted to introduce compulsory education and therefore wanted to levy education cess, and we agreed. Then the Self-Government Minister came in and said ‘water should have preference. You had better not have or postpone compulsory education. You must have water first!’ We agreed, and we thought . . .”

MR. A. RANGANATHA MUDALIYAR:—“Does the theory of the united Cabinet no longer hold good, Sir? The hon. Member is now referring to the individual Members of the Cabinet and the personal differences among them.”

MR. C. V. VENKATARAMANA AYYANGAR:—“I said absolutely nothing with regard to their personal differences. I was only referring to their differences as Ministers, and I was stating facts. One Minister was certain of the desirability of compulsory education and the other Minister was equally certain of the desirability of introducing water-supply first. So, we agreed to give up the education cess and levy water-tax first. But this consultation among the various Members, the Law Member, the Ministers for Self-Government and Education has cost us about 8 or 10 lakhs in these three years.”

THE HON. MR. C. P. RAMASWAMI AYYAR:—“I am not aware of any such consultation, Sir, that cost the hon. Member 8 lakhs.”

MR. C. V. VENKATARAMANA AYYANGAR:—“I beg his pardon if I have in any way wounded his feelings, Sir.”

THE HON. MR. C. P. RAMASWAMI AYYAR:—“Not at all, Sir. It is not a question of feelings, but it is a question of 8 lakhs.”

MR. C. V. VENKATARAMANA AYYANGAR:—“I said about consultation past or future (laughter). There must necessarily be consultation, because this water-supply scheme is necessarily affecting the irrigation scheme of the town.”

THE HON. THE PRESIDENT:—“I take it that the hon. Member apprehends that if the Members of the Government consult one another, there will be a loss of 8 lakhs (laughter). I do not quite understand his position.”

MR. C. V. VENKATARAMANA AYYANGAR:—“The loss may be probably more, Sir (laughter). There has been consultation only between the two Ministers, and that has cost us about 8 lakhs. But if there is to be further consultation with the Law Member, it may cost us more. In addition to that it has cost us already a delay of three years, and if there is further consultation it may cost us 30 years delay. Therefore, to prevent the possibility of the cost going up, I want that the matter should be expedited. In 1921, when the hon. the Minister for Local Self-Government came to Coimbatore we were told that the cost would be 34 lakhs, but to-day we are told that the present estimate is about 44 lakhs, and we do not know what will be to-morrow's estimate. I was referring to the difference of opinion between the Ministers because it is probable that they have not yet decided which is more important, water-supply or education. Unfortunately water-supply also partly depends on the hon. Education Minister because he is in charge of the

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engineering establishment. Therefore unless the Ministers agree, there will be no end to these troubles. What I want to say is that at any cost we want water. Even the 10½ per cent which we were prepared to pay was too high. We are already paying 8 per cent for house-tax. This water-cess will be another 10½ per cent. We have already agreed to levy an education cess, and there seems no end to these taxes, and probably they will soon rise up to even cent per cent. We want to remove the possibility of our taxes being more than cent per cent. It is only with that object that I appeal to the hon. Members adorning the Treasury Benches to agree to this very modest Resolution of mine that a committee may be appointed to go into the whole question. If possible it would expedite this consultation between the Ministers and Members regarding the relative expediency of water-rate or education rate, and would facilitate some understanding between them being arrived at. Probably the hon. the Finance Member would also have to be consulted to see what contribution he has to pay for the water to be supplied to the various Government buildings mentioned by me which are enjoying the benefits of the municipality and yet are outside the municipal limits. I want that this committee proposed by me should go into all these things. I think all hopes of expecting any speedy water-supply at the hands of the Government are gone, and the only possibility is for a few non-officials and expert officials to form a committee and come to some understanding. We see that Coimbatore which is a very beautiful city, as has been admitted by many people, is being devastated by plague; that is only on account of want of water-supply and drainage. We have been crying for this water for years and years, decades and decades and even for centuries and centuries (hear, hear), and yet we have not been able to get it. So, I appeal to the hon. the Minister for Local Self-Government to agree to this Resolution and have a committee by which all the difficulties which are said to be insurmountable can be considered. All the facts in connexion with this matter are personally known to the hon. the Minister for Local Self-Government, and I appeal to him to accept this proposition."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—"Sir, I beg to second the Motion that has just been made. In doing so, I should really thank the hon. the Chief Minister for the answer which he has given to a question this morning with reference to this very matter. He has been pleased to indicate in his answer the difficulties that lie in the way of sanctioning this scheme. He says that the total cost comes to 44.2 lakhs and he expects the Municipality to contribute 22.1 lakhs. That is to say, he expects the Municipality to bear half the expenditure of the scheme. My hon. Friend who made this Motion has explained why this view of things should not be accepted. He has stated that the water scheme is going to help not only the town of Coimbatore but also several isolated places which are territorially within the municipal limits but technically outside them. Such places are the Jail the Police Training School, the Agricultural College and the Forest College. It has been stated with regard to the Agricultural College and the Forest College that it is only portions of the big estates on which these lie that can be considered to be within the territorial limits of the Municipality, and that the other portions are only contiguous to it. So practically they are within the territorial limits and, but for the Government Orders which have been passed, are municipal area. So, if some allowance is going to be made for the contribution that has to be given for the supply of water to these estates

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which are technically outside the municipal limits and for which the Government are expected to supply water, the share that the municipality will have to bear will be considerably reduced. That is a question which can be settled only by a mixed committee. No doubt, the Government will claim that their share ought to be very low, whereas the municipality will always be prepared to say and maintain that since these estates do not pay even the ordinary municipal taxes, their share for the water scheme ought to be more.

"Secondly, Sir, the question of centage charges has been standing in the way of water-supply and drainage schemes of many other local institutions. I believe that several other institutions are suffering on account of the very heavy centage charges made by the Government. In this case the major portion of the estimates consists of pipes. Piping, if I remember aright, accounts for about 30 lakhs and odd out of the 44 lakhs. And for this piping, all the expenditure the Government will have to incur will be the percentage they will have to pay to the High Commissioner in England for making the purchases. That will probably be 5 per cent or so. After paying that 5 per cent or so to the High Commissioner who makes the purchases in England, the Government wants to make 30 per cent out of this estimate for being a sort of intermediary. That is practically taking away with one hand what they are going to give with the other. If the Government make a contribution of 50 per cent and take away in the name of centage this 30 per cent, all that the Government would be actually contributing will be only 20 per cent and not 50 per cent.

(At this stage the hon. the Deputy President took the Chair.)

"So this is a matter in which a committee will be of use in deciding the actual centage that the Government will have to charge. As I said before, not only the Coimbatore Municipality but a number of other bodies have been in the same position. So if a proper committee is appointed and it decides this question of centage, it will be a guiding principle to be followed in other cases also. So, in these two matters, in actually settling the contribution that will have to be borne by the Government for the supply of water to the Government buildings mentioned by me and for fixing these centage charges, a committee of officials and non-officials will be of use and will also be able to bring the scheme within the range of possibility. Otherwise, probably correspondence will go on and there will be no chance of a solution in the near future.

"Then, Sir, there is a third matter which has to be considered and it is this. If, after considering all these things, the municipality is not able to bear its share of the expenditure, what is to be done? That is a question which has also to be considered. Coimbatore has been waiting for her water-supply for several decades, not even years, and it is high time that something definite is done. If this particular scheme is too costly, and if after considering all the facts it is not found to be feasible, it will be necessary to pitch upon an alternative scheme. There have been several schemes considered already and one of these schemes came very near the sanctioning point. I believe there was a scheme for taking water from the Chitrachavadi channel by pumping, but it had been given up ultimately because objections were raised by wet ayacut holders that the water-supply would not be sufficient for irrigating their lands and also supplying the Coimbatore town, and that they would suffer if water was going to be taken away from the channel for supplying the Coimbatore town.

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"Now, Sir, a new source of water-supply has been found in the Siruvani. If the head works are taken on hand and completed and if the water is dropped into the Noyel and taken from the Chitra-chavadi channel itself, then I think that all the difficulties felt in the old days will disappear. Sufficient water will be available and the wet ayacut holders, instead of losing, will gain, because the water that will be dropped into the river will be very much more than that supplied to the Coimbatore town. If that is done, the cost of the piping will not have to be incurred. As I have already said, more than three-fourths of the estimates go for the piping. We may have an alternative scheme like that. Of course, there may be other schemes. So, if after considering these two questions, viz., the contributions to be paid by Government for their own institutions and the centage charges, the Committee comes to the conclusion that the scheme is not feasible, it will be up to them to consider the alternative scheme also. As I said, Sir, the matter has been hanging on for several decades, and we are very anxious to come to some definite conclusion in the matter. It seems to me that the proposal that has been put forward by my hon. Colleague from Coimbatore will go a long way towards an earlier solution of this long pending matter. So, I would request the hon. the Chief Minister to consider this point of view also and agree with me."

The hon. the RAJA OF PANAGAL:—"Mr. President, I need hardly say that I am in full sympathy with the object of the hon. the Mover's resolution. In fact, I have been trying my very best to expedite the execution of the scheme of water-supply to the Coimbatore town. More than one scheme has been examined and at last a scheme has been approved by the Sanitary and Engineering authorities. But there have been various difficulties connected with the execution of this scheme, and naturally, time is required to solve these difficulties. One of those difficulties is connected with the question of centage charges. A great deal has been said about the unfairness of these centage charges. It must be remembered that it is in accordance with the directions from the Government of India that these charges are levied. No doubt there is some force in my hon. Friend Mr. Ramalinga Chettiyar's complaint against high centage charges being levied from local bodies. Materials such as girders, etc., are purchased and the levy of centage charges on the purchase of the materials does not appear to me to be reasonable. All the same, Sir, the question of levying lower centage charges is not one which the Minister in charge of the Local Self-Government alone can settle. The question is under consideration by the concerned departments. I propose to have a conference of the parties concerned in the matter to which the representatives of the Coimbatore district in this Council, and other gentlemen interested in the matter, will be invited to give us the benefit of their advice. I may assure this hon. House that I am anxious to have the work taken in hand as early as possible. I am keen about Coimbatore getting water-supply, and if only my Friends will solve some of these difficulties at the proposed conference, I shall feel grateful to them."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Sir, there has been a change in this House which was not visible in the last Council. Every Member in the Cabinet says 'I am in full sympathy with everything that you want.' That is a change that we have noticed now. But we want this 'full sympathy' to be translated into sympathy, not with the lip, but with action of the hand. These centage charges are really very curious. I am not going

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into that question at all now. Only I am sorry that the hon. the Chief Minister seems to have forgotten that at the time of the so-called conference and public meeting at Coimbatore, he said that he would try his best to reduce the centage charges so far as Coimbatore was concerned."

The hon. the RAJA OF PANAGAL:—"May I rise to a point of personal explanation? We are trying if we cannot reduce the centage charge in the case of the Coimbatore water-supply schemes to the minimum extent, and the question is under consideration."

Mr. C. V. VENKATARAMANA AYYANGAR:—"Exactly, Sir. But what I was going to say was that whereas he promised to try to have a reduction in the centage charges so far as Coimbatore was concerned, which should have been done as a special case at an early date, we see from the reply given this morning by the hon. the Minister in reply to a question that the matter of the centage for the whole Presidency is under consideration. That means a lot of correspondence with the Government of India, the Secretary of State and so on and so on."

The hon. the RAJA OF PANAGAL:—"Sir, it is as a special case the question is being considered."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I am very glad to hear that, Sir; only it did not find a place in this morning's reply. But whatever it may be, I yet fail to understand why the hon. Member should, apart from the question of prestige and privilege, object to a committee being formed. We know what a conference is. A conference means that the hon. the Minister must also be present at it. We know that his work is heavy, and he may not be able to devote as much time to this question as we may expect him to do. Moreover, the time at our disposal at the conference may not be quite sufficient. All that I ask for is for the appointment of a committee. The hon. Member may propose any member to the committee, officials, or non-officials, members from this side of the House, or that side, from inside or outside. We have no objection to have a committee specially appointed for this purpose to make a report with or without this consultation, so that we may be given an opportunity of discussing matters at once and come to some definite conclusion. Let us not be fed up with mere hopes. Let us be sure of one thing whether water-supply for Coimbatore is feasible or not. We want this committee only to consider matters and to advance matters. If the hon. Member is really interested in supplying the town of Coimbatore with water as early as possible—in the history of this Council among these Ministers 'early' may mean anything—all that I may say is that if he really desires that 'early' to be really early, then I appeal to him to agree to the appointment of this committee. After all, the recommendations of the committee are only advisory. The hon. Member may even then have the option of calling a conference which seems so much to his heart and then decide one way or the other. So there is absolutely no harm in having a committee. Let the committee consist of all possible experts and people interested in various matters, representing of course Members that may be on his side. So, I would appeal to him once more to reconsider the question and agree to a committee to be appointed by him. I do not generally mention the names of members to the committee that I want; I leave the members to be appointed by him. But I appeal to him again to agree to the committee

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being appointed so that the matter may be decided at an early date. Coimbatore may perhaps be the worst sufferer, but the Coimbatore committee may propose some resolutions which may enable other towns also to get water easily. So I appeal to him once more to appoint the committee. This is one of the earliest objects in his ministerial position in this Council, and let it not be delayed with merely vain hopes."

The hon. the RAJA OF PANAGAL:—"Sir, I propose to have the conference some time in January. I do not think the constitution of a special committee would serve the purpose any the better. We have to negotiate with the other departments and we have to take the opinion of experts, and all these things would be much better done by having a conference in Madras and by inviting to that conference the representatives and those interested in the question so that we may have the benefit of their advice. I hope that will satisfy my hon. Friend."

MR. C. V. VENKATARAMANA AYYANGAR:—"May I make a further appeal, Sir, to the hon. the Minister that if this conference does not come to any decision, as I am afraid it will not, by January, or February, he will appoint another committee."

The hon. the RAJA OF PANAGAL:—"It will be quite open to the hon. Member to ask for the appointment of a committee if the conference is not held in January."

MR. C. V. VENKATARAMANA AYYANGAR:—"But, if the conference does not come to any conclusion within three months, then will the hon. the Minister appoint a committee? Under the rules I am afraid I cannot move a Resolution again for a year."

The Motion was put and declared lost.

MR. C. V. VENKATARAMANA AYYANGAR demanded a poll which was taken with the following result:—

Ayes.

- | | |
|--|---|
| 1. Rao Bahadur C. Natesa Mudaliyar. | 23. Rao Bahadur C. Gopala Menon. |
| 2. " T. A. Ramalinga Chettiyar. | 24. Mr. C. Marudavanam Pillai. |
| 3. " A. S. Krishna Rao Pantulu. | 25. Rao Sahib U. Rama Rao. |
| 4. " C. V. S. Narasimha Raju. | 26. Mr. G. Rameswara Rao. |
| 5. Mr. P. Siva Rao. | 27. " P. C. Venkatapati Raju. |
| 6. " A. Chindimbara Nadar. | 28. " Venkatarama Ayyar alias V. Pantula Ayyar. |
| 7. " K. Koti Reddi. | 29. " B. Venkataratnam. |
| 8. " J. Kuppuswami. | 30. " Abbas Ali Khan. |
| 9. " P. Anjaneyulu Pantulu. | 31. " Haji Abdulla Sahib. |
| 10. Sriman Biswanath Das Mahasaya. | 32. " G. Abdulla Ghatala Sahib. |
| 11. Mr. S. Muttayya Mudaliyar. | 33. " Abdul Hye Sahib. |
| 12. Dr. P. Subbarayan. | 34. " V. Hamid Sultan Marakkayar. |
| 13. Rai Bahadur T. M. Narasimhaachari. | 35. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 14. Mr. P. Peddirazu. | 36. Mr. T. M. Moidoo Sahib. |
| 15. " A. Ranganatha Mudaliyar. | 37. " Muhammad Moosa Sait Sahib. |
| 16. " J. A. Saldanha. | 38. " T. N. Bhava Ravuttar Muhammad Sahib. |
| 17. " B. Srinivasa Ayyangar. | 39. Khan Sahib Saigiy Diwan Abdul Nasaaq Sahib. |
| 18. " Sami Venkatachala Chettiyar. | 40. Mr. K. Uppi Sahib. |
| 19. " C. V. Venkataramana Ayyangar. | 41. " Janab Muhammad Yahya Ali Sahib. |
| 20. " R. Veerian. | |
| 21. " S. Satyamurti. | |
| 22. " T. Adinarayana Chettiyar. | |

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Noes.

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| 1. The hon. Mr. A. R. Knapp. | 24. Mr. B. Muniswami Nayudu. |
| 2. " C. P. Ramaswami Ayyar. | 25. Rao Bahadur A. M. Murugappa Chettiyar. |
| 3. " the Raja of Panagal. | 26. Mr. C. Muttayya Mudaliyar. |
| 4. " Diwan Bahadur T. N. Sivagnanam Pillai. | 27. " B. Obalesappa. |
| 5. Mr. R. W. Davies. | 28. " K. S. Ponnuswami Pillai. |
| 6. " E. W. Leigh. | 29. " K. Raghuachandra Bellala. |
| 7. " G. F. Paddison. | 30. " P. T. Rajan. |
| 8. " H. Tireman. | 31. " P. S. Rajappa. |
| 9. " J. A. Davis. | 32. " B. Ramachandra Reddi. |
| 10. " C. Nicholson. | 33. Rao Bahadur P. Raman. |
| 11. S. R. Y. Ankineedu Prasad Bahadur. | 34. Mr. A. Ramaswami Mudaliyar. |
| 12. Mr. Ari Gowder. | 35. " J. D. Samuel. |
| 13. " P. K. S. A. Arumuga Nadar. | 36. " K. Sarvarayudu. |
| 14. " A. V. Bhanoji Rao. | 37. " R. Srinivasan. |
| 15. " Devendradu. | 38. Sir K. Venkatarreddi Nayudu. |
| 16. Rao Bahadur P. C. Ethirajulu Nayudu. | 39. Mr. P. V. S. Sundaramurti. |
| 17. Mr. P. V. Gopalan. | 40. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 18. Diwan Bahadur M. Krishnan Nayar. | 41. Rao Bahadur O. Tanikaachala Chettiyar. |
| 19. Rao Bahadur K. Krishnaswami Nayudu. | 42. Mr. K. Venkatachala Padayachi. |
| 20. The Raja of Kurupam. | 43. Rao Bahadur C. Venkataranga Reddi. |
| 21. Hony. Lt. Madurai. | 44. Mr. M. Ratnaswami. |
| 22. Mr. T. Mallesappa. | 45. " W. Vijayaraghava Mudaliyar. |
| 23. " P. N. Marthandam Pillai. | |

41 hon. Members voted for the motion, and 45 against.

The Motion was lost.

A COMMITTEE TO IMPROVE THE IRRIGATION FACILITIES IN THE COIMBATORE DISTRICT.

12-15 p.m.

MR. C. V. VENKATARAMANA AYYANGAR:—"I beg to move, Sir, with much better hopes this time:

4. That this Council recommends to the Government that a committee be appointed to report on the best ways and means that can be adopted to improve the irrigation facilities in the Coimbatore district without much cost to the Government.

"In this resolution also, I am asking only for the appointment of a committee, and I appeal to the hon. the Law Member to consider that committees might be of some use even to the hon. Members of the Cabinet. Some seem to think that apart from themselves or apart from some people under their guidance in the conference . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"If this preface is intended for me, I at once disclaim all responsibility for the assumption that committees are useless."

MR. C. V. VENKATARAMANA AYYANGAR:—"I thank the hon. Member, Sir. I was going to say that there are some members both honourable and otherwise (laughter).—I mean those Members of the Cabinet and those who are not—who seem to think that unless these things are put before a conference at the time of its deliberations, committees and such things are useless. But I am glad that the hon. the Law Member . . ."

The hon. the DEPUTY PRESIDENT:—"The hon. Member shall omit all personal insinuations."

MR. C. V. VENKATARAMANA AYYANGAR:—"There is absolutely no personal insinuation, Sir. I referred to the opinions of officers which we are

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entitled to criticize, and I appealed to the hon. the Law Member as Law Member. I am glad he has anticipated me, and I am sure he is one of those who attach a good deal of weight to the opinions of the hon. Members of this House and of those persons whom he may appoint as members of committees. I therefore said by way of preface—I hope the hon. the Law Member will agree with me—that some people have not much faith in the appointment of committees.

“We know, Sir, that in the matter of irrigation the poor Coimbatore district is very unfortunate. The district of Coimbatore is one of those districts which has the largest extent of reserved forests. In fact, it is the second in the Presidency in having about 35 per cent of its area covered with reserve forests. The presumption is that reserve forests produce a good deal of rain, and I am not here to contradict that. Yet, unfortunately, in spite of the reserve forests, in spite of the heavy rain, we have got this melancholy state of things in the Coimbatore district, that irrigation facilities are the poorest. Practically, Sir, so far as the wet cultivation is concerned, with the largest forest area in the Presidency, this district has the poorest wet cultivation, and the people of Coimbatore, I think, have got a right to ask for something more than what they actually have now. We have also large numbers of rivers traversing the district, but unfortunately it is one of those cases where wealth is given to those who are already rich after taking it away from those who are poor. Most of the water that falls by way of rain in the Coimbatore district is collected by means of various rivers and enters the Cauvery. I am not jealous of other districts. Certainly this water is supposed to go to the benefit of the Tanjore district, but, what is more, it runs to the benefit of the Bay of Bengal. We know, Sir, that the present Law Member has expressed his sympathy, both of the lip and of the heart, in favour of water-supplies for irrigation purposes. The one great thing in his way seems to be—and I too agree with him—the unfortunate throwing out of the Irrigation Bill. Let us all expect that, as amended, the Irrigation Bill would be soon introduced and be passed very early. But there is no use of passing an Act. We have had the State Aid to Industries Act passed several months ago and still to no purpose; for the Act that is passed to be useful, there must be some schemes ready on hand, so that the Act when it comes into force might be applied. And if there is any district in the Presidency which deserves the early application of the Irrigation Act, it is Coimbatore. I have no doubt that so far as that matter is concerned, the hon. the Law Member will agree with me. Here also the question of engineers differing comes in. Several schemes, Sir, that have been considered to be feasible by one set of engineers are considered to be not feasible by another set of engineers on financial grounds. Coimbatore district is a district which does not want to lay conditions for getting its water. It is not one of those districts which say ‘we have got some water and we are prepared to get more water only under such and such conditions, under such and such percentage of tax, under this condition or that’. Coimbatore has absolutely no water and it will be prepared to take water on any condition. Therefore, if the Irrigation Act is passed, there will be no trouble whatsoever in regard to the levy of a water-rate, and Coimbatore will be prepared to pay the water-rate because water at any cost is wanted. There are a number of irrigation schemes in regard to the Coimbatore district, and in answer to a question put by me, the hon. the Law Member has been pleased to say both yesterday and

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to-day that there are a few schemes so far as the Coimbatore district is concerned, among which is the Siruvani scheme which is both a water-supply and an irrigation scheme. There are some schemes in the Kollegal taluk, and there is the big scheme of the Mettur project, which is one of those projects which arise in Coimbatore but not help Coimbatore. In fact, this Mettur project is supposed to be taking most of the water from the Coimbatore district for the purpose of enriching”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“With very great respect to the hon. Member, I may say that the object of the Mettur scheme is quite otherwise.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“I am glad to hear that, but the hon. Member has not said that it is to help the Coimbatore district also.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“I shall make a statement on that in the course of my reply.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“I understood the Law Member to say that he will try to make a statement.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“All that I would tell him now is that the hon. Member is wrong in the deduction that the Mettur scheme can possibly prejudicially affect Coimbatore.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“I accept the statement gladly, Sir. I was saying that all the water that comes as rain in Coimbatore is practically of no use to us and that the water is only made available by these costly projects of several crores to other districts further down.

“I have already said that we have plenty of rain but no water and this big Mettur project is not going to help us. Many will say that we have got before us a big project such as that at a cost of about 5 crores and that that is going to be beneficial to us. I wish to make it clear that it is not really so and it is useless to us. It seems not a drop will come to the Coimbatore district. Therefore, I was only saying that this costly Mettur project was of no use to us and in fact it is prejudicial to the interests of the Coimbatore district in this way that there will be objection under financial grounds to other smaller schemes as so much money is to be spent on that scheme.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“When it comes to be a *fait accompli*, I can assure my hon. Friend that it will not interfere with any other smaller scheme.”

Mr. C. V. VENKATARAMANA AYYANGAR :—“But till then no other scheme is likely to be taken into consideration. That will affect all schemes in the Kollegal taluk and it is not right to say that that project does not affect any others. The hon. the Law Member was telling us of the Siruvani scheme and to effect anything in that direction I said that the combination of all the Members of the Cabinet was necessary. Then there are the four projects in the Kollegal taluk which could not be given effect to on account of this Mettur project. But we know, as a matter of fact, that there are several schemes in contemplation and which to some extent were found feasible except for considerations of finance. There are again the two schemes, the upper Bhavani and the lower Bhavani schemes, which might benefit the district of Coimbatore; even there they say it depends upon the Mettur project whether

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they can be taken up now. In fact, there are a number of smaller schemes which but for this Mettur project can be gone through. There are a number of streams which run to the west and fall into the Arabian Sea. There is the Amaravati reservoir scheme where a big reservoir may be built and can be made use of. There are several such schemes of smaller importance. Some of them have not come to the notice of the experts; some of them have been left out of consideration for financial reasons. Even if the Irrigation Bill becomes an Act, only a very few schemes could be effected which are found by the Government to be very necessary. I am only asking for the appointment of a committee to decide as to which of these schemes may be found feasible to be taken up immediately. Many of the ryots are prepared to pay some hundreds for the initial cost of any such undertaking. All that I ask for is a committee to be appointed to investigate this matter. If there are some schemes that may be taken up as soon as the Irrigation Bill is passed by this House, their consideration may be taken up even now without any more delay. Schemes such as those that will not cost the Government very much may very well be taken up now. The only question to be considered in accepting my suggestion for the appointment of a committee is with regard to the travelling allowance for the members that form the committee. I am sure that no member is going to ask for allowances for travelling in his own district. With regard to the Government Members, they can easily arrange this by holding the meetings when they pay visits to those places. The appointment of a committee may, at the worst, prove useless. It is not going to do any harm. With these few words, I commend the resolution for the acceptance of the House."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, I beg to second the motion moved by my Friend, Mr. C. V. Venkataramana Ayyangar. Coimbatore is one of those districts which are entirely dependent on the rains. The irrigation facilities that we have got are not much to speak of at this moment. Coimbatore and probably Salem come only next to the Ceded Districts with reference to their dependence on the rains and the precariousness of water-supply in every way. But unfortunately, Sir, as in the case of the Ceded Districts, in Coimbatore and Salem also, very little attention has been paid for increasing the irrigation facilities; probably because we have not got many schemes of a big character which will draw special attention from the Government. At the present moment, several parts of the district have not had enough rain and in other parts there is a very great scarcity both for grain as well as for fodder. The kist season is coming and the money market is very tight and the people are in a very awkward position indeed. Cattle are being sold at the present moment for about a third of the price they were originally purchased for. The position can be met only by increasing the irrigation facilities in the district. There are some isolated schemes of irrigation which have not drawn the attention of the Government. There are again schemes proposed during the last year or the year before last which have been held up on account of the proposals regarding the Mettur project. There is the Bhavani river which can be made more useful. There are several hundred acres which can be brought under wet cultivation with water from its channels. For every such advancement, the Mettur project seems to be the only obstacle. These are all matters which need not be kept over until the Mettur project is disposed of. I know of some cases which came up before the Collector a year or two ago in which the engineers were of opinion that

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water was available for additional wet ayacut; but the Chief Engineer has thought it fit to issue orders that all schemes for utilizing the available water should be postponed. This seems to be an unnecessary order and an order which works much to the detriment of the people. The question whether the increase in the wet ayacut will affect the Mettur project or not could have been gone into and decided without waiting further.

"Then, Sir, the hon. the Law Member just now stated that the new Mettur project was not going to affect the water-supply in the district of Coimbatore. Bhavani is one of the rivers in connexion with which there have been two schemes for the construction of reservoirs. These schemes were once investigated, and I believe one was given up as not feasible and the other is pending, I suppose, further investigation. Here again, Sir, as I submitted, these schemes for improvement of irrigation in the district of Coimbatore are made to depend on the execution of the Mettur project. I do not say that a big scheme like that should be given up or postponed if we are going to add a few hundred acres under wet ayacut by other schemes of a smaller nature. What I would submit is that the investigation necessary might be made now whether a reservoir in Bhavani will seriously affect the Mettur project, and if it will not, we need not wait till the Mettur project is completed. That is what I would urge, Sir.

"It has been said that the Siruvani project can be utilized as an irrigation project also. I am not sure whether investigation has sufficiently advanced so as to make it an irrigation scheme as well. I would very much be obliged for information on the matter from the hon. the Law Member. I believe, Sir,—it was once said, I do not remember officially or non-officially—that only about 1,000 acres can be benefited under the Noyyal by the Siruvani scheme. Probably, in Malabar it may be possible to put up dams and turn the western course of some rivers there eastward into Coimbatore, and I do not know whether investigation has been made as to the possibility of turning some of these in the direction indicated. Without any use to the Malabar district itself, these are flowing towards the west into the Arabian Sea. I know that some at least of the engineers are of opinion that it is possible to turn a few at least of these streams. There are again smaller schemes like improvement of tanks so as to make water available for one or two villages. One such scheme was sanctioned last year—the Ukkaram tank scheme. These can be taken up if the actual cost of the schemes is worked out. As my hon. Colleague from Coimbatore has said, the ryots will be very glad indeed to pay a reasonable rate of wet assessment and also some little inclusion fee, so that these schemes that were probably once thought not feasible could be now investigated, taken up and executed. These are matters which ought to be considered by the Government in detail with the help of an expert committee. I am really sorry that the irrigation division was abolished. I was one of those who thought that a division like that would be of great use. Some agency there ought to be which can take up one after another the schemes and investigate each and find out whether they are feasible or not. So, if we want to make real progress in this matter, it seems to be absolutely necessary that we ought to have an expert agency to go into them in detail and come to a decision.

12-45 p.m. "Probably a committee of experts to look into the upper Bhavani and lower Bhavani schemes will be able to go into the question and finally dispose of the matter. With regard to the smaller schemes, a committee consisting of experts and non-officials will be useful.

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The co-operation of the people will always be necessary. There are two causes for the appointment of a committee, viz., to come to a final decision and forcing the decision upon the Government. It is absolutely necessary that something on the lines suggested by my hon. Colleague should be done, and I hope the Government will accept the spirit of this resolution."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Sir, here again, let me be allowed to make some observations with regard to certain matters which have been stated both by the hon. the Mover of the resolution and the hon. the Seconder which do not strictly appertain to the discussion on hand. A certain number of remarks have been made upon the obstruction caused or assumed to have been caused by the Cauvery-Mettur project in regard to the fruition of the Coimbatore scheme. So far as that is concerned, the obstacle has been more financial than anything else, save in regard to one scheme as to which I shall have to make a few remarks later. As hon. Members of this House are aware, the Cauvery-Mettur scheme is not designed primarily to serve the interests of the Coimbatore district as such. But hon. Members will also bear in mind that by that scheme a portion of the upper tracts of the Tanjore district which is practically uncultivable now will become a regular garden and 275,000 acres or nearly a quarter million acres will come under cultivation by virtue of that scheme. Therefore, if you look at the larger interest of the Presidency and see things in proper perspective, hon. Members of this House will no doubt come to the conclusion that, albeit that one particular district may not directly be benefited, the sum total of the advantage gained is a matter which will outweigh the other consideration. I am sure that I can count upon the hon. the Mover for complete and whole-hearted assent to the proposition that I have put forward."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Fully, Sir; I never said a word against the Mettur scheme at all. I only said that it should not be assumed that Coimbatore expected anything from that scheme."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I expected that and I am glad. Another remark was made by Mr. Ramalinga Chettiyar in regard to the comparative neglect of the Ceded Districts and of Coimbatore and Salem. So far as that is concerned, hon. Members of this House know that at present there is under investigation a great project called the Sangameswaram project which if it comes will be the almost largest project in India, if not of the whole world, and which will make the Kurnool and Cuddapah districts a garden. (Hear, hear).

"Let me, with these introductory remarks, turn to the Coimbatore irrigation schemes. So far as they are concerned, there are a number of minor schemes which have been under investigation and in respect of some of which the investigation has been completed. There is, for instance, the Kaniyampalayam anicut which project consists of the construction of an anicut across the Bhavani for irrigation of 400 to 600 acres in Satyamangalam taluk. The land-owners have agreed to pay a special water-rate of Rs. 10 an acre. A big project costing Rs. 97,000 has now been completed. It has therefore to be seen that when and wherever it has been possible to push through and complete a scheme, though it did not relate to favoured districts or favoured persons, Coimbatore has not been ignored. Then there is the Siruvani water-supply and irrigation scheme. The question is by no means at an end. It is not difficult to devise a scheme which will really bring under irrigation to

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the extent of 3,000 acres. There are two alternatives to the scheme. One of the two alternatives is a new anicut and channel in the upper regions of the Noyel which will benefit a single big landholder. That question has received the most careful consideration of the Government and will continue to attract their attention. The question is whether a project which will benefit a single big landholder is preferable to another. The question is one which involves engineering consideration as well as financial and other considerations. The two rival projects are under scrutiny by Mr. Hawkins and I am expecting his report on the subject. I shall place the paper on the table of this House in order that hon. Members of this House may come to their own conclusion. Then, in answer to certain questions of my hon. and indefatigable Friend, the Member for Coimbatore, Mr. Venkataramana Ayyangar, the matter has been made clear that in the Kollegal taluk there were as many as five schemes which are actually under contemplation and investigation. Now, I am mentioning all these circumstances for the purpose of assuring the hon. Members of this House that irrigation schemes in the Coimbatore as well as the other districts receive the careful scrutiny and attention of the Government and they are not ignoring one district at the expense of a richer and more favoured district.

"To come to the subject-matter of the resolution which is simply a request for the appointment of a committee, let me, with your permission, Mr. President, make a few remarks on that. What is this committee to do at the present moment? Members of this House have in their hands a careful and exhaustive report of Mr. Morgan who has gone into the irrigation projects of these districts and come to certain conclusions. I do not say that these are final and cannot be improved. But it gives us something to proceed upon. The committee, if appointed, of officials and non-officials will have to go into these schemes and I have before me at least thirteen schemes on which materials have been gathered."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Do all the thirteen belong to the Coimbatore district?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Yes. Some are large and some are small. We have got the investigation reports in respect of these matters. We have got the materials gathered and figures are ready. Now, it seems to me that it will be a much better plan if the hon. Members representing that district were to put themselves in communication with the Chief Engineer and the Member in charge of the portfolio who I am sure will be ready to place at their disposal all the connected papers in their possession. They can see for themselves whether anything requires further scrutiny. Then the Chief Engineer can be made to consult some people in the locality before coming to any conclusion. Having a general committee like that proposed by the hon. Mover will, in my humble opinion, serve no useful purpose. Perhaps they will go into the materials which have been gathered already, make up their minds and advise the Government. The appointment of a committee of this kind merely with the object of investigation will not only not serve any useful purpose, but, on the other hand, will retard the actual inauguration and speedy completion of works actually ready."

Mr. R. VEERIAN :—"Sir, I want only to make a few remarks on this motion. I have no idea to make any humorous speech with big and bombastic words. I sympathise with the proposition. I have no faith in appointing

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committees. If we appoint committees, it is something like appointing too many cooks. One will say that salt is too much, another will say chillies are too much, and a third one will say that tamarind is not sufficient. I am afraid that the committee will come to that. If you have a committee as the hon. Member wishes, you will have laymen also nominated there. It will be a mere waste of money, because they will receive travelling allowances and nothing will be done practically. The hon. the Law Member has rightly stated that the financial condition also should be taken into consideration. It is true that expert opinion should be considered. Therefore, I should like to say that the Government may be requested to improve the irrigation facilities either by appointing a special officer, or by asking their staff to do the needful in the matter. Therefore, Sir, without wasting much time in the matter, I have suggested my opinion and I hope the hon. the Law Member will give the consideration that it deserves."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I am glad to say, Sir, that I have had the usual sympathy and a little more of it from the hon. the Law Member."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I had intended to say and I repeat, that it is not the usual sympathy, if by that the hon. Member merely means formal sympathy."

Mr. C. V. VENKATARAMANA AYYANGAR :—"This is not only usual sympathy; this is not only formal sympathy, but something more than all that. The hon. Member has not said what will be done if we take his kind advice after consulting the local engineering officers. I have taken all the steps suggested by him. I have written to the Chief Engineer, the Superintending Engineer and the Executive Engineer. I requested them to put into action the sympathy of the Chief Engineer and it was only a few days ago that the Executive Engineer came to examine four schemes in Kollegal. The Chief Engineer has been pleased to ask him to go into the question."

^{1 p.m.} The hon. Mr. C. P. RAMASWAMI AYYAR :—"I can direct the Chief Engineer to go to Udumalpet, if necessary."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I am very glad, Sir, that the Chief Engineer too will come to Udumalpet. He must go not only to Udumalpet, but also to other places such as Kollegal and Gopichettipalayam. The object of appointing the committee is—if I had not already made it clear—to facilitate the work to be done under the Irrigation Act wherever the schemes are already feasible, otherwise than financially. This committee of officials and non-officials—some of them belonging also to the Coimbatore district—will be able to take the advice of the leading ryots in the various taluks and make them agree to pay either a lump sum by way of advance to carry out the projects or an additional cess by way of water-tax or both if necessary. That is my object in asking for the appointment of a committee. Now that the hon. the Law Member has said that the Chief Engineer will go to that district, I have no objection to wait for the formation of the committee till the Chief Engineer visits the district. I am glad that the hon. the Law Member has said that there are some projects still under consideration. I thought from the Blue Book prepared by the Chief Engineer on the irrigation projects in the Presidency till now that some of them had been abandoned; but now I learn they are still under consideration. Therefore, if the hon. the Law Member is prepared

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to appoint the committee later on, after the visit of the Chief Engineer to the district, for the purpose of carrying out the schemes, I have no objection to withdraw this resolution now."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"I would advise my hon. Friend to wait until the Irrigation Bill becomes law. There are provisions in it tending to make matters easy with regard to this particular topic. The question of enabling ryots in a particular locality to combine for the purpose of putting the schemes into effect is a matter specially dealt with in that Bill. Further, it is not necessary for me now to make up my mind one way or the other. I may assure him that if at any time non-official opinion is insistent, I have no objection to appoint local or general committees. But I do not want him to pledge me to any such thing now especially as the Irrigation Bill contains the contemplated machinery to effectuate the objects which my hon. Friend has in his mind."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I never want to bind anybody by pledges, especially the Members of Government. With that assurance of the hon. Member, I beg leave to withdraw my resolution."

The resolution was by leave withdrawn.

ESTABLISHMENT OF A SUGARCANE FARM IN THE WESTERN TALUKS OF BELLARY DISTRICT

Mr. A. RANGANATHA MUDALIYAR :—"Sir, I beg to move :—

5. *That this Council recommends to the Government to establish a sugarcane farm in the western taluks of the Bellary district.*

"Sir, in the Hospet taluk which is included in the area I have mentioned in my resolution, there is no less than 7,000 acres of wet land under sugarcane crop every year. I think I may say without fear of contradiction that there are few places, if any, in the Presidency which are better suited than this taluk for the location of a sugarcane factory. I know that for a factory to succeed, there must be a certain amount of co-operation among the ryots concerned. But hon. Members of this House may rest assured that so far as the co-operative movement is concerned, it has advanced very much in the taluk I have referred to. There is a Co-operative Bank which is working very successfully in that taluk. There are also a number of societies working equally well in the entire taluk and I have no doubt that in addition to these societies we will have a number of agricultural co-operative societies also to help us hereafter, in whatever work we undertake. So, then, by the help of these co-operative societies and co-operative banks, the ryots can be persuaded to dispose of their sugarcane by sending it to the sugarcane factory for crushing purposes. At present the ryots are labouring under a great disadvantage in the matter of crushing their sugarcane. There is very little time left between the harvest and the time required for pressing sugarcane and the sowing. The result is that they are unable to bestow the requisite attention in regard to the sowing of sugarcane. If, therefore, there is a sugar crushing factory and if facilities are afforded to the ryots to bring their produce to the factory for crushing purposes, it will be a great boon to the ryots of that area."

"Again, there is much scope for improvement in the yield of the sugarcane in this area. At present the yield is not, I think, even half as much as what it is in the Gōdāvari district and in parts of the South Arcot district."

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The climate is good; the soil is rich, and again there are the Tungabhadra channels which give a fairly good supply of water for these crops. I know that there are schemes of irrigation under investigation which are for increasing the supply still further. It is rather a disadvantage that the ryots are not able to get out of their lands as much crop as their compeers in the other districts are able to get. The reason for that lies in this fact to my mind: in districts like Gōdāvari, Coimbatore and South Arcot, there are separate sugarcane farms, the officers in charge of which are able to educate the ryots in improved methods of cultivation and things of that sort. If the same thing is done in this taluk also, the ryots stand to gain very much. I know the present officers of the district are doing spasmodic work to help the ryots in this direction. I know that they have introduced a few new varieties of sugarcane having brought them from Coimbatore and other districts. The ryots are also willing to take these new species and put them on their land; but they are unwilling to go further. They do not want the Agricultural Department to come and interfere with them in the time of harvest for example. They crush the cane all together whatever might be their kind and sort. Again, in the matter of sowing, they do not take care to plant sugarcane of a particular variety in a particular plot of land. The result of all this is, that whatever efforts the agricultural officers here and there may do to help the ryots to improve the seed needed for sugarcane plantation, it is not possible for them to multiply that particular variety in any satisfactory way. I do not think that really we can expect the ryots to carry on all these experiments. After all, these experiments may or may not prove successful. The ryot naturally would rather go by the time-honoured method and get what little he can get without risk than embark on new methods which may end in disaster for him.

"Again, Sir, there is the question of manure. Leaf manure is out of question now and as regards new manures people do not know which to choose and which to avoid, and I think even the Agricultural Department is not in a position now to give us a correct idea as to the relative advantages of the new manures that are in vogue in the Presidency. If a sugarcane farm is established in this tract, the officers may experiment the different kinds of manures and demonstrate to the people the relative advantages of these new manures and compare them with the old sorts of manure which the ryots are using now though in insufficient quantities.

"Again, Sir, there are other questions like the drainage, better methods of planting and things of that sort that one may learn from the department. All these can be demonstrated in a Government farm. They can multiply the seed of the most promising variety for distribution to the ryots.

"My submission to this House, therefore, is that if a sugarcane farm is established in this taluk, there are very many advantages connected with that to ensure its success and the ryots also will be benefited very much, especially in the matter of crushing their sugarcane. So, I commend this Resolution for the acceptance of this House."

Mr. ABDUL HYE SAHIB :—"Sir, I second this Resolution. In doing so I wish to say a few words. It is a well-known fact that Bellary has been a very backward district. If a farm like the one suggested by my hon. Friend is started in that district, it will not only add to the revenues of the Government, but will help a great deal towards the advancement of the people.

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We know that the sugarcane cultivation is one of the important means of livelihood in some of the taluks bordering on the Tungabhadra river. Therefore, if a farm like this is started, it will certainly add to the revenues of the district and it will also improve the condition of the district. Therefore, I dare say that the Resolution will have the support of all the Muhammadan and other Members of this House."

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"Mr. President, I am in full sympathy with the proposal to establish sugarcane farms wherever they may be considered necessary. But so far as the Hospet taluk and the western taluks of the Bellary district are concerned, I join issue with my hon. Friend as to the need of such an institution in that place. Sugarcane is essentially a tropical plant. One would therefore imagine that in the Madras Presidency the area to be brought under sugarcane cultivation ought to be just the whole area. As a matter of fact, it is very much below what it ought to be; the wonder is that in one of the districts near the Himalayas we find that sugarcane is excessively grown. Therefore, some reason ought to be found why sugarcane has not been cultivated here to that large extent. I have been reading the report issued by the Indian Sugarcane Committee. There I find that the ryots of this Presidency are not as industrious as those in the north, and that if they could exert more, they would be able to cultivate more extensively. I also find in that report that when dealing with the Madras Presidency they do not recommend the establishment of a sugarcane station anywhere in the Bellary district. As regards the circle farm they say that it is not of an urgent nature."

Mr. A. RANGANATHA MUDALIYAR :—"Anyhow they recommend one."

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"My hon. Friend tells us that Hospet has got 7,000 acres under sugarcane cultivation. I have looked into the statistics and I find that in the whole of the Bellary district the total extent under cultivation is only 6,220 acres."

Mr. A. RANGANATHA MUDALIYAR :—"Does it include the second crop also?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"It is the area once cropped."

Mr. A. RANGANATHA MUDALIYAR :—"Is it distributed all over the district?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"I suppose he
1-15 p.m. can wait until I have done. If he wants more details, I can give him later on. We are all agreed that sugarcane ought to be cultivated on a very large scale because the soil and the climate are very conducive to its growth. But the real point is that if the ryots were to put more energy in the matter of sugarcane cultivation, we could bring more lands under that cultivation. That they have not done. We have tried various methods to achieve this end. Taking a broad survey of this Presidency, as recommended by the Sugarcane Committee, we have to go in for a large extent of sugarcane cultivation in Samalkot, Anakapalle and elsewhere. For the expansion of the Anakapalle farm we have already committed ourselves to the extent of Rs. 30,000, and money is badly needed, very urgently needed for the naddy farm that is to be opened in Gōdāvari. Having these

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schemes before me, I cannot easily accept the proposition that a sugarcane farm should be opened in the Bellary district. For the information of my hon. Friend, the Mover of this Resolution, I may say that a special officer has been deputed to go into this question and on receipt of his report, if a case is made out for opening a farm in the Bellary district, it will be considered. As it is, I may tell him that the initial cost of opening a farm is about 2 lakhs of rupees and the recurring cost is Rs. 20,000. If money could be found by the Legislative Council, I should be the first to put the proposal of the hon. the Mover of this Resolution in advance of every other proposal. As things stand at present, I have no hopes of getting more money than what we are now getting. I entirely rely upon my hon. Friend to help me in the matter. For the present, he may be content with my assurance, viz., that the subject will receive my very sympathetic consideration, as I intend to tour in that district very shortly in the beginning of the next month. And if I am satisfied as to the necessity of establishing a sugarcane farm in that district, I shall bring up the matter when dealing with the budget proposals. For the present I must leave the matter in that stage."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"It is rather extraordinary that a statement should proceed from the hon. the Minister for Development that we, the non-official Members of this House, should find money to start sugarcane farms. I believe that it is his business to find the necessary funds. If he cannot find money to carry out his own policies, the non-official Members of this House should not be held responsible at all. He has stated that at Anakapalle the Government are going to open a sugarcane station at a cost of Rs. 30,000. It has nothing to do with the proposition before the House. Anakapalle has already got a sugarcane farm and Government propose to have a breeding station there. There is a breeding station at Coimbatore and it is maintained as an Imperial concern and most of the canes that are grown there are intended more for the Northern India sugarcane factories than for those of the Madras Presidency. Now, one who is acquainted with sugarcane cultivation will realize the necessity of having several varieties of sugarcane, that particular canes are suitable for particular climates and that the yields depend upon the quality of cane that is planted in a particular area. One who is acquainted with the Coimbatore breeding station can very well realize the enormous good that has accrued for the Northern India sugarcane stations. One who is acquainted with sugarcane cultivation will be convinced that a request to the Government to take up a similar concern for breeding good varieties of sugarcane necessary for the various climates of this Presidency is quite reasonable."

"The hon. the Minister for Development has stated that the Sugarcane Committee recommended a sugarcane circle for the Ceded districts. He has also, I think, given sufficient reasons for the establishment of a sugarcane factory at Hospet immediately. He also said that the ryots are not very industrious and that, consequently, the cultivation of the crop is very poor. I may state, Sir, that this is one of the reasons why, I think, my hon. Friend Mr. Ranganatha Mudaliyar has tabled his Resolution."

"One who has experience of the Anakapalle sugar farm can very easily realize the necessity of having varieties of sugarcane cultivated. Formerly the varieties that were cultivated in that farm were very poor, and were all

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diseased. Afterwards new varieties were introduced and they were taken by the ryots. Now we may safely assert that all private plantations are almost free from disease. A similar statement, I think, can safely be made regarding the Godavari farm. As to the methods of cultivation, there has been very great improvement and the ryots have adopted many improved methods. Taking all these reasons into consideration, I think a backward district like Bellary requires a sugarcane station, and the hon. the Minister's argument that the establishment of a sugarcane station would require enormous funds, say about one lakh of rupees, is rather unconvincing. I do not know how the figures have been arrived at. I do not think even the Anantapur sugarcane station, where only some varieties of crops are grown, did cost one lakh of rupees. When the Government have started sugarcane stations, paddy farms, and farms for various other crops in various places, I hope that in the interests of the Ceded districts he will find the necessary money for starting a station there also and not appeal to this House to find the monies for him."

Mr. A. RANGANATHA MUDALIYAR :—"I have only one word to say with regard to the cost. The figures furnished by the hon. the Minister for Development, viz., that one lakh and odd is required for the establishment of this farm, are very large. I do not think we need so much money. Nor need any very large amount of money be spent on brick and mortar. I think, whatever land the Government want, they can get by lease for a specific period. They need not have any superfluous establishment to look after this farm. It is enough, in my opinion, if they have an assistant manager and a clerk on a small pay with the duties of a storekeeper combined in him. I think that with this establishment and with the supervision of the superior officers at the head of the department from time to time, it must be possible for the department to have a sugarcane farm in this area. I think it has been shown beyond any doubt whatsoever that if a farm is established there, the yield now obtained by the ryots can easily be doubled, and I ask, is it not worth while for the Government to spend, probably every year for some time to come 20 or 30 thousand rupees, for the benefit of the ryots and for themselves? So I wish that the hon. the Minister for Development is more precise as to what he proposes to do."

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"I get the figure, one lakh, from the report furnished by the Director of Agriculture. This is what he says :

'The cost of opening a station on smallest lines, I hope, would be one lakh of rupees if it is to do any real good. . . .'

"My hon. Friend, Mr. Ranganatha Mudaliyar, would think that with a smaller amount a farm could be established. Well, only the experts can give their opinions, and as I have already said, a special officer has already been deputed and, on receipt of his report, I shall consider the matter and deal with it as the circumstances would require."

"As regards the Anakapalle farm, it is not a new farm. It is only an expansion of the old farm that is proposed to be attended to. As regards the cultivation of varieties of crops, I must say that unless you have a large extent of land it will not be possible to cultivate varieties of crops. As to the

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disease to which my hon. Friend, Mr. Narasimha Raju, referred, I may say that this disease is called Red-rot and it became very prevalent in Godavari and Vizagapatam districts some years ago."

Mr. A. RANGANATHA MUDALIYAR :—"With the sympathetic assurance given by the hon. the Minister for Development, I withdraw the Resolution."

The Resolution was by leave withdrawn.

The House then adjourned for lunch (at 1-30 p.m.) and re-assembled at 2-30 p.m.

POSTPONEMENT OF RESETTLEMENT OF BLACK SOIL TALUKS OF BELLARY
AND ANANTAPUR DISTRICTS.

Mr. A. RANGANATHA MUDALIYAR :—"Sir, I beg to move the following resolution :—

6. That this Council recommends to the Government that in modification of the orders contained in G.O. No. 1332, Revenue, dated 21st July 1922, the wet rates in the case of lands under first-class irrigation sources be enhanced by 5 per cent only with effect from fasli 1333, and that the remaining rates of assessment remain unaltered for the period of resettlement.

"Sir, before going into the merits of the Resolution, I would just like to recapitulate briefly the circumstances under which this Resolution comes again before the Council this year. Resettlement operations were commenced in my district (Bellary) practically in the beginning of 1919 and continued up to 1920. A scheme was published by the special settlement officer wherein he proposed the enhancement of the land assessment of all lands under first-class irrigation sources by 25 per cent and of all wet lands of other sources by 12½ per cent. With regard to dry lands he made a distinction between black soil and wet soil. As regards black soil lands, he proposed an increase of assessment by 18½ per cent and of the other soil by 12½ per cent. He had exempted from his report lands bearing the lowest assessment, viz., those bearing 4 annas assessment and under. After this report was published, the ryots of the four taluks of the Bellary district and two of the Anantapur district who were affected by the proposal of this settlement officer petitioned to the Government that these rates should not be given effect to and that they should be heard. In compliance with their request the hon. the Revenue Member, whose presence I miss to-day, was good enough to go over to Adoni and hear the ryots who waited in deputation on him. The hon. the Deputy President was one of those who headed the deputation along with some others and I, by their courtesy, happened to be their spokesman. I tried to show to the hon. the Revenue Member how any enhancement of assessment in those areas was untenable. Subsequently, in February, i.e., a month after the deputation waited on the hon. the Revenue Member, I tabled a Resolution in this House to the same effect. Then, the hon. the Revenue Member said that he had not time to go into the question fully, that the reports from his subordinate officers were just then in his hands and that he was not then in a position to come to any conclusion on the points raised by me. However, he was good enough to promise, if

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I remember rightly, that he was not going to increase the rates of assessment either in that fasli or even in the next fasli and that within that time he would consider my representations as far favourably as he could. With that assurance, I withdrew my Resolution. Two years passed by and then the Government were again trying to impose these additional rates. Then myself and my hon. Friend Mr. Siva Rao, each tabled a Resolution in this House to the effect that the proposed enhancement should not be carried out. By ballot, my hon. Colleague's Resolution came first and it was discussed in the Council. The wording of that Resolution was

'that these enhanced rates should not be given effect to.'

"The period for which these enhancements should not be given effect to was not specified and that was made one of the reasons by the hon. the Revenue Member to reject the Resolution. The discussion continued in a very sympathetic spirit, and I gratefully acknowledge the sympathy expressed by almost every hon. Member of the House then, many of whom I am glad to see, have been returned to this House. My hon. Friend, Mr. Ramalinga Chettiyar, said that perhaps it might be as well that we considered the matter a little more closely before we accepted the proposition then before the House *in toto*. He suggested as a *via media* that for one year these rates need not be brought into operation and that in the meanwhile some conclusion might be arrived at. Between the time we last met under the old regime and now, the Government have issued an order definitely telling us what rates should be increased and what not. Practically they confirm the proposals made by the special settlement officer with only one single exception which, in fact, does not amount to much at all. They exempt from the enhanced rates a low assessed class of land, viz., land bearing six annas assessment."

The hon. Mr. A. R. KNAPP :—"May I ask to what Government Order the hon. Member has referred?"

Mr. A. RANGANATHA MUDALIYAR :—"I am referring to the Government Order mentioned in my Resolution, viz., G.O. No. 1332, Revenue, dated 21st July 1922."

The hon. Mr. A. R. KNAPP :—"I may perhaps simplify discussion if I state that that order was not passed after the debate referred to by the hon. Member."

Mr. A. RANGANATHA MUDALIYAR :—"I beg the hon. Member's pardon. I mean that the Government were initiating measures to bring the enhanced rates into operation without giving the Council the opportunity it wanted to pronounce an opinion on it. It may be within the knowledge of the hon. the Home Member, who is now in charge of settlement, that immediately after the rejection of the Resolution of the hon. Member, Mr. Siva Rao, I tabled another Resolution rectifying the defects noticed by the hon. the Revenue Member, wherein I mentioned that these rates should not be given effect to for a specified period of 30 years. That Resolution was admitted by the hon. the President and it was to come up for discussion before this Council, but in the meanwhile, the Government had issued orders to their subordinates in the district to prepare the *adangals* and other books so as to give effect to the proposals I have referred to above. That, I think, was hardly fair to the declared wishes of this House."

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"Now, Sir, I want to examine if the position of the Government in regard to this matter can be justified from any point of view. The settlement officer tried to show that the district had progressed economically and he based his conclusion on the following grounds:

'That as a rule, the tract had been favoured by a series of good seasons, that there has been a tendency for the increase of population since the date of last settlement, that land assessment is paid with ease by pattadars without any necessity for coercive process, that there has been an increase of industrial crops, that live-stock have grown in number, that there has been much improvement in communications, that lands have increased in value, that ryots are prosperous and that trade, export and import have increased.'

"I tried, both in the memorial submitted to the Government and in the arguments advanced by me on behalf of the deputation, to controvert every one of the propositions advanced by the settlement officer. And I find now from the Government Order that the Government have taken exception only to four of the points raised by me. I take it that, so far as the other arguments are concerned, they have not anything to say, or at any rate, anything that is worth consideration by us. They refer to the point that I had made that the population instead of increasing was, as a matter of fact, likely to diminish. At that time the census had not been finished, but knowing the district as I did I was in a position to definitely assure the hon. the Revenue Member that the population was sure to show a marked decline; and my apprehension was fully justified by the publication of the Census Report. The Government say, if the population increases, then it is a sign of prosperity, while if it shows a decrease it is not a sign of decline in prosperity. Their reason is that the people in the district died in large numbers only in one or two years, and that the deaths are not evenly distributed over a period of thirty years preceding the settlement. I put it to the House to consider why is it that people die in such large numbers in those districts though it may be in one year or in two years?

"It is due only to the absence of resisting power on the part of these underfed people. They have not got enough to maintain themselves during famine to resist diseases and epidemics, and as a result you find the heavy mortality evidenced by the recent census.

"Then, Sir, Government made much of the fact that the coercive processes resorted to in the district were not sufficiently numerous. I know as an official, and I daresay those who have been officials in the districts for some time also know, that they can attach little value to these registers showing the coercive processes. I mention this fact, for while it suited the Government they based their arguments on the registers, and now, as a matter of fact, when the registers show an increase, they turn round and say that they are unreliable figures, and that we should not consider them at all.

"The view of the Government now appears to be that unless there are large numbers of sales of real or other property, that cannot be taken to be an indication of the compulsory character of the realisation of this land revenue, that is to say, the Government are not going to be convinced that the ryots are paying their land assessment with considerable difficulty unless their property is brought up for auction and actually sold. I ask the House, Sir, whether they think that the ryots are so dead to feelings of

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self-respect and public opinion that they could remain complacent when their household utensils are brought out and attached. Rather they would prefer worse evils before they are reduced to such indignity in their own village.

"Then, Sir, the settlement officer tried to show that we were growing enormous industrial crops. He said that the area under cultivation had increased by about 40 per cent, and that a remarkable feature of the tract is the extensive cultivation of cotton, the chief industrial crop of the black soil, and it now covered 427,000 and odd acres forming 22 per cent of the crop area, thus showing an increase of 44 per cent of the crop in fasli 1301. If the figures are to be worth anything at all, they should take a normal year for purposes of comparison. But this settlement officer took up fasli 1301 which was admittedly a famine year, a year in which the cultivation had dropped down to the extent of 23 per cent or so. And naturally in a year like that the extension of cultivation should be proportionately less. Subsequently there has been an increase of cultivation due not so much to prosperity but to the struggle for existence as reported by one of the Collectors of the district. And if the cultivation has increased by 22 per cent as compared with a year which showed an abnormal deficiency of 23 per cent, it is no wonder that at the end of 30 years we have an increase of 44 per cent over the extent cultivated in a famine year. So the Government in trying to meet my point within these thirty years have dropped the fasli 1301. Instead of fixing a normal year they have gone back by five years to compare the present cultivation with the previous cultivation. This reminds me of the story of the wolf and the lamb. The wolf was taking its water higher up the stream and it found fault with the lamb that it was polluting the water though the lamb was sipping it lower down. The lamb said that it could not be. The wolf replied that it abused him six months ago. The lamb pleaded that it was only four months old. And the wolf retorted saying, that then it must be its father or its grandfather. It seems that something like that is put forward as an argument. I said that 1301 was a bad year. They shift their ground and say that a century before we were cultivating less and now we are cultivating more and therefore we should pay enhanced rate. That I contend is not a fair position for a responsible Government to take.

"Then the fourth point exception is taken to relates to the increased indebtedness of the landholders. The last settlement did not give figures with reference to this. I tried to show the Government that the indebtedness was on the increase and the Government could not but accept the fact. And they told me that the increased indebtedness is in effect a sign of prosperity. I would like to ask them, Sir, supposing the indebtedness instead of increasing had shown a decline, would they then not have advanced the argument that the ryots have become so prosperous that they do not feel the need of going to the money-lender and borrowing money? Then it seems they can use any argument, however plausible it may be, and unsound on close examination, to suit their purpose. I think I have indicated to you, Sir, how the condition of the district has not materially improved since the last settlement. Government have another reason to justify their increase. They say that when the district was last settled the prices were rather low. Subsequently the prices have risen and therefore

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the ryot gets more for the net produce of his land. Why should he not then pay a part of that to the Government as its due? That theoretically may be acceptable. But in actual application you will find that it is conformed to.

"There are certain well-known rules laid down for the guidance of settlement officers. No doubt the revision of assessment is said to be generally based upon the increase or decrease in the recorded prices of the staple grains of the tract. In our district paddy and cholam happen to be the staple products. They calculate the value of the produce of these lands in a particular way. Suppose a land gives a yield of a hundred measures of cholam. They have to estimate the value of the product from that land. For that they need a price. If cholam is selling at ten measures a rupee, then the value of the outturn will be only ten rupees and from that they have to deduct a certain amount for the merchant's profits, for cartage, for the vicissitudes of season, for unprofitable areas included in the land and cultivation expenses. After all these deductions are made, they divide the net balance into two parts and one part, that is one-half, represents the maximum amount to which the Government can lay claim. That is to say, if Rs. 10 represent the value of the outturn of a particular acre of land and Rs. 8 represent the sum total of all the deductions referred to above, you are left with two rupees and from that Government is entitled to claim not more than one rupee. If, on the other hand, they adopt the price of a famine year in which cholam was selling at five measures a rupee, they get as the value of the produce not ten rupees, but twenty rupees. And out of this twenty rupees if you deduct ten rupees for expenses, etc., you will be left with a net balance of ten rupees. Then the Government can claim up to a maximum of five rupees and not one rupee as before. That is the principle underlying the assessment. So, in order to fix the price, the Government have laid down the principle of striking an average for twenty non-famine years preceding the resettlement. Mark the words 'non-famine'. They should be normal years. They should not be abnormal years in which the prices were exceptionally high for one reason or other. I respectfully submit that until they came to this unfortunate district they were more or less closely adhering to that principle. Take district after district. At Kurnool, Cuddapah, Chittoor and some taluks in Anantapur district they took the trouble of excluding for the purposes of striking the average price not merely the years in which there was actual famine, but also years in which officially there was no famine, but the prices were exceptionally high. Now I claim that the same thing should be done to the district of Bellary. I can give you the years in which the prices ruled high and were excluded in settling other districts and I claim that the same thing should be done in regard to my district as well. If you conform to that method you will find that the prices adopted by the Government for calculating the outturn are unduly high. They take the commutation price of Rs. 258 and if the principles they were professing hitherto are adopted now, they would not get such a high price, but it would be Rs. 225 or so. That means a reduction of about Rs. 30."

The hon. Mr. A. R. KNAPP:—"Do I understand the hon. Member to say that he agrees to the commutation price of Rs. 225?"

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Mr. A. RANGANATHA MUDALIYAR:—"Out of that amount you will have to deduct the merchant's profit and things like that. In that case the commutation price will not show an increase of 62 and 53 per cent over the prices you took at the time of the last settlement. According to my calculation the percentage would not come to so much. Assuming, Sir, that the commutation prices calculated according to my proposition show an increase of 20 per cent over the previous prices, I say even then that could be no argument at all for enhancing the assessment. Why, you may ask? Again I refer to the principles enunciated by the Government. I submit, that supposing the present commutation price shows an increase of 20 per cent over the price at the time of the last settlement, you may argue that you are entitled to raise the assessment by 20 per cent. I say emphatically, 'No' in view of the principle you have hitherto accepted and acted upon. What are the instructions issued to settlement officers? They should not raise the rates to the full measure of the rise in prices because allowances made for increased cost of living, of labour, of stock and of implements, as well as for promoting a higher standard of comfort, should be liberal. That, I take it, was the reason why Government in their generosity did not increase the assessment by 58 per cent, but were satisfied with an increase of 18½ or 12½ per cent. They were good enough in their generosity to leave their claim for the difference between 58 per cent and 12½ per cent to provide for merchant's profit, for increasing the standard of living and other factors. If the assessment shows an increase of twenty per cent, there would be nothing left after allowing for merchant's profit, for increased comforts and for increased cost of living, etc., to justify the Government's enhancing the rate by any per cent whatsoever."

"Again, Sir, there is one point which I would mention before I resume my seat. The Government assumes that the lands are yielding the same quantity of corn as they were supposed to yield at the time of the last settlement. I submit, Sir, in all seriousness and with a due sense of responsibility, that this is not the case."

"I would only appeal to the Government to refer to the records of the crop experiments of their staff—of the revenue officials and of the officers of the Agricultural department who were supposed to carry on the experiments more carefully than the revenue officials, and also to the various reports submitted by the Collector of the district, every year and every ten years and to see whether it is so or not. I have taken the trouble of collecting, as far as I could, figures showing the average outturns of these lands during the period between the last settlement and now. And I find that the return has never been so much as it is taken to be by the Government for settlement purposes. In fasli 1319, eight experiments were conducted with regard to the outturn and in four cases, the outturn showed an increase of 3, 6, 7 and 20 per cent respectively."

The hon. Mr. A. R. KNAPP:—"The increase of what?"

Mr. A. RANGANATHA MUDALIYAR:—"The increase of the outturn of cholam as compared with the estimated outturn at the old settlement. I must say here that I am referring to experiments on soils of eight annas and above, which are affected by the resettlement proposals. In the other four cases, Sir, there was a deficiency of 27, 33, 40 and 75 per cent. In the fasli 1320,

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there were ten experiments; in one the outturn was equal and in the remaining nine cases it was less by 20 to 70 per cent or on an average, by 44 per cent. In the fasli 1321, eight experiments were conducted and the outturn was less by 7 to 95 per cent. In 1322 again, I was able to get only a record relating to one experiment and it showed 32 per cent less. In 1323, there were five out of which I find one showing an excess of 5 per cent, while the others show a deficiency of 53, 66, 55 and 57 per cent respectively."

Mr. E. W. LEIGH:—"May I ask the hon. Member what figures he is quoting? The experiments are conducted on estimates. Generally speaking the crop is estimated at so many annas before the experiment and it is only after that that the crop is cut. The officers conducting the experiments proceed on the basis of the estimates and I expect the hon. Member would give us the estimate figures."

Mr. A. RANGANATHA MUDALIYAR:—"I am very glad that the hon. the Revenue Secretary wants more information on this point. Not that he wants the information, but that he wants it for others who may require it. The hon. Member knows well how these experiments are conducted. The officials select typical plots of land for conducting them. Ten cents of it are marked and when the time comes for harvest, a responsible official goes and has the harvest conducted in his presence and gets the grain collected measured and the quantity of grain so obtained from each plot is recorded in the crop experiment report. These reports are sent through the respective Divisional Officers to the Collector and I dare say the hon. the Revenue Secretary knows all these. I have taken the number of measures appearing in the old settlement report belonging to soils bearing particular assessment and class and so on and comparing them with the actual outturn on similar soils according to the crop-experiment reports, I find that these outturns are less in the way I have indicated."

Mr. E. W. LEIGH:—"I have not got the information I wanted, Sir. The hon. Member has given figures after the crop-cutting experiments but has not given the anna estimate of these particular crops before the experiments."

Mr. A. RANGANATHA MUDALIYAR:—"I really do not understand the point of the hon. the Secretary. I submit that the land bearing a particular assessment has been marked in the last settlement report as expected to give a certain number of measures. I find that land of a similar sort bearing the same assessment gives a less quantity of grain now. I do not understand how it is in any way difficult to arrive at the actual excess or deficiency with reference to the estimated outturn. The experiments were first conducted by the Revenue department. Afterwards, as I said, the Agricultural department was entrusted with this task of finding out the average outturn of the various crops and I find that whatever the agency be, the result is equally unsatisfactory to the Government. If my figures are challenged, I am quite prepared to go further into this matter. The yield has become less; the cost of cultivation, I beg to say, has increased more than the increase in the prices may lead you to think. Comparing the original price of cholam with the present prices, you may say that the cost of cultivation has during the last 30 years increased only by 58 per cent. But that is not so. The cost of cultivation has increased to an extent which is more than that by which the

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food-stuffs have increased in value. So that on the one hand you have a diminished outturn, and, on the other hand, you have an increase in the cost of cultivation. Therefore, Sir, I say that there is no justification whatsoever for the enhanced assessment. I have made an exception in the case of wet lands under first-class irrigation sources for obvious reasons because they are not subject to the same disadvantages as dry lands or other wet lands under precarious sources.

"There is only one point I wish to refer to before I conclude. The Settlement Officer has made a distinction between black-cotton soil and red soil. For the black soil lands he has proposed an enhancement by 18½ per cent and for the red soil, by 12½ per cent. He has not given any reason in the Resettlement Report for which he is responsible, but I find his successor has tried to find an explanation for it in another report. He says:

"The case of the black soil is however different. Heavy rain is required to prepare it for cultivation. When once the sowing is over much rain is not required to sustain the crop as the soil is retentive of moisture and the crop during the later stages is matured by the light showers or heavy dew which usually falls after the north-east monsoon."

"It is just because of this difference in the soils that they were classified differently at the outset. Black soils come under the higher classes and the other soils come under lower classes. The comparative merits of the two classes of soils were taken into account at the original classification itself and the black soil bears a higher rate of assessment by virtue of this fact. Having already done that, to impose an additional burden now seems to me to be highly unfair. The district of Bellary is not the only district where you have black and red soils. In the resettlement of no other district have the Government made this distinction. Even in Bellary district where there are other taluks pending resettlement, the Settlement Officer, in his report relating to those other taluks, has not made this distinction. Because the distinction is untenable, he has treated both black and red cotton soils alike. In fact, I am afraid that in Bellary district black-cotton soil suffers sometimes even more seriously than the red soil. Here is what is said by one Collector and by the Settlement Officer:

"The cultivation of the black-cotton soil depends entirely on the rains that fall from August to November; if these are deficient, the land is left waste. This is why black soils suffer most in times of prolonged and severe drought."

"That is the story of the black-cotton soils which the Government are trying to make out to be so superior to the red soils as to deserve to be doubly and trebly penalized.

"I believe, Sir, I have said enough to convince the House that the proposed enhancement is unjustifiable. When this subject was discussed last year, I said we were on the eve of a famine, a year has passed by and I am very sorry to say that we are again on the brink of a famine, and the Collector has, I think, already sent his proposals for starting test works. I appeal to the hon. Members of this House on whichever side they may be to look at this point from a broad point of view, without minding me as the individual who has brought forward this Resolution and realize the difficulties of the ryots who are standing behind and who will be seriously affected by the resettlement proposals if given effect to and wholeheartedly support my proposition. I appeal to them for justice and nothing more."

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Mr. ABDUL HYE SAHIB :—" I rise to second the Motion. The hon. Mover has explained that just at this time when we are expecting some concession in the matter of assessment, at the time when we are dying out of famine, when we have not got even enough water to drink in Bellary, the Government have thought it fit to increase the assessment. It looks to me something like Nero's fiddling while Rome was burning. I have got the full support to the Proposition from all my hon. Friends of the Muhammadan party and, with these words, I strongly support the Motion."

Mr. P. SIVA RAO :—" I rise to move my Amendent, Sir."

The hon. Mr. A. R. KNAPP :—" May I ask, Sir, if the hon. Member has given sufficient notice of the Amendment which he now proposes to move? If notice was given late, I object under Standing Order 60."

The hon. the PRESIDENT :—" Do I understand that the hon. Member, Mr. Siva Rao, admits that he gave notice of the Amendment too late?"

Mr. P. SIVA RAO :—" I gave notice yesterday, Sir."

The hon. the PRESIDENT :—" The hon. Member has not given two clear days' notice."

Mr. P. SIVA RAO :—" Sir, with the leave of the House and with the permission of the hon. the President I can move the Amendment."

The hon. the PRESIDENT :—" The hon. Member can move the Amendment if the President suspends the Standing Order."

Mr. P. SIVA RAO :—" I request the hon. the President to suspend the Standing Order."

The hon. the PRESIDENT :—" I hereby suspend the operation of Standing Order 60 (1) so far as notice is concerned."

Mr. P. SIVA RAO :—" Mr. President, Sir, I have the honour to move the following Amendment :—

"For all the words beginning with "in modification of the orders" substitute "the G.O. No. 1382, Revenue, dated 21st July 1922, may not be enforced until the principles of land revenue settlement are codified and placed on a legislative basis."

"The Motion as amended will read :

"That this Council recommend to the Government that the G.O. No. 1382, Revenue, dated 21st July 1922, may not be enforced until the principles of land revenue settlement are codified and placed on a legislative basis."

"Sir, if I am fortunate enough to carry this Motion through this House, we need not discuss the original Proposition on its merits. We need not discuss the reasonableness or otherwise of the rates proposed or sanctioned in G.O. No. 1382. Having said so much, I may say that for a very long time past, people of our Presidency have had no voice whatever in shaping our revenue policy. Taxation, Sir, all this time has been levied in the guise of land revenue assessment without reference to the wishes of the people, by executive action without consulting the Legislative Councils of the provinces. This disclosed a very unsatisfactory state of things. The matter was agitated

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from time to time and the attention of the Decentralization Commission was forcibly drawn to this question as early as 1909 and they came to this conclusion. After an elaborate inquiry they said :

"We consider that the general principles of assessment, such for instance as the principle of net profits from the land which the Government shall be entitled to take and the period of settlement should be embodied in provincial legislation instead of being left to executive order as is now the case outside Bombay"

"Now, Sir, I see no action whatever has been taken so far as this Presidency is concerned in respect of that strong recommendation of the Decentralization Commission. The matter again came up in 1919 to 1920 before the Joint Select Committee of both Houses of Parliament, and, after a long inquiry and on hearing evidences, they came to the following conclusion :

"The Committee are impressed by the objections raised by many witnesses to the manner in which certain classes of taxation can be levied upon the people of India by executive action without in some cases any statutory limitation and in other cases without adequate description by statute of the method of assessment."

"And further on they said that the imposition of new burdens should be gradually brought under the purview of the Legislature, and, without expressing any judgment on the question whether land revenue is a tax or rent, they advised, and strongly advised too, that the process of revising land revenue assessment ought to be brought under compulsory regulation by statute. And then they say that

"no branch of the administration is regulated with greater elaboration and care but the people who are affected by it have no voice in it. . . . the rules are often obscure and are but imperfectly understood by those who pay the revenue. . . . The Committee are of opinion that the time has come to embody into law the main principles by which the land revenue is determined, the methods of revision, the pitch of assessment, the periods of revision, the gradation of enhancements and other processes that touch on the well-being of the people."

"These are the very clear recommendations, and in accordance with these recommendations I had the privilege to move in this House, as early as January 1921, that the principles of land revenue settlement should be codified and placed on a legislative basis. That Resolution of mine, after a full-dress debate in the Reformed Council, was passed by an overwhelming majority. I remember very well that we took a day or two over the discussion of this question, and, excepting the official members, all others voted in support of that Resolution. And then the Government were graciously pleased to accept or act upon the principle of that Resolution. They appointed a committee of leading officials and non-officials to consider the best lines on which legislation should proceed, and I had the honour of serving on that Committee. It met for several days at Ootacamund and passed several resolutions. I do not think I would be out of order if I disclose to the hon. Members of this House one of the important resolutions we passed after a lengthy discussion in that Committee. It was that hereafter all resettlement proposals should receive the positive sanction of the Legislative Council."

The hon. Mr. A. R. KNAPP :—" May I ask, Sir, whether the papers he is quoting from are published papers, or whether the hon. Member is prepared to publish them?"

Mr. P. SIVA RAO :—" I think, Sir, the Report of that Committee was placed on the Editors' Table and we all received copies thereof."

The hon. Mr. A. R. KNAPP :—" My information is that it was not."

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The hon. the PRESIDENT:—"What is the recommendation which the hon. Member is reading from?"

Mr. P. SIVA RAO:—"The recommendation is that hereafter all the resettlement proposals that may be made by the Government should be placed before the Legislative Council for their affirmative sanction. That recommendation is contained in the Report of the Land Revenue Resettlement Committee which met at Ootacamund."

The hon. the PRESIDENT:—"I do not quite understand the point of order raised by the hon. Mr. Knapp."

The hon. Mr. A. R. KNAPP:—"May I just explain, Sir? I understood from the remarks of my hon. Friend, Mr. Siva Rao, that he was referring to the Proceedings of the Land Revenue Resettlement Committee, and I wanted to know from him whether they were published papers, or whether he was prepared to publish them. I think I am entitled to raise that question when he is quoting from papers not before the House."

The hon. the PRESIDENT:—"Is it an official document?"

The hon. Mr. A. R. KNAPP:—"I do not know, Sir. He is quoting from some documents, and I wanted to know if it was a published document, or if he is prepared to publish it."

The hon. the PRESIDENT:—"The hon. Member is aware that the obligation not to quote from document which a Member is not prepared to publish, lies only on the Members of the Government. It does not apply to private Members. Does it?"

Mr. P. SIVA RAO:—"To the best of my recollection it does not apply to private Members."

The hon. Mr. A. R. KNAPP:—"I believe, Sir, that it applies to any Member of the House."

The hon. the PRESIDENT:—"The idea is that the Government when it acts in the general interest, is in a position to quote. But a private Member may even quote from private letters written to him without publishing the names. But, of course, the fact that he is not able to publish his authority is a matter which hon. Members may take into consideration in weighing the importance of what is stated. But I think the hon. Member is theoretically entitled to quote from all sorts of documents which nobody knows anything of. I hope he will not take advantage of this ruling and go on quoting from irrelevant documents."

Mr. P. SIVA RAO:—"I am quoting from the Proceedings of the Land Revenue Resettlement Committee, and one of the most important Resolutions passed by that Committee was that hereafter all resettlement proposals or proposals for increase or enhancement of land revenue should be placed for the positive sanction of the Legislative Council. Another important Resolution was that hereafter there should not be any larger increase than 12½ per cent at a time. All these important resolutions were passed and were embodied in a draft Bill, and to the best of my recollection the Bill also was ready for being introduced into the Legislative Council. Just then this House was pleased to pass a Resolution in favour of permanent settlement, and, as that question cropped up, the original question of codifying the

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principles of land revenue settlement was held up for the time being, and both the matters were referred to the Secretary of State for India, as I understood from the replies given to my interpellations. Then, Sir, I understand that the proposal of this House in favour of permanent settlement has been turned down by the authorities. That is my information, Sir, but I am open to correction. This Bill never saw the light of day. They never tried to introduce it into the Legislative Council, though they acted on it in the first instance and gave a distinct pledge to this House that they accepted the principle of that Resolution which was moved by me in the Legislative Council. They undertook to introduce a Bill embodying the principles of land revenue assessment. Now, Sir, over two years have elapsed without any action whatever being taken on this matter by the Government. And now all of a sudden they want to introduce these rates, not merely in Anantapur and Bellary, but in several other districts also. I would respectfully ask hon. Members of this House what has become of the Resolution passed by an overwhelming majority? Should we not request the Government to pay due respect to a resolution which they undertook to carry out? It requires a very strong explanation on their part as to why the question of the codification of the principles of land revenue assessment has been shelved. It may be said on the other side, 'We cannot say when that legislation can be undertaken or finished. It may take months or years'. It may take a few months, Sir, and I do not think any more time is necessary. The whole matter is ready, and the Bill has been drafted. What is required to be done by the Government is to announce the introduction of the proposed Bill in the Legislative Council. But it is no concern of mine whether it takes years or months. So far as we are concerned, we are determined and resolved not to entertain any proposals of resettlement till we have got those principles codified. We do not recede from that position and ask Government to give effect to our former Resolution. And until they do so, we cannot possibly sanction these proposals which have been approved only by the Executive Government. Now, if the principles are embodied in a Bill, it will affect this particular Government Order and this particular question in more than one way. For instance, if the recommendation be that there should not be any increase over 12½ per cent at a time, that is bound to affect the Government Order in question. When the principles are once codified, we should apply them to this particular question and then see whether those principles are adopted or not. Without taking up any more time of the Council, I would commend this Motion for the acceptance of the House for the main reason that we shall be stultifying ourselves and paying scant courtesy to a Resolution passed by ourselves at the very first meeting of the Reformed Council by an overwhelming majority if we allow the Executive Government to introduce these rates which have not been approved of by the Legislative Council."

Diwan Bahadur P. KESAVA PILLAI:—"Sir, I beg to second this Amendment."

Mr. E. W. LEIGH:—"Mr. President, Sir, I request you to give a ruling as to whether the Resolution that was originally moved or the Amendment that has just been moved is now before the House. Last evening, after the meeting of this Council, I was sitting in my room working, and at about

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six o'clock or half past six, was put into my hand a notice of this Amendment. Now, Sir, there has not been time either to consult the hon. Member in charge of this portfolio, nor has there been time for him to consult his Colleagues on this Amendment which, Sir, I should like to point out, is entirely different from the original Motion. It is, I can say, almost a negative of the original Motion, and therefore I am not prepared to speak on the Amendment. I should like to know, Sir, whether I am entitled to give a reply to the original Motion which was moved by Mr. Ranganatha Mudaliyar."

The hon. the PRESIDENT:—"The Amendment having been moved but not having been adopted by the House, the discussion now will have to proceed on the Amendment, and then, if it is adopted by the House, the amended Resolution will hold the field. If it is thrown out, then of course we go on the original Motion. If the hon. Member finds that he is not prepared to go on with the debate, I believe there are other provisions in the Standing Orders open to him by means of which he can procure an adjournment of the particular Motion to another day."

The hon. Mr. A. R. KNAPP:—"I understand, Sir, that at present we are discussing the question whether Mr. Siva Rao's Amendment should be substituted for the original Resolution. He said that if we discuss the Amendment there will be no need to discuss the original Resolution. In other words, his Amendment is contradictory to the original Motion, or is a negative of it."

The hon. the PRESIDENT:—"If it is merely a negative of the original Motion, I would not have admitted it. But I quite agree with the hon. Member, Mr. Knapp, that if this Amendment is carried, it may be needless to consider the original Resolution in its original form. That is why I have allowed this Amendment to be taken up first, although it is third in the list."

The hon. Mr. A. R. KNAPP:—"In regard to this particular matter of the Amendment, Sir, the hon. the Revenue Secretary has already explained that the notice that we have received has been very short indeed. However, there is no reason on that ground why we should now ask for an adjournment. There is no doubt there may be other hon. Members of this House who wish to support the hon. Mover of the Amendment, and if they are going to do so, I should be content that the question of this Amendment be put to the sense of the House. If the House decides on division to advise Government to stop this resettlement pending legislation, I am prepared to ask for an adjournment. But if they do not do so, I am prepared to meet the original Mover on his Resolution."

The Amendment of Mr. P. Siva Rao was then put to the House and carried.

The hon. the PRESIDENT:—"The Motion now before the House is:—

That this Council recommends to the Government that the G.O. No. 1332, Revenue, dated 21st July 1922, may not be enforced until the principles of land revenue settlement are codified and placed on a legislative basis.

"That is the amended Motion and those who wish to speak on that may do so."

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The hon. Mr. A. R. KNAPP:—"May I ask, Sir, what becomes of the other two Amendments which we expected would come in later?"

The hon. the PRESIDENT:—"The answer to that will be given after this Motion is disposed of. We have got the amended Motion now before the House."

The hon. Mr. A. R. KNAPP:—"I only ask for information, Sir."

The hon. the PRESIDENT:—"For the information of the hon. Member I may tell him that if he reads the amendments of Mr. Sitarama Reddi and Mr. T. A. Ramalinga Chettiyar, he will see that they are entirely out of place with this Motion before the House. For instance, Mr. Ramalinga Chettiyar says:

'Omit the words beginning with wet rates'.

"In the amended Motion, we don't have the words 'wet rates' at all. Similarly, Mr. Sitarama Reddi says:

'In line 4 for the figure "5".'

but, as a matter of fact, the line 4 has disappeared in the amended Motion. So that the other two amendment Motions have completely fallen out."

The hon. Mr. A. R. KNAPP:—"That being so, Sir, I should like, if I may, to ask you that further debate on the amended Motion may be adjourned to some other day on the ground of short notice. We have had in fact no notice."

The hon. the PRESIDENT:—"To what date does the hon. Member want it to be adjourned?"

The hon. Mr. A. R. KNAPP:—"I do not know for how many days the House is going to sit, Sir. Perhaps, the day after to-morrow may suit."

The hon. the PRESIDENT:—"I think the hon. Member had better formally move it."

The hon. Mr. A. R. KNAPP:—"I beg to move, Sir, that the further discussion of this Motion be adjourned to Thursday morning."

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

The hon. the PRESIDENT:—"The Motion before the House is that further consideration of this Motion of Mr. Ranganatha Mudaliyar, as amended by Mr. Siva Rao, be adjourned to Thursday morning."

The Motion was put and carried.

The hon. the PRESIDENT:—"I shall have it put in the Agenda on Thursday morning."

APPOINTMENT OF A DEPUTY DIRECTOR OF AGRICULTURE AS PRINCIPAL OF THE AGRICULTURAL COLLEGE

Mr. A. RANGANATHA MUDALIYAR:—"The Resolution which I now move, Sir, runs as follows:—

6. *That this Council recommends to the Government that one of the Deputy Directors of Agriculture who is a graduate in Agriculture and possesses the necessary district experience be appointed as the Principal of the Agricultural College at Coimbatore.*

"Sir, the office of the Principal has hitherto been held by one who has had large district experience and who had been connected with the agricultural

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operations in the province. The present Principal is a research officer and I think his research work takes up all the time at his disposal and, therefore, he cannot be expected to discharge his duties as Principal satisfactorily. He has nothing whatever to do with teaching, so that he has no chance whatever of coming into any sort of contact with the students. He is an Economic Botanist working exclusively on paddy, which is one of the most important products in the Presidency. There is any amount of work to be done in that direction and I think he cannot, consistently with the proper discharge of his duty as an Economic Botanist, carry on in addition the work of the Principal. He is perhaps the seniormost officer at present and I think that is why this office of Principal was given to him. But I think mere seniority should not count in matters of this sort. I think the choice of the Principal has, to some extent, reflected on the attendance at the College also. I should like to know from the hon. the Minister for Development the number of admissions that have taken place in this College for the last three years, including the current year. He will find that this year there has been really a fall. I think it is necessary that the Principal should be one who has sufficient time to come in contact with the students and one who has sufficient acquaintance with the different kinds of agricultural operations that are taking place in the Presidency. All these points have been overlooked by appointing this gentleman as the Principal. That is why I say that we must have, as we had till now, an officer of large district experience—a Deputy Director of Agriculture, for the matter of that—who has sufficient leisure to come in contact with the students and otherwise help them in many directions."

Mr. P. PREDIBAJU :—"I second it."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, I desire, with your leave, to raise a point of order in relation to this Motion, inasmuch as motions of this kind have to be regulated by some uniform procedure. Subject to check by my hon. Friend, Sir Charles Todhunter, and subject to verification, I feel fairly sure that this is one of the appointments which have to be made by His Excellency the Governor. Advice may be given to His Excellency the Governor by the Minister in regard to the making of this appointment, but such advice is merely advice. The appointment is by His Excellency the Governor. The question of the point of order which I desire to raise in this debate is whether, having regard to the prerogative of His Excellency the Governor in this matter, this topic may be allowed for discussion, viz., that the privilege of making these appointments may be directed by this Council to flow into particular channels and that persons chosen from a particular class, viz., A, B or C, alone should be eligible for these appointments. That is the question of order that I raise, Mr. President."

Diwan Bahadur M. KRISHNAN NAYAR :—"May I say one word, Sir, with reference to the point of order? After all, this Motion is only a recommendation to the Government. The hon. the Law Member stated that it was only advice that can be given by the Minister to His Excellency the Governor and the appointment was to be made by His Excellency and that, therefore, the Motion was out of order. What I say, Sir, in reply to that is, this Resolution itself is only a recommendation."

The hon. the PRESIDENT :—"To whom?"

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Diwan Bahadur M. KRISHNAN NAYAR :—"To the Government, and His Excellency the Governor is the head of the Government. So that, after all, Sir, it is only an advice to the Government and it cannot certainly be more than an advice to His Excellency the Governor. Therefore, I submit, Sir, that there is nothing out of order in admitting this Resolution."

Mr. C. RAMALINGA REDDI :—"May I say one word, Sir? I think, if I remember correctly, motions of this kind were allowed in the previous Council. I think that then we were proceeding"

The hon. the PRESIDENT :—"I should like to see the precedents."

Mr. C. RAMALINGA REDDI :—"I think we discussed a number of questions pertaining to the higher appointments on the presumption—well or ill-founded, I cannot say—that the hon. the Ministers, so far as the Transferred Subjects were concerned, were in some way responsible. If, therefore, the hon. the Law Member now raises the question that with regard to these matters the responsibility rests solely with His Excellency the Governor, we are entitled to know whether in regard to the said appointments there has been any change of procedure recently adopted, or whether the old system under which even with regard to the Transferred Subjects ministerial responsibility was in point of fact, whatever it might have been in point of law, the reality still continues."

Mr. S. SATYAMURTI :—"May I say one word, Sir? Under the Government of India Act the Transferred Departments are administered—the actual words of the Act I believe, Sir, are,

‘By the Governor acting with the Ministers.’

"And I presume, Sir, that the only way in which the opinion of this House can be brought to bear upon a matter of this kind is by making a recommendation to the Government, that is, the Ministers who form one half of the Government under the Statute. I, therefore, suggest that it has been conceded by the hon. the Law Member that the advice of the Minister is sought and is given and I think if this Motion is to be ruled out of order, those appointments will go out of the control altogether of this Council. I do not think the Government of India Act contemplated when it proposed to transfer departments to the popular Ministers that hereafter these appointments ought to cease to be under the control of this House to the extent to which Resolutions can be made as recommendations. I therefore submit, Sir, that the point of order of the hon. the Law Member is untenable and that this Resolution is therefore in order."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, Sir, some confusion has been introduced into this debate by special advertence to the Transferred Departments. There is no distinction in this matter between Reserved Departments and Transferred Departments. In the matter of patronage, His Excellency is the sole source, just as the Crown is the sole source in England, of patronage and appointments. In matters of policy he is guided in regard to the Reserved Subjects under the Government of India Act by the advice and, in certain statutory particulars, by the joint action of the Members of his Council. He is guided in the Transferred Departments by the advice of the Ministers. But this, viz., the power, the privilege and the prerogative of appointments, is a matter solely vested in the Governor ;

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and what I have said does not reflect on the Transferred Subjects in any sense in which it is sought to be interpreted as so reflective. Apart from the question of any particular practice or change of practice, I was only anxious to have it perfectly understood in this House whether in a matter which affects His Excellency's prerogative, that prerogative can be directed or deflected into particular channels by means of such motions as these."

The hon. the RAJA OF RAMNAD:—"I should like to ask for certain information from the hon. the Law Member. In regard to the appointments notified in the Gazette I find that most of those appointments are made by the Government, while some of them are made by His Excellency. We always find

'His Excellency the Governor is pleased to appoint' or 'the Government appoints' and so on.

I should like to know, Sir, whether there is any significance in that kind of publications."

The hon. the PRESIDENT:—"Does the hon. Member, Mr. C. V. Venkataramana Ayyangar, want to say anything on this conundrum?" (laughter).

Mr. C. V. VENKATARAMANA AYYANGAR:—"My suggestion is whether the Resolution may not be interpreted as a recommendation to the Government to make an advice to the Governor."

The hon. the Law Member conceded that the Governor in making an appointment is generally advised by the Minister. The Minister means to us the Government. Therefore, our recommendation to the Government is that the Government might make such and such advice to His Excellency the Governor."

The hon. the PRESIDENT:—"I take it the hon. Member's idea is that it is a sort of double recommendation, first a recommendation to the Government and then a recommendation to the Governor through the Government. Is that the idea?"

Mr. C. V. VENKATARAMANA AYYANGAR:—"It will come to that, Sir. We only recommend to the Government that the Government do advise the Governor to make such and such an appointment. I think we are at perfect liberty to recommend to the Government to give such an advice to the Governor."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, we have to distinguish between the acts of the Governor in his personal capacity by virtue of his prerogatives, and the acts of the Governor as head of the Government. But, whenever he acts in consultation with the Reserved half or the Transferred half, it is an act done by the Governor in pursuance of the provisions of the Government of India Act. There, it is clearly laid down that in all cases of Transferred Subjects, His Excellency the Governor acts in consultation with the Ministers, and therefore, if it is to be held or to be ruled by you, Sir, that all acts done by the Governor in pursuance of that wording of the Government of India Act are out of the purview of this Council, then there will be no scope for any discussion of any such resolutions in this House."

Mr. P. SIVA RAO:—"By this point of order, it is sought to take away from our purview all the appointments made by His Excellency."

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The hon. the PRESIDENT:—"Are they not already beyond your purview? I believe they are."

Mr. P. SIVA RAO:—"There is a distinction, Sir, about which a good deal of confusion has been made between the prerogative and the power of the Government. If the hon. the Law Member says that every time the power of appointment is exercised by His Excellency, whether he acts with the help of the Ministers or on the advice of his Executive Council, he must be said to be exercising his prerogative, then we can refute the hon. the Law Member by pointing out that this power of appointment is not an exercise of the prerogative. There are certain prerogatives which are well known. But this is only a power of appointment and this is not one of those prerogatives protected in any way by the Statute."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"Sir, owing to the extraordinary point of order raised after three years of existence of this Council, may I suggest that this subject might be adjourned for further consideration later on because this point strikes at the root of similar resolutions which have been discussed in this Council and passed. After all, it will take away one-third of the work of this Council if such a resolution is to be disallowed."

The hon. the PRESIDENT:—"I should think it will probably be convenient to the House to give me some time to look into this question and pass a ruling. Does the hon. Member, Mr. Ranganatha Mudaliyar, agree to the adjournment of this motion two or three days hence?"

Mr. A. RANGANATHA MUDALIYAR:—"Yes, Sir."

The hon. the PRESIDENT:—"In the meantime, I would like Mr. Ramalinga Reddi to give me a list of precedents as he said that there were numerous precedents of similar motions on Transferred Subjects. I am sure Mr. Ramalinga Reddi, with his usual diligence, would have no difficulty in laying his hands on them."

Mr. C. RAMALINGA REDDI:—"Sir, my statement has been borne out by what my hon. Friend Mr. Tanikachala Chettiyar said. The thing is I never thought that a question of a point of order would be taken on a matter like this. I was speaking from memory. In fact, the hon. the Law Member has created the biggest surprise that our Council has had so far. As I said, I was speaking from memory. If it is said that these are all matters of prerogative, then I really wonder what the position of the Ministers should be. In the Joint Committee's Report, it is distinctly said that His Excellency the Governor acts on the advice of the Ministers. The Ministers can make their advice effective either by resigning or by doing some such thing. They are not bound to act as the secretaries to His Excellency. So we have a right to hold the Ministers responsible for these Transferred departments. If the question of prerogative is brought in, the Ministers are reduced to the position of secretaries or civil servants. It is a subject in which, I am sure, the Ministerial side and the Opposition will act in unison." (Laughter).

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, I desire that all things should be clearly understood. Firstly, that in raising this point of order I have not sought in any way to affect the responsibility of

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the Ministers or to minimise their very great functions in the matter of advice. I am as careful a guardian of their interests as the hon. Members of this House can possibly be. In the second place, I desire to be equally clearly understood that the point of order I am raising and the question I am desirous of bringing into definite shape is this: a recommendation such as this, that a particular appointment should be made from amongst the Deputy Directors of Agriculture who happen to be graduates in agriculture and possess the necessary district experience, amounts in effect to giving the Government or the Governor, according as the contention may be made, a restriction within which that appointment has to be made. It is a deflection of the right of appointing; it is the choice of the personnel that is sought to be affected in that way, and it is that I seek to have decided as a point of order."

The hon. the PRESIDENT:—"I fear that all this discussion we have been having for the last half an hour is irregular. Because, points of order are supposed to be decided by the President. On the other hand, we have the President himself asking for the opinions of hon. Members. I would like, if the hon. Member Mr. Ranganatha Mudaliyar has no objection, to have an adjournment of this question for two or three days."

Mr. A. RANGANATHA MUDALIYAR:—"As I already said, I have no objection for adjournment."

The hon. the PRESIDENT:—"Then, I will put this on the agenda for Friday morning, and I hope by that time to look into the authorities on the subject and say clearly what I think the rules are. Let us leave it at that. Now I will put the question of adjournment of this Motion to Friday morning, to the House."

The Motion for adjournment was put and agreed to, and the House then passed on to consider the next Motion on the agenda.

DAILY AND MILEAGE ALLOWANCES TO DISTRICT BOARD PRESIDENTS.

Mr. A. RANGANATHA MUDALIYAR:—"Mr. President, I beg to move—

7. That this Council recommends to the Government that presidents of district boards be given a daily allowance of Rs. 7-8-0 for all halts and mileage allowance at 10 annas a mile for the first 25 miles and at half the rate for the remainder of the distance when the journey exceeds 20 miles.

"I know, Sir, that at present presidents of district boards are treated as first-class officers and placed on the footing of district collectors. My Resolution thus introduces a distinction between the scale of travelling allowance paid to the first-class officers at present and the scale to be paid to district board presidents, as what I propose now would be less than what they are receiving at present. I tabled this Resolution deliberately with a view that, though perhaps the members of the services in their zeal for emoluments and other things may cling to extra and extravagant allowances, we at least Indians must set them an example of being content with a lower scale of allowances, so that the moral pressure we may so bring to bear may tell in the long run on other services and so that they may also fall in with us. It is with that object that I have brought forward this Resolution."

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Mr. R. SRINIVASA AYYANGAR:—"I beg to second it."

Diwan Bahadur P. KESAVA PILLAI:—"Sir, I beg to oppose it. I am a president of a district board myself, and I know that this distinction between the collector and the district board president was abolished in order to raise the status of the district board president. Of course, appeal to the patriotism of members is made. Now, the allowance given to district board presidents is not a living wage but an allowance for the expenses of non-officials also to travel comfortably. The work of the district board president consists, if anything, in travelling about to inspect the high schools, to supervise the road-making and make various other kinds of supervision. He has to purchase and maintain a motor-car, and it is not possible for any district board president, unless he is a *sanyasi*, to go about travelling without an adequate allowance. We find it stated that there will be considerable savings from the travelling allowances drawn. The bursting of tubes and the damages to the tyres and other incidental expenses of travelling swallow all the savings. I do not think the hon. the Mover, by trying to do this sort of thing, will either raise the position of the district board presidents which most of us covet on account of the honorary nature of the work, or maintain the comfort that is necessary for a travelling life. It is true we covet the place, but yet we are not prepared to spend out of our own pockets to meet those expenses of travelling. I would ask the hon. Member in charge of this Resolution whether, after all, all these allowances do not make something for the status and the position of the honorary office. To reduce the daily allowance by Rs. 2½ and restrict the mileage to As. 12 or to do any such thing would not add to the proper maintenance of the position and comfort of the president which are essential for effective administration of extensive areas. I would beg of him to withdraw a resolution like that. My Friend knows that for want of proper supervision carelessness or corruption becomes prevalent. I am glad to say that during the term of many of the non-official presidents of district boards in this Presidency there has been less corruption. The hon. Member in charge of the Resolution knows full well that presidents of district boards have acted most honourably and have kept up the purity of the administration, and no doubt the credit must go to the Minister for Local Self-Government for appointing proper men as presidents. My hon. Friend would excuse me if I have to object to his proposition even on the ground that it will lower the status of the non-official presidents of district boards.

Diwan Bahadur M. KRISHNAN NAYAR:—"I also want to oppose the Resolution. In my opinion, no distinction whatever should be made between the status of the collectors and that of the district board presidents. Apart from the question of status, if, in these days of increased cost of living, a district board president has to live comfortably when he has to travel about, this allowance of Rs. 10 a day is not much. I believe that it is also the experience of hon. Members of this Council who come from the mufassal and who live in Madras during the sittings of the Council that this daily allowance of Rs. 10 that is paid to us is not at all much, and I think that what is applicable to Members of this House must also be applicable to presidents of district boards. The mileage of As. 12 is certainly not excessive. Motor-cars are not cheap, and if you do not go in for motor-cars, district board presidents have to go in for some other kind of conveyance

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which would probably prove more costly for all their travelling. Having regard to all these considerations, I do not think it desirable that this House should accept this Resolution of Mr. A. Rainganatha Mudaliyar."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, my hon. Friend, Mr. Krishnan Nayar, asserted that all the presidents of the district boards shall be exactly in the same status as the collectors. But I may be permitted to bring in the question whether the status exactly depends upon the receiving of a certain rate of travelling allowance or mileage."

Diwan Bahadur P. KESAVA PILLAI:—"Yes, certainly."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Sir, Mr. Kesava Pillai asserts that it is certainly so."

Diwan Bahadur P. KESAVA PILLAI:—"Including the status of the District Board President of Anantapur."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"He wants to represent the President of the Anantapur District Board; but I want to know whether he represents his own constituency when he opposes the Motion."

Diwan Bahadur P. KESAVA PILLAI:—"I do."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I am glad that he represents his constituency in this respect."

The hon. the PRESIDENT:—"The hon. the Deputy President need not be answering each question as it is put."

Diwan Bahadur P. KESAVA PILLAI:—"But he is asking me a lot of questions and I will have no right of reply."

The hon. the PRESIDENT:—"But you can reply later on and you may apply for special permission to do so under the circumstances."

Mr. C. RAMALINGA REDDI:—"Sir, I wish that the hon. the Deputy President will allow the same latitude to other hon. Members when he is in the Chair."

The RAJA OF RAMNAD:—"I want to know, Sir, if my hon. Friend has received the mandate of his constituency to support the Motion."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I had a mandate for seeing that there was retrenchment all round."

"It has been often pointed out that the travelling allowances should never be a source of profit or gain to any Member. That is the general principle which every Member, I think, will certainly accept and even in the case of hiring carts, 10 annas a mile is the rate claimed: in some cases it is only 8 annas. It is clear mathematics that the 12 annas now claimed is extra. We know as a matter of experience that this Council has voted for the reduction of first-class rates to the hon. Members of this House and that was acted upon by the Government and we notice in that case that the Government in order to adhere to the principle enunciated therein has reduced the fares of all first-class officers from double to a one and three-fifths. So also if we carry this Resolution the travelling allowance of the other men also will be cut down in course of time."

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Mr. S. SATYAMURTI:—"Sir, it is amusing to me how hon. Members on the other side of the House could have one opinion in regard to one thing and another opinion in regard to another matter of a similar nature. We were discussing yesterday the village officers' allowances and I find that my hon. Friend, Mr. Krishnan Nayar, voted against the grant of Rs. 20 as minimum pay for the village officers."

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, I do not think I ever spoke yesterday and I did not give my reason for my voting; but I have given my silent vote."

Mr. S. SATYAMURTI:—"I am very glad that the hon. Member did not take the House into his confidence. According to his arithmetic there was no money to pay these poor village officers, but now I see that he finds a large amount of money to pay for the benefit of the rich district board presidents. Surely, Sir, there should be retrenchment. It was suggested in that connexion that there were failures of crops, financial stringency and many other things: it is up to these people to set an example to the country of retrenchment and economic living. I do not think we shall be true to ourselves if we are not prepared to cut our own allowances. Speaking as a poor man myself, I do not think I get any allowance for attending the Council because I am in Madras: not even a pie do I get and for my tiffin I am paying from out of my pocket. After all, the Resolution is a modest one and it is time for Indians to cut down these allowances. Therefore, Mr. President, if any one considers that he cannot accept starvation allowances, it is perfectly open to him to say so, so that other patriotic gentlemen may come forward to take their places. It is up to this House as a matter, not of party but of the country as a whole above party to vote solidly for this Resolution."

Mr. P. N. MARTHANDAM PILLAI:—"I rise to oppose this Resolution. It is not a matter of status or no status. This reduction of travelling allowance of district board presidents is entirely out of our province; and the district board itself can bring in a resolution to this effect if they choose."

(Cries of no, no.)

Diwan Bahadur P. KESAVA PILLAI:—"Yes, it is so."

Mr. P. N. MARTHANDAM PILLAI:—"No attempt has been made by the district board. Secondly the Government of Madras have recently passed a Government Order."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"The Government in their Government Order say that the allowances are fixed by them, but in the case of members of the district board it is left to a maximum to be settled by the board."

Mr. P. N. MARTHANDAM PILLAI:—"No, Sir, that was not the Government Order I wanted to refer to. The Government in that Government Order have stated that for a year they should not travel for more than one thousand miles. We are therefore not called upon to pass a Resolution of this sort as long as there is a maximum fixed."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I want to support this Motion on one or two grounds. The question is, is the district board president supposed to be a bureaucrat having higher powers, higher status than any of the district board members? If the district board members' allowance is

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taken into consideration, it is much smaller than what is suggested in this Resolution. We know the district board members get double second class and a small allowance of 4 annas. In view of this the rates prescribed by Mr. Ranganatha Mudaliyar seems all right. Therefore to suppose that as soon as a member is elected or nominated president (even nominated presidents are district board members) he considers himself to be a high bureaucrat and therefore entitled to a luxurious allowance seems to be too much, Sir. Then with regard to the status, Sir, I will read out an answer to a question put in this House. At page 557, volume I, part 1, in answer to an interpellation by my hon. Friend Mr. R. Srinivasa Ayyangar whether it is a fact that the presidentship of the district boards is the highest post in a district in the field of local self-government carrying with it the status and dignity of a district officer, the Minister for the Local Self-Government has replied in clear terms: 'The answer is in the negative.'

"The answer is clear and the presidents of district boards do not enjoy the same status as the district collector. Therefore with that clear statement made by the hon. the Minister by way of answer, need we still argue that the status. . ."

Diwan Bahadur M. KRISHNAN NAYAR :—"There was a contrary statement, Sir, made by the late lamented Subbarayalu Reddiyar that the status of the district board president and even that of the chairman of the municipal council is equal to that of a district collector."

MR. C. V. VENKATARAMANA AYYANGAR :—"I will be glad to have reference to it, Sir. I have given a statement from the proceedings, and if that is to be contradicted, it can be done only by a similar quotation of chapter and verse. Moreover, Sir, I do not know if the hon. Mr. Subbarayalu Reddiyar ever had the portfolio of Local Self-Government; I remember he was the Education Minister."

"Therefore it is no use saying that the status is equal and all that. We should put an end to this sort of payment of too much to those gentlemen that have other sources of income and who should serve the country voluntarily. Even for motor car generally the usual charge is only 8 annas a mile and even then there is a surplus of 2 annas and surely he need not have to pay out of his pocket. There are 12 Members in this Council who are district board presidents and including these gentlemen every one should set an example to such a sort of economy and vote for the proposition."

The hon. the RAJA OF PANAGAL :—"The question of laying down a principle to regulate the travelling allowance of the members, vice-presidents and presidents of the local boards, the district and taluk boards, was discussed at length in 1922 and after this discussion the Government issued a Government Order in which they put down some tentative proposals. These proposals were decided upon after consultation with the members of the Advisory Committee. The proposals were published for public criticism and after receipt of criticisms the Government decided the question in 1923 to allow a travelling allowance of Rs. 10 and a mileage of 10 annas as in the case of district collectors. If the House thinks that the rates are too much, it is for them to reduce. It is a matter in which the Government cannot give any definite decision. It is more for the local boards and the representatives of the local boards to decide."

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Rai Bahadur T. M. NARASIMHACHARLU :—"I am myself a president of a district board, Sir, and it is perfectly immaterial, as far as I am concerned, whether the rate is cut down or retained. But the funds out of which these allowances are paid come out of the local bodies themselves and as the honour and prestige of a local board are also involved in this question, I think we may refer this matter to the respective local boards to decide, and if any district board considers there should be a reduction, that may be done. The question may be left to the good sense of the district boards to contribute to the travelling allowance of the presidents. I do not know why this Council should lay down any principle under which the district boards should act. As the funds out of which the travelling allowance is paid do not belong to the public exchequer and belongs only to the local body, I think this is a matter for them to consider. I may mention for the information of my hon. Friend Mr. C. V. S. Narasimha Raju that the travelling allowance of the district board presidents are fixed taking into consideration the allowances given to the collector of a district."

"In one of the papers referred to in the Government Order it is distinctly stated by the Government that the district board presidents are equal in status to the district collector. It is on that principle that Government have fixed the travelling allowance and fixed the total that can be drawn by any district board president."

MR. C. RAMALINGA REDDI :—"Is there any limitation in the case of the collectors?"

Rai Bahadur T. M. NARASIMHACHARLU :—"No. Therefore I say that the Government have placed the district board presidents on a par with the collector but placed a limitation on the total amount. I therefore think, Sir, that in a matter of this kind, instead of leaving the matter to be decided by this Council, it is better to leave the matter to the district board presidents themselves so that they may decide what amount may be given. We ought not to interfere in a matter which relates to their own funds. I think we should respect the district boards in this subject and leave the matter to their own decision."

MR. C. V. VENKATARAMANA AYYANGAR :—"I want to ask one question. Does the collector ever call on the district board president?"

Rai Bahadur T. M. NARASIMHACHARLU :—"Nor does the district board president call on the Collector."

At this stage, the hon. the President vacated the Chair and the Deputy President occupied it. He asked for 'Ayes and Noes'. 'Ayes' responded at the pitch of their voice, while the 'Noes' did not make theirs felt. The Deputy President paused a minute before making his declaration, when Mr. Satyamurti interjected that 'Ayes have it'.

The hon. the DEPUTY PRESIDENT :—"It is I that must give the declaration, Mr. Satyamurti."

MR. S. SATYAMURTI :—"I am very sorry. I apologise to you, Sir."

The hon. the DEPUTY PRESIDENT :—"The 'Ayes' have it. The Resolution is carried."

MR. S. SATYAMURTI said :—"President, Sir, may I request you to let me know, before taking up the next item on the Agenda, whether there will be time enough for me to finish my speech. I do not want to deliver half the speech to-day and half to-morrow."

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The hon. the DEPUTY PRESIDENT :—" I think you have time enough."

Mr. S. SATYAMURTI :—" When are we to rise, Sir ?"

The hon. the DEPUTY PRESIDENT :—" I am entirely in the hands of the President. As there is still half an hour, the hon. Member had better proceed with his speech."

At this stage the hon. the President took the Chair.

Mr. S. SATYAMURTI :—" May I ask a question Mr. President, Sir ? I have been asked by the hon. the Deputy President to move this Resolution. I was just asking whether I shall have time to finish my speech. May I request you to be so good as to allow me to move the same to-morrow ?"

The hon. the PRESIDENT :—" The Mover will certainly have his 30 minutes."

THE BRITISH EMPIRE EXHIBITION.

Mr. S. SATYAMURTI :—" Mr. President, Sir, the Resolution which I have the honour to move runs as follows :—

8. That this Council recommends to the Government of Madras that it should withdraw from any further participation in the British Empire Exhibition of 1924 to be held in London.

" I desire to say, Mr. President, that I move this Resolution with a full sense of my responsibility to this House, to my constituency, to my Presidency and to my country. I venture to say to this House that my Resolution is a very modest one and seeks to give expression in a very mild form to what I am sure will be acknowledged in every quarter of the House, to be the resentment, sorrow and humiliation which we Indians have seenaynt to in the matter of the status and position of Indians in the Empire as a result of the decision of His Majesty's Government with regard to the Indians in Kenya. I am sure that my Resolution appeals to every section of public opinion in this House, whether we are Hindus or Muhammadans, Europeans or depressed classes, liberals or progressives, independents or nationalists, and may I add in all humility non-Indians also who have made India their home and who therefore must feel that the honour and dignity of India is their honour and their dignity at least so long as they eat the salt of the soil. I therefore hope that this House will give its unanimous vote in support of this Resolution. It is a very small attempt at the assertion of India's mark, of India's self-respect and the expression of India's outraged dignity in the matter of her status in the Empire. I am very glad that such pronouncement by Ministerialists like Mr. Muniswami Nayudu of Chittoor and Mr. Krishna Rao before their elections had pledged themselves to the boycott of the British Empire Exhibition (hear, hear). I therefore consider, Sir, that my speech will be rendered easier and that the Resolution will receive support from every quarter of the House. I also consider that it is a matter of happy augury that just now the portfolio of the Minister who is in charge of the Resolution is in different hands. I do not say it for any other reasons. My hon. Friend the present Minister for Development can bring a fresh mind to bear on the question with the weight of the Kenya decision upon his mind and heart. My hon. Friend Sir K. V. Reddi can now speak free from the official shackles of his position which he held when he recommended the Resolution. (Laughter.) Sir, I do hope that the Ministerial benches will remember that they are here not merely to translate to this House the wishes of the Government but also to translate to the House,

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to the extent to which they can and they may, the wishes of the people. Thus, therefore, in this House who can deny that throughout India there is a strong feeling of resentment against this treatment and an anxiety that some expression ought to be given to this feeling in the country? Last but not least, Sir, I have the high authority of the Ministerial organ, the paper called *Justice* which wrote on the 19th of October 1923 thus:

" We agree, of course, that such proposals as the boycott of the Empire Exhibition and the boycott of British goods will be looked upon with positive disfavour by the British public and Parliament. All the same, it is no use forgetting the fact that it is the country's sense of utter impotence in any other manner to bring home to the British public its intense disgust and resentment over the Kenya betrayal that has given birth to such proposals. Every one realizes the economic hardships involved in a boycott of British goods as also the disadvantages from a commercial point of view arising from the boycott of the Empire Exhibition; but the racial and the political implications underlying the Kenya decisions are so revolting to our sense of national self-respect and honour that some of us are even prepared to undergo all the sacrifices involved if only we could thereby convey to the British public even a faint impression of the great indignation felt by one and all of us."

" I do not think I can improve upon the temper of the language in which the feeling of the country has been expressed in that Ministerial organ. (Hear, hear.) Then, Sir, we have the authority of the great liberal school of politicians in this country whose mouthpiece, *The Servant of India*, in its issue of 6th December 1923—a paper which is so moderate that in its latest article it congratulated this House on continuing this Ministry in power (laughter)—says thus:

" It is generally agreed that India's non-participation in the British Empire Exhibition will, if feasible, give a striking expression to her resentment and humiliation at the Kenya decision. The Imperial authorities are setting much store by it and they will feel very keenly abatement on the part of India from such a sham. To it will be attracted people from all over the world, and if we are able to organize an effective boycott, we shall thereby bring home to influential men in all the colonies the brand of inferiority which His Majesty's Government itself is seeking to put on India overseas."

" The Right hon. Mr. P. V. Sastri, a Member of the Privy Council of His Majesty the King-Emperor, on whom the Freedom of the City of London was conferred recently, also a man who, as every one knows him, knows, weighs his words most carefully, wrote very recently, that

" The dominions displeased at a comparatively trifling arrangement made by the authorities of the Exhibition threatened non-participation and carried the point. That is the way in which serious displeasure shows itself. If our Government

and may I appeal to the Ministerial Government, I call them our Government as well—if our Government

would take such a step, no Calcutta will think of treating it as they have now treated in the case of Kenya."

" Then, Sir, we have the Resolution agreed to by all the political parties throughout India for the carrying out of which Dr. Besant more than any one else is responsible—a Resolution signed by all the leaders of all political schools of India. It reads thus:

" That the British Empire Exhibition be boycotted by the Indian Government and by all agencies, official and private, as our India does not desire to be paraded before the world as a nation impotent to obtain redress for the wrong which has just been inflicted on her, and, therefore, as a ground favourable to the exploitation, and as a place where cheap coloured labour can be obtained to enrich a Empire, which denies her equality of position therein."

" Last but not least, Mr. President, His Excellency Lord Reading's Government says thus in a Resolution which they published on the 28th April 1923:

" At the same time, they (meaning the Government of India) cannot but record their deep regret that His Majesty's Government did not justify in giving greater effect to the

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recommendations made by them to the Secretary of State for India. They must reserve to themselves the opportunity of making such representations as may be necessary whenever in future a legitimate opportunity should present itself either as a result of experience gained or by change of events or otherwise.

"I venture to submit to this House, Mr. President, that my Resolution, if approved by this House, will considerably strengthen the hands of His Excellency Lord Reading and his Government in pressing this point on the Home Government.

"I now refer to a speech made by my Friend, Dr. Tej Bahadur Sapru, in Bombay, soon after his landing, where he mentioned that His Excellency Lord Reading's telegram to him communicating to him the resolution of the Bombay Corporation threatening the boycott of British goods considerably strengthened his hands. If this Council sends this Resolution to London and to all places where Imperial Statesmen meet in conclave, there will be a stir and they will know that the Indians are not children to be played with, but men who have self-respect to assert and who know how to assert it. That is why I submit to this House that on every consideration this Resolution ought to be passed; and now I appeal to every section of this House that whatever our political differences with regard to other questions may be, where it is a question of Indian national self-respect and dignity, we shall all act according to the great motto of Yudhishtara in Mahabharata :

‘परस्पराविरोधेषु बयं पञ्चोत्तरं शतम् ।’

that is, where we do not differ, the Kauravas and Pandavas, we are not 100 against 5 but we are 105.' May I, therefore, suggest that all Members of this House must join together and say 'we 127 members are united in this matter and demand that India's outraged dignity should be retrieved'? I can advance, Mr. President, many grounds in support of my Resolution. I need mention only one, viz., the position of India in practically every part of the Empire. I have been out of this country, and Mr. President, you have been, and many other Indians have been, and we know how humiliating it is to go out and to be identified as a coolie race, the who have produced the greatest giants in intellect, in character, we are branded as belonging to an inferior civilization because we are treated in our own Empire as helots. We know what it is and we are anxious that those who have not been out of India may also feel with us and take it from us that until India asserts her dignity, she will continue to be treated as a helot within the Empire. If there are any friends here who still suggest that whatever the indignity may be, whatever the outrage to self-respect may be, we should still take part in the British Imperial Exhibition for various reasons, I can only answer them, 'shall I bend low and in a bondman's key, with bated breath and whispering humbleness' and say this in the immortal words of Shakespeare: 'Fair, Sir, you spit on me on Wednesday last; you spurned me such a day; another time you called me dog; and for these courtesies I shall take part in your exhibition.' I do hope that there is no Indian so bereft of feeling, no Indian so thoughtless of his country's dignity as will do so. Sir, this exhibition is not a mere material exhibition. It is an assertion of the moral might of the British Empire and in saying this I have the very high authority of the Duke of Devonshire, who, while speaking at the reception given to the Prince of Wales, said that this exhibition is intended to be an assertion of the moral might of the Empire. And I ask my friends who are Indians, who have no place in the

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Empire, whether they are going to be present there or allow their countrymen to be present or allow their country's products to be there? I can find only one analogy and that in times of old, viz., when the Roman Emperors returned after their conquests they drove in the streets of Rome in their chariots of triumph with slaves tied to the chariot wheels. Even so we Indians as slaves and helots, can we go to the Wembley park and be shown as slaves and helots of the British Empire? I do not think that any Indian of this House who realizes that will agree to that position willingly. I know that an argument will be advanced—and I anticipate it—that this Council has already passed a Resolution on the 12th September 1922. But much water has flown even in the Coom since then. We find that conditions have radically changed and Kenya has intervened and from the answer the hon. the Development Minister gave this morning, we learn that only a sum of Rs. 50,000 and odd has been spent and we have got yet to spend two lakhs and odd. Therefore, I think, we can still save this amount and go no further and cause no further loss to the Government or to the people. Why I ask this House not to take this Kenya insult lying down is this: that it is a case not of England's standing by and allowing a self-governing dominion to have her own way; but for His Majesty's Cabinet under whose direct control and Government Kenya is, to say 'we, who stood for equality in times of war, having fought in Holland, Flanders and France with Indians now that the war is over and we are secure, there is no more place for you except as slaves and you will be treated only as helots', is most insulting. I hope this will burn into the soul of every Indian here. I cannot put this better than in the words again of Mr. Sastri himself who says that

'It is a refinement of ingratitude and tyranny, the thought of which still lacerates my heart though it has been my constant companion night and day during some months. It may not be pleasing to Government, but is good for them to know that there is hardly an intelligent or patriotic Indian, who does not interpret and lament the Kenya settlement in the way I do.'

"I do not think I need detail to this House all the various details of the wrong inflicted upon my country; but I want to mention this point, viz., that this unnatural and unjust settlement is made all the more unnatural and all the more unjust because of the superior claims of Indians for fair treatment in that country. I am sure my hon. Friends must have read times without number the quotation from Mr. Winston Churchill's book on East Africa. I only want to read the last sentence of that quotation:

'Is it possible for any Government with a scrap of respect for honest dealing between man and man to embark on a policy of deliberately squeezing that native of India from regions in which he has established himself under every security of public faith?'

"Apart from past services during the war, Indians have fought on the fields of East Africa and the Empire and to-day the facts are that among the population of Kenya there are 9,651 European settlers according to the latest statistics available to me and 35,355 Asiatics of whom more than two-thirds are Indian and 2½ millions of Africans and the most significant fact of it all is that the Indian population has not increased for all these years but has decreased. For all these services what we have to-day is this: that with regard to franchise, we are given a communal franchise and we are told that for ever and ever we shall be racial inferiors in a British colony. We are excluded, secondly, from the highlands and we are told that we cannot acquire lands there. With regard to immigration, the matter is cleverly worded as all Government despatches usually are, but ultimately it comes to this, that all the classes to be discriminated against are Indians. Then all

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the posts in the Kenya Government are reserved for Europeans. Mr. Andrews quotes an Englishman there and I quote it here for the benefit of my hon. Friends in this House. He seems to have told Mr. Andrews:

'I am quite ashamed of myself; I have to go to our Indian clerk for information for every single thing. He ought to be office superintendent instead of me. I am only there because my skin is white!'

"May I point out that there is another wrong inflicted on my countrymen in Kenya, viz., that of segregation in township areas? Though it has been formally given up, by racially segregating agricultural highlands, the Colonial Office racially segregates certain townships as well. But the most humiliating part of it all, Mr. President, is that this settlement is based not on justice, not on the interest of the African native or even on the economic future of the country. It is conceded by every body including His Majesty's Government that this settlement is not based on justice, and for the hypocritical pretension that this settlement is in favour of the African native for whose welfare the British heart is swelling, the answer is given by Mr. Sastri again:

'Does any one seriously believe that the white man once established in political ascendancy over the semi-civilised native will ever help him along the path of political evolution and in the end gladly surrender responsible Government into his hands? Does the experience of Ireland, Egypt or India justify such a practice? The White man's ambition to rule, to domineer, to annex, is blazoned forth in every page of Imperial history.'

"Then, Sir, I only want to cite just two passages from the debate in the House of Commons on this very question. Sir Robert Hamilton Ex-Chief Justice of Kenya, speaking on this question of the concern of the White Man for the native of South Africa, said 'if you look back on those years of Kenya we shall see a series of laws passed very much in the interests of the white population, while the interests of the Africans, the real natives of the place, were very much left out.' The hut tax which is paid by the natives brings 50,000 pounds. 'How much of that is spent on educating the natives. Until two years ago nothing and last year 21,000 pounds—I quote that merely as an instance to show how selfish legislation may be when it gets centered in the hands of one party.' As to the economic future of Kenya, I have already stated to this House that the Indian population is not increasing and therefore there is no menace to the economic future. But if the truth is to be told, this settlement is a weak-kneed surrender on the part of the British Government. The British have surrendered into the hands of the White settlers who threatened a mutiny and secession, if their demands were not conceded. On this matter I have the high authority of Colonel Wedgwood who said in the House of Commons on this debate—I am quoting from Hansard:

'While the discussion went on, the whole of Kenya was boiling with the agitation, and presently we had the usual threats of secession from the Empire. Plans were got out to kidnap the Governor—why, I could never make out—plans were got out to replace all the Government officials, and appeals were made to South Africa. This was one of the Resolutions passed at a public meeting in the Nyanza Province:

It having come to our knowledge that a despatch has recently been received from the Under Secretary of State for the Colonies proposing to give the Asiatic community equal political rights with the European Colonists, we, the European settlers of Songhor, Muhoroni, Koru and Fort Ternau in public meeting here assembled, protest in the most emphatic manner possible against any attempt to enforce such preposterous proposals. Should any such attempt be made, we, realising that we have exhausted every constitutional method to prevent such a catastrophe, hereby pledge ourselves to—'

"He points out and every hon. Member of this House knows it that this the

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part of the Whites. I do say with all respect, Mr. President, that Great Britain seems to have lost her secret of Government or even holding an Empire. This is but the thin end of the wedge. Let Kenya remain and soon there will be in all parts of the Empire secessions and threats and we who have brought forward this Resolution before this House are, I submit, in all humility, the real friends of the Empire, not hypocrites who go and tell the Britisher 'we are safe in your hands; give us more and more kicks and we will bear them all.' They are hypocrites who say that. But we are true friends. We say that there is a cancer in one part of the body and tell them 'your body will soon die withering under that growing cancer.'

"That is why, Sir, I submit that this Resolution is a humble but very necessary reminder to the Empire of the need of the Empire

4-45 p.m.

adjusting herself to the various conflicting racial claims within it. I know the argument will be advanced that we are likely to benefit by the Exhibition monetarily. I do not desire to go into this question now, but I may say that man does not live by bread alone. Even supposing that we are likely to get some money, is it worth having at the cost of national self-respect? And will the hon. the Minister for Development rise in his place and satisfy this House that these are the Exhibits which are going to find a new market owing to the Exhibition and these are roughly the millions of pounds or the crores of rupees which this Presidency is going to get as a result of its participation in the Exhibition? Sir, I know something of economics, of the laws of supply and demand. In these days of wireless communication I do not believe that Exhibitions really promote trade. Are our traders so insignificant that they do not know how to advertise their goods? Are our means of communication so antediluvian that our people do not know as to how we can introduce our products into the markets of the world? I do hope that this House will ask for facts as to what is going to be achieved by participating in this Exhibition.

"Then, Sir, it is said that our boycott of this Exhibition may not be effective. To that my answer is in the words of Mr. Shakespeare:

'Where one is in the grip of a big bully, patient and persistent submission is generally. To hit out all with one's strength may not be effective either, but it is at least a vindication of one's manhood. The poet has said that the imprisoned one strikes not so much to punish the tormentor as out of wounded pride.'

"The hon. Sir K. V. Reddi Nayudu, when moving this Resolution, lay away the whole case when he said: 'It may be our province, we may not be able to send many industrial products, but in ordinary raw products, I think we can excel many other countries of the Empire and what are those products? They are 'best cotton', whatever that phrase may mean, 'best skins and hides and oil seeds'. I ask, are these products to be exported to be manufactured and sent back to India? Sir, this has been the economic evil of India and the hon. the Minister for Development wants that India should be reduced to the position of hewers of wood and drawers of water and that whatever they may reap should go to the profit, not of our own children, but to the other people of the Empire. The answer to this is given that, if you do not participate in this exhibition, you will be guilty of disloyalty. Sir, there is only one person on God's earth to whom we owe allegiance and that is to His Majesty the King-Emperor. I have no loyalty to Australia. I have no loyalty to East Africa. I do not see therefore what the considerations of loyalty are. And if they say 'it will be misunderstood by other people; if you do not take part in the exhibition you will be considered

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disloyal', my answer to that will be, Sir, I speak as an Indian. I am also made of the same flesh and blood as the Englishmen and I will ask any of you who understand human nature to note this quotation

'Hath not a Jew eyes? Hath not a Jew hands, organs, dimensions, senses, affections, passions, fed with the same food, hurt with the same weapons, subject to the same diseases, healed by the same means, warmed and cooled by the same winter and summer, as a Christian is? If you prick us, do we not bleed? If you tickle us, do we not laugh? If you poison us, do we not die?' And 'if you wrong us', may I ask this House to say 'shall we not resent?'.

"That is the least we can say and we ought to say.

"The recent Imperial Conference about which so much has been quoted in the newspapers has practically done nothing. I do not seek to minimise in any manner the services rendered by our representative, Dr. Sir Tej Bahadur Sapru in England, but I may say that the Overseas Committee is going to be a costly farce. But if this Committee is appointed in the meantime we shall be strengthening their hands by this Resolution. There is no necessary conflict, if only we are able to carry this Resolution, between our loyalty to the King-Emperor and the position which has been assigned to us in the Empire and I appeal therefore to every Member of this House, Mr. President, not to view this question as a party question. It is by mere accident that I am moving this Resolution and I hope my Friends on the other side of the House will not take it amiss. If I venture to move this Resolution it is because I desire to vindicate the wounded pride of India. And when I ask you to vote for this Resolution unanimously, I am not asking you to forewear your feeling for the Empire, but to say with me—and I am sure every Indian must say—'not that I love the Empire less but that I love India more.' If that is the feeling of every Indian, I hope this Resolution will be unanimously carried."

Rao Sahib U. RAMA RAO:—"Sir, I rise to second the Resolution which has been so ably and so eloquently moved by my Friend, the hon. Member for the University of Madras and after the lucid exposition of facts and the convincing arguments with which he has presented the case before the House, there is very little left for me to say.

"Whatever might be the merits or virtues of the British Empire Exhibition which had prompted us to submit meekly to the proposal to participate in it originally, they have, at any rate, ceased to exist now and the recent events and circumstances must warrant our entire withdrawal from any further participation therein. We were told that, on political grounds, the Exhibition would be a unifying factor and the warm hand of fellowship would be held out to the Indian, if he were to meet the other partners of the Empire on a common platform. But those who were optimistic enough to say so failed to notice the fact that a dire disease, Indo-Phobia, if I may call it, had overtaken the other partners of the Empire, the Colonials especially, and the disease being of an infectious character had spread like wildfire to every nook and corner of the Empire. The Colonials have already begun to exhibit the premonitory symptoms of that strange malady, viz., to scorn the Indians living in their territories and to segregate and shun them and despite the sweet pills and soothing balms of Sarmas, Sastris and Saprus, the disease shows no signs of abatement. Kenya is the worst sufferer at this moment and it is going mad at the thought of an Indian, at the sight of an Indian and at the very word 'Indian.' Every possible remedy has been tried—flowing oratory, sweet platitudes, kind persuasion, and even mild threats—by those compatriots of the Colonies from the Premier to the Viceroy, to no avail.

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The Colonial is adamant. Retaliation is *the, and the only*, cure and unless we Indians are prepared to administer a strong dose of 'Retaliation', there is absolutely no salvation for the oppressed millions of our countrymen in those Colonies. While such is the case, the so-called unity and solidarity of the British Empire aimed at by the Exhibition is only a mockery, and if we have any grit in us, we must refuse to take part any further in this Exhibition, which would be the first step in the process of retaliation.

"Coming next to the economic aspect of the question, we were assured by the powers that be, that the Exhibition would serve as the best medium for the mutual exchange of thoughts and ideas and the means of developing our own resources. Our raw products would attract the attention of the Empire and there would be greater demand for them which might induce a larger outturn—barring of course those human exhibits, I mean the dancing girls of Southern India, whom it was proposed to be included in the list of raw products of our Presidency for exhibition in London, and who, on better sense prevailing, were dropped out, but not until after vigorous protests from all quarters. Whatever arguments economists may adduce in defence of this Exhibition, I hold, from a common-sense point of view, the opinion that an industrially backward country like India can never profit by an exhibition of its raw products alone. There is already too much exploitation in the land by vested interests and this Exhibition would give room for greater exploitation which would help the industries of the other parts of the Empire, but would bring in economic distress to our own country. Exhibition of industries is one thing and that of raw products quite another. With no definite fiscal policy of our own, it will be hazardous to participate in an exhibition of this kind. To be forewarned is to be forearmed and let us therefore mend our ways before it is too late.

"Lastly comes the question of cost. The Exhibition entails the maintenance of a huge establishment here and in London, with heavy bills of freight, allowances and other contingencies, which will be a great burden to the poor tax-payer. Indian can ill-afford to meet this heavy expenditure and our Presidency especially is in a worse plight now with famine and distress knocking at our doors consequent on the havoc caused by the floods in South Kanara, Ganjam and Vizagapatam and the misery and starvation already experienced as a result of drought in parts such as Anantapur, Kurnool, Cuddapah and some other districts.

"We will not be true to our constituencies if we do not try to conserve all our resources to combat the impending famine and distress, and one of the means would be to economise expenditure in this direction. Enough unto the day is the evil thereof. I hope the hon. Members will realize the gravity of the situation and solidly vote for this motion unswayed by any considerations of policy or delicacy in the matter."

The House then adjourned (at 5 p.m.) to meet again at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

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APPENDIX

[Vide page 246 supra]

G.O. No. 1054, Finance, dated 4th December 1923.

READ—the following papers:—

I

G.O. No. 366, Finance, dated 1st April 1921.

ABSTRACT.—Resolution of the Legislative Council for the formation of a Finance Committee accepted by Government.

II

G.O. No. 400, Finance, dated 1st May 1922.

ABSTRACT.—Committees—Public Accounts and Finance—Constitution of—1922-23.

Order—No. 1054, Finance, dated 4th December 1923.

The Standing Finance Committee of the Legislative Council for the remainder of the year 1923-24 will be constituted as follows:—

Nominated by His Excellency the Governor.

- (1) Hon. Sir Charles Todhunter, K.C.S.I., I.C.S. (Chairman).
- (2) R. W. Davies, Esq., I.C.S., M.L.C.
- (3) M.R.Ry. Rai Bahadur T. M. Narasimhaachari Garu, M.L.C.

Elected by the Non-official Members of the Council.

- (4) M.R.Ry. A. Ramaswami Mudaliyar Avargal, M.L.C.
- (5) Janab Muhammad Yahya Ali Sahib Bahadur, M.L.C.
- (6) M.R.Ry. A. Ranganatha Mudaliyar Avargal, M.L.C.
- (7) C. Nicholson, Esq., M.L.C.
- (8) Rai Bahadur Sir K. V. Reddi Nayudu, Kt., M.L.C.
- (9) Dr. P. Subbarayan, 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 Finance Committee.
 „ the Secretary, Legislative Council (for communication to
 Members of the Legislative Council).

THE MADRAS LEGISLATIVE COUNCIL.

Wednesday, 12th December 1923.

The House met at 11 o'clock, the President (the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E.) 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.]

LAND—PORAMBOKE.

Grant of poramboke land in Chingleput district.

23 Q.—RAO Bahadur C. NATESA MUDALIYAR: Will the hon. the Law Member be pleased to state whether it is a fact that Messrs. T. P. Jacob, Ellan Moses and N. Samuel of Tenneri village, Conjeeveram taluk, Chingleput district, have sent in a petition in October 1919 to the Collector of Chingleput praying for the grant of poramboke land bearing survey No. 289 in the village of Kuttavakkam (near Tenneri village) for services rendered during the Great War as members of the No. 1 Madras Porter Corps; and what action has been taken thereon?

A.—The Government have no information.

LEGISLATIVE MEASURES.

Legislative measures likely to be introduced during the session.

24 Q.—MR. R. SRINIVASA AYYANGAR: Will the hon. the Law Member be pleased to state the legislative measures that are likely to be introduced for consideration in this session?

A.—Excluding the Tuticorin Port Trust Bill and the Bill to repeal the Stage Carriage Act, 1861, and amend the Madras Hackney Carriage Act, 1911, which have already been introduced, the following is a list of the legislative measures that are under the consideration of the Government and as each one is ready, it will be introduced in this session:—

- (1) The Madras Irrigation Bill.
- (2) A Bill to amend the Madras Local Boards Act.
- (3) „ „ District Municipalities Act.
- (4) „ „ Elementary Education Act.

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- (5) The Madras Hindu Wills Bill.
- (6) „ Succession Certificate Amendment Bill.
- (7) „ Estates Land Bill.
- (8) „ Civil Courts Amendment Bill.
- (9) A Bill to provide for the sanitation of places of pilgrimage and fairs and festivals.
- (10) A Bill for the registration of nurses and midwives.
- (11) The Land Revenue Settlement Bill.
- (12) A Bill to amend the Village Officers Act.
- (13) The Railway Protection Act Amendment Bill.
- (14) The Madras Court of Wards Amendment Bill.

The RAJA OF RAMNAD :—“ May I ask the hon. the Law Member whether he proposes to introduce Bills (1) to (14) in this session of the Council ? ”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ Sir, a number of them will be introduced.”

The RAJA OF RAMNAD :—“ Sir, I wish to know on what lines Bills (12) to (14) are going to be formulated.”

The hon. Mr. C. P. RAMASWAMI AYYAR :—“ They will be published before they are introduced.”

LOCAL SELF-GOVERNMENT.

Examination of the Red Hills water.

25 Q.—Mr. A. RANGANATHA MUDALIYAR : Will the hon. the Minister for Local Self-Government be pleased to state whether the Corporation of Madras sent or intended to send samples of Red Hills water at various levels in Madras to the King Institute, Guindy, for examination, and, if so, whether the Director of King Institute declined to examine them ?

A.—The answer is in the affirmative. The Surgeon-General was of opinion that the examination suggested would be of no value for the purpose which the Corporation had in view, viz., to find out whether water was contaminated through leakages in the service pipes.

Mr. A. RANGANATHA MUDALIYAR :—“ Sir, I should like to know if the hon. the Minister for Local Self-Government was satisfied with the opinion expressed by the Surgeon-General.”

The hon. the RAJA OF PANAGAL :—“ Yes, Sir.”

Report of the Committee on the Indigenous systems of Medicine.

26 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU : Will the hon. the Minister for Local Self-Government be pleased to state what action the Government have taken on the Report of the Committee on the Indigenous systems of Medicine ?

A.—The report was referred by the Government to two experienced Indian Medical Service officers for expert opinion from the point of view of allopathic physicians. Their reply has been received, and I have tentatively made the following proposals :—

- (1) Opening of a School of Indian Medicine, the staff of which will consist of a physician who has been trained according

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to the western system but who has made a special study of the indigenous systems, and also three lecturers—one for each of the indigenous systems, Ayurvedic, Unani and Sidha.

- (2) The introduction of a new subject, namely, the History of Medicine with special reference to the indigenous systems, in the curriculum of the Madras Medical College.
- (3) Formation of a museum consisting of a collection of the various drugs used by practitioners trained in the indigenous systems to be attached to the School of Indian Medicine, in order to enable scientists to investigate the drugs used by these doctors.
- (4) The constitution of a Licensing Board consisting of the Principal and the Lecturers of the School of Indian Medicine and well-known private Ayurvedic, Unani or Sidha practitioners. The main duty of the Board will be to grant licences after an adequate examination to doctors who desire to practise according to the indigenous systems.
- (5) I propose also to permit local bodies to employ doctors recognized by the Licensing Board in any new hospitals or dispensaries in rural areas to be opened by them.

The financial and administrative aspects of these proposals are now being examined. I have already asked for a provision in the next year's budget for the opening of the School of Indian Medicine. I desire to discuss these proposals with the members of the Standing Advisory Committee attached to the Medical and Public Health Administration before passing final orders on the report of the Committee.

SETTLEMENT.

Permanent settlement in ryotwari holdings.

27 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU : Will the hon. the Home Member be pleased to state whether the Government of India passed orders on the resolution passed by the Legislative Council recommending the introduction of permanent settlement in the ryotwari holdings in the Presidency; and, if so, to place the same on the table ?

A.—A reply was received from the Government of India in June last to the letter written by this Government on the subject of the Resolution referred to. The matter has been under further correspondence and the papers cannot be placed on the table.

RAILWAYS.

Profits from District Board Railways.

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

(a) the boards which own partially or wholly railways of their own and the net profits so far earned by each board on its railways, and

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(b) what portion of the railway revenue has in each case been utilized to augment the general revenue of the district board and what portion of it has been utilized for the further expansion of railway construction or for any other purposes?

4.—(a) The boards which own railways are —

- | | |
|-------------|----------------|
| 1. Kistna. | 4. Coimbatore. |
| 2. Guntur. | 5. Salem. |
| 3. Tanjore. | 6. Tinnevely. |

The net profits so far earned by these district boards except Tanjore are given below. In the case of Tanjore the information is not available and will be called for.

	RS.		RS.
1. Kistna ...	35,42,956	4. Salem ...	1,54,074
2. Guntur ...	4,27,418	5. Tinnevely ...	20,891
3. Coimbatore.	9,07,780		

(b) Information is not available and will be called for.

PRISONERS.

Condition of Mr. P. Varadarajulu Nayudu in the Trichinopoly prison.

28-A Q.—MR. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether the attention of the Government has been drawn to the judgment of the Subdivisional Magistrate of Usilampatti in Mr. P. Varadarajulu Nayudu's case (Calendar Case 57 of 1923);

(b) if not, whether the Government will be pleased to send for and peruse the judgment;

(c) if it is a fact that Mr. Kelu Nayar, the first-class Subdivisional Magistrate in charge of Madura subdivision, had no jurisdiction to issue the order under section 144, Cr. P.C., to restrain Mr. P. Varadarajulu Nayudu from speaking in Uttamapalaiyam which is in Usilampatti division;

(d) whether it is a fact that Mr. P. Varadarajulu Nayudu was to preside at a Political Conference at Uttamapalaiyam and that he was allowed to go from Salem to Uttamapalaiyam for the purpose;

(e) whether it is a fact that only on the previous evening the order restraining him was served on him;

(f) if it is a fact that there was really no danger of breach of the public peace at Uttamapalaiyam;

(g) if it is a fact that the Conference at Uttamapalaiyam was open only to the delegates and that admission to the Conference was strictly by tickets;

(h) whether the Government will, under the circumstances, consider his case and remit the unexpired portion of his sentence;

(i) if it is a fact that Mr. P. Varadarajulu Nayudu is being treated in Trichinopoly jail as a chronic asthmatic patient and that he is about to undergo a surgical operation; and

(j) if it is a fact that about a month previously, while in Madura jail, he was not treated as an asthmatic patient and was put to ragi grinding and if so, whether the Government will be pleased to enquire into the conduct of the Superintendent and Medical Officer concerned?

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The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, I wish to answer the question seriatim—

(a) & (b) Attention of the Government has been drawn to it by the hon. Member (Mr. T. Adinarayana Chetti) who forwarded to me a copy of the judgment.

(c) On the facts as disclosed in the judgment and otherwise, he had jurisdiction.

(d) There was no question of allowing him to go and they did not play any part in this matter.

(e) Government have no actual information on the matter beyond what they gather from the judgment itself from which it is evident that notice was served on him on the 20th July 1923.

(f) Yes, it was apprehended that there was a danger to the public peace at Uttamapalaiyam having regard to the speeches of Mr. Varadarajulu Nayudu that he invited Japan to invade India and that in the cold weather it was necessary to have riots so that Europeans might notice the feeling there.

(g) Admission was public and both those speeches were taken in shorthand.

(h) Under the circumstances the Government do not propose to remit the unexpired portion of his sentence.

(i) & (j) Enquiries will be made."

II

COMMUNICATIONS TO THE COUNCIL.

(1)

The SECRETARY laid on the table* a copy of a 'note for the Excise Advisory Committee' prepared by the hon. the Minister for Excoise.

(2)

The SECRETARY laid on the table† the proceedings of the sixth meeting of the Finance Committee for 1923-24, dated 3rd December 1923.

III

COMMITTEE ON PUBLIC ACCOUNTS.

The hon. the PRESIDENT:—"I have to inform the House that the following seven gentlemen were nominated for election as members of the Committee on Public Accounts:—

The Raja of Ramnad.	Mr. R. Srinivasan.
Mr. S. Arpudaswami Udayar.	„ C. V. Venkataramana Ayyangar.
„ B. Mahabala Hegde.	„ Abbas Ali Khan.
„ P. N. Marthandam Pillai.	

As the number of candidates nominated is equal to the number of vacancies to be filled, viz., seven, I hereby declare the abovementioned gentlemen to be duly elected under Regulation II (4) of the Regulations for holding of elections by means of Single Transferable Vote."

* Printed as Appendix A on pages 363-370 infra.

† Printed as Appendix B on pages 371-373 infra.

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IV

HOUSE COMMITTEE.

The hon. the PRESIDENT:—"I have to inform the House that the following six gentlemen have been nominated for election to the House committee:—

Mr. P. T. Rajan.	Mr. J. A. Davis.
" A. V. Bhanoji Rao.	" R. Veerian.
" V. Madhava Raja.	" Abdul Hye Sahib.

As the number of candidates for election is equal to the number of vacancies to be filled, viz., six, I hereby declare the abovementioned gentlemen to have been duly elected under Regulation II (4) of the Regulations for the holding of elections by means of Single Transferable Vote."

V

ELECTION OF TWELVE MEMBERS TO THE SENATE.

The hon. the PRESIDENT:—"With reference to the point raised on the 20th November 1923 in regard to the election of twelve members to the Senate of the Madras University by means of the Single Transferable Vote, I have to inform the House that the hon. the Advocate-General, who was consulted, shares the view expressed by the hon. the Law Member, that, inasmuch as the Madras University Act prescribed election according to the principle of proportionate representation by means of the Single Transferable Vote only for the constituency of registered graduates, the same method cannot be followed in election by any other electorate under the same Act. Having regard to this opinion I have decided that the non-official Members of this Council should elect their twelve representatives to the Senate in one of the ordinary modes. There are two alternative methods: one will be to vote by ballot at a meeting of the House, and the other, to vote by post. It seems to me that the latter method may preferably be adopted in the present case. I accordingly prescribe 3 p.m. on the 22nd December as the latest time at which nominations of candidates will be received by the Secretary. If they are not delivered in person, they should be sent to him by registered post, so as to reach him not later than the 22nd December. If the number of candidates exceeds the number of vacancies (12), he will at once get voting papers prepared and sent to hon. Members by post. Voting papers should be either delivered to the Secretary in person or sent by post so as to reach him before 3 p.m. on the 10th January 1924."

VI

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

THE BRITISH EMPIRE EXHIBITION—cont.

The Council then resumed discussion on the above Motion.*

Diwan Bahadur M. KRISHNAN NAYAR:—"Sir, in rising to support this Motion I wish to state clearly at the outset that I do not treat this as a party question at all. I am glad that my Friend Mr. Satyamurti who moved this Resolution emphasized that point and appealed to the hon. Members of this House to treat this from a non-party

* That this Council recommends to the Government of Madras that it should withdraw from any further participation in the British Empire Exhibition of 1924 to be held in London.

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point of view. Persons belonging to all classes of political thought in India—Moderates, Liberals and Extremists; Brahmans and non-Brahmans; Hindus and non-Hindus—are all agreed on this question. The object of this Empire Exhibition, Sir, is to demonstrate the commercial and industrial greatness and possibilities of the Empire. If we refuse to participate in this Exhibition the place allotted for the Indian exhibits will remain vacant. This must necessarily draw the attention of all those who visit the Exhibition, of the Members of the British Cabinet, of the people of England and of the Empire, nay, of the whole world. And that will also bring home to all people our sense of injury, humiliation and helplessness. No doubt, about a year and a half ago, this Council voted a large sum of money to be spent for the purposes of this Exhibition. But since then important events have happened. The British Cabinet have given their decision on the question of Kenya, and since the date at which this Council voted that sum, the Resolution of 1921, which was passed by the Imperial Conference proclaiming to the world that India was an equal partner in the British Commonwealth, and that Indians had equal treatment in the colonies, has been cast to the winds. In Kenya itself, though the railway of the country has been built by Indian labour, and though the government of that country is carried on even now with the help of the industry and intelligence of the Indian subordinates of the Government, Indians have no honourable place. Though the Indians have settled down in the country for about 300 years long before any white settler thought of going to that country, Indians are treated in Kenya as helots. Even the view of the Ministers of the British Cabinet on the question of segregation in the municipal town and emigration, though it looks forcible on the paper, has been whittled down. No doubt we have already spent a sum of 25 thousand rupees on this Exhibition and commitments have already been made to the extent of larger amounts, I dare say probably legal liabilities have also been incurred. These, I submit, Sir, should not stand in the way of our supporting this Resolution. Strong diseases require strong remedies. The occasion is a unique one. It is one in which our national honour is involved, and this Council should be prepared to vote the amount which will be necessary for meeting the legal liabilities, if any, that have been incurred.

"The object of the Exhibition is to glorify the Empire. We have no place in that Empire. The Indians have no place in the Empire. The coloured races have no place in the Empire. It is purely a white Empire, and I am firmly of opinion that we, Indians, should not take part in the glorification of that Empire by participating in its Exhibition.

"No doubt by our refusal to take part in this Exhibition we shall not be able to prevent in any way the utility of this Empire Exhibition. We shall not be able in any way to diminish or to reduce the splendour and greatness of this Exhibition. But by our refusal to take part in it, we shall be able to show to the world that we can resent the treatment that is accorded to us; we shall show that we refuse to be willing and consenting partners to insult and humiliation. I do not think that the occasion requires a long speech. With these few words, I support the Motion."

Rao Bahadur O. TANIKACHALA CHETTIYAR:—"Sir, I request permission to move an Amendment to this Resolution, viz.—

In line 2 omit the words 'withdraw from any further participation in' and substitute therefor the following words:—'incur no further liability in connexion with.'

[Mr. O. Tanikachala Chettiya] [12th December 1923]

"The Resolution with my Amendment would read thus :

'That this Council recommends to the Government of Madras that it should incur no further liability in connexion with the British Empire Exhibition of 1924 to be held in London.'

Mr. S. SATYAMURTI :—"I object to this Amendment under Standing Order 60 (1). Sir, you can suspend the Standing Order and give leave to move this Amendment, but I humbly submit to you, that this is not a case in which you will suspend the Standing Order ; because, I submit that the Amendment of my hon. Friend, Mr. O. Tanikachala Chettiya, is merely a clever ruse, if I may use the phrase, to save the face of the Government, after having noted the feeling of the House when I moved the Resolution yesterday. I am sure I am going to carry this Resolution in spite of the legal liabilities the House has to consider. I submit that I and this House are entitled to some notice on the matter, especially when my hon. Friend could have already seen the Resolution on the Agenda. I therefore request you in all humility not to suspend the Standing Order."

Mr. A. RAMASWAMI MUDALIYAR :—"Mr. President, may I point out before you give your ruling that an exactly identical Resolution is on the Agenda paper, i.e., Resolution No. 27, of which notice has been given by Mr. Venkataramana Ayyangar, namely,

'That this Council recommends to the Government that no further expenses be incurred by it in connexion with the Empire Exhibition.'

"It is merely a chance that the hon. the learned Member for the University was able to draw an earlier lot for his Resolution on the subject. If Mr. Venkataramana Ayyangar's Resolution had been moved, there would have been no question of saving the face of the Government or the Ministers or the Ministerialist Party of the House."

The hon. the PRESIDENT :—"Let me say at once that there is no question of suspending the Standing Order 60 (1). Mr. Tanikachala Chettiya has not made a request to me to suspend that Order."

Rao Bahadur O. TANIKACHALA CHETTIYA :—"I intended to request you to suspend the Standing Order and to allow me to move the Amendment."

The hon. the PRESIDENT :—"I suspend the Standing Order and allow the Amendment to go forward."

Rao Bahadur O. TANIKACHALA CHETTIYA :—"Sir, my Friend has appealed in moving this Resolution that the whole House shall consider it above all party considerations and as a matter affecting the honour of this country. I, for one, agree with him in the appeal that he has made, and I hope also that this Amendment that has been tabled will be appreciated by him as having been given in the spirit in which he has appealed to the House to view the question. But in proposing the Amendment, my object is to show that we should not place ourselves, in a moment of anger or heat that we may feel with reference to this question, or place the Government, the country, and those who have entered into agreement with the Government in a false position. It is to save the false position, but at the same time to enable the House to express in unmistakable terms, the feeling of resentment, indignation and disgust at the way in which our countrymen in the colonies are being treated by those who, at one time, during the crisis and stress of war, when our men and money and material resources were required and placed at their

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disposal, proclaimed to the world that we were partners in the world confederation, that we were partners in the British Dominions, and that we were men of equal status and of equal rank as the Britisher. Now, when the war is over—and human memory is weak—our countrymen are treated like helots. They are treated not as equal partners but, if I may use that expression, one as a dominant partner and the other as a subservient one, one as the master and the other as the servant. It is but right that when an opportunity occurs, when we are asked to associate ourselves in any common venture with the colonials, we should show our resentment at the way in which our countrymen are treated, and being branded as infamous or inferior people. Sir, to this extent I agree with my hon. Friend, Mr. Satyamurti. It is our right and our duty to express our feelings of indignation, but as to the methods proposed I beg to differ a little from him. If I may use an expression that is ordinarily used in the Courts of Law, if for the first time the subject whether we should participate in the British Empire Exhibition were brought before us, that is to say, if we were not bound by anything that we have done in the past, by decisions or advice which this House as other responsible Houses or Provincial Councils and the Imperial Assembly have given to their respective Governments previously, then the only course open to us is to say decidedly 'No' to this invitation. But this invitation was extended to us about a year and a half ago. I remember my Friend, Mr. Rangachariar, speaking at the Delhi Assembly—I happened to be there then—protested against participation. But his view changed. Speaking in July 1922, at the meeting convened by His Excellency the Governor, Mr. Rangachariar said that it would be a great advantage if we sent our exhibits to the Empire Exhibition in 1924. Such changes have come.

"When the Resolution as to whether we should participate in the Exhibition was discussed at the meeting held in September 1922, 11-30 a.m. my hon. Friend, Mr. Narasimhachari, had in view this question of the differential treatment meted out to us, Indians, in the Colonies. My Friend, Mr. Krishna Rao, also referred to the fact that a deputation had gone to the Colonies headed by the Right hon. Srinivasa Sastri. Let us wait and see whether things would not improve. It was not that we were unaware of this problem that was confronting Indians in Kenya. We only hoped that the decision then taken was the decision of the recalcitrant children of the Motherland, and it was not the decision taken by the Mother country as a whole. We all hoped that the Mother country's influence would be exerted to correct the erring children, the erring daughters, who were not prepared to allow their sister dependency, India, to have equal privileges with themselves. But since we decided to participate and authorized the respective Governments to enter into engagements, the British Cabinet has given its decision which has taken us by surprise. It is a decision which does not express disapproval, but it practically amounts to an approval of the conduct of the colonials. So, owing to all these happenings, our view has been changed. But we, Sir, have to consider what the effect of our total withdrawal from participation would be. It is not that we delight in the participation, not that I have any glamour for the very large wealth that may be ensured to India by her participation. I do agree with my hon. Friend, Mr. Satyamurti, that national honour is much more valuable than national wealth, which may be obtained by participation (hear, hear). But, at the same time, we who ask for responsible Government should also have a sense of responsibility in the

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advice that we give to the Government. Can we afford, Sir, after having allowed the Government to enter into commitments such as the hiring of land, which I take it is six grounds, or which comes to 12,500 square feet, at the rate of 12 shillings a square foot which comes to a total amount of Rs. 1,35,000, can we afford to say that we shall not take up the land? My Friend, Mr. Satyamurti, is a lawyer, and knows that whether he makes use of the land during the time the Exhibition is held or not, his legal liability is there and it must be discharged. He knows also that various producers and manufacturers of articles who intended to exhibit them by reason of the commitments which this House has given for accommodating them and giving them facilities for transporting their goods, might have asked for reserved space which must have been provided for them by the various shipping companies. And shipping companies are not going to excuse the Government of the latter's non-utilization of the space reserved for them. There is that liability, and we have made ourselves bailees for carrying and transporting the various wares intended to be exhibited there. Naturally those who have entrusted them are expecting that the wares would be exhibited for their own benefit, and they would expect us to carry out our engagements. These and various others are the commitments by which we have bound Government by reason of the policy which we have adopted. So, under these circumstances, however much we may regret that we are pledged to participate in the Exhibition, we think that we are not to submit the Government to claims for damages which are likely to arise from several quarters. Though we may not feel enthusiastic over the participation, we shall not authorize a breach of contract as it was entered into by the Government by virtue of the mandate given them by the Resolution of the House passed in September 1922. Under these circumstances, it is only for the purpose of avoiding legal complications which are sure to arise by reason of any decision that may be given contrary to an undertaking given in the past, that I make a modification that we do ratify it only to the extent of the liabilities that have already been entered into, and mark our displeasure, disapproval, and condemnation of the treatment meted out to us in the Colonies. Thus far shall we go and no further. So, with these words, Sir, I commend for the acceptance of this House my Amendment which seems to be a *via media* between total withdrawal and complete participation."

Mr. S. ARPUDASWAMI UDAYAR :—"Mr. President, Sir, I rise to second the Amendment.

"There is not one Member who does not share the sentiments given expression to in this House, who does not resent the injustice done to his countrymen in Kenya as an injustice done to himself, who does not feel the humiliation imposed upon his countrymen in Kenya as a humiliation inflicted on himself, and who does not consider the refusal to concede equal rights to his countrymen in Kenya as diminishing, as it were, the rights which he himself enjoys in this country. Whatever political views he may hold, whatever political party he may belong to, whatever religion he may profess, as an Indian, he cannot but share these sentiments. Our countrymen in Kenya, though they may be separated by the broad seas, are still the bone of our bone and the blood of our blood and what affects them cannot be a matter of indifference to the Members of this House and to the people of this province and country. If, at the same time, I wish to have clear information and if I wish to second the Amendment moved by my Friend, Mr. Tanikachala Chettiyar, it is because I owe a duty as a Member of this Council, and I feel

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that, as a responsible Member who had warmly supported the Resolution for holding the Empire Exhibition a year and a half ago, I must proceed very carefully realizing my duties as a Member of this Council. The hon. the Mover of this Amendment spoke of certain commitments and obligations. Yesterday in this Council, in answer to a question we were told that Rs. 55,000 and odd had already been spent. At the same time, the hon. Member Sir K. V. Reddi Nayudu said that the Government was probably committed to certain obligations. It is very desirable that we should know what these commitments and obligations are and what their nature and extent are. If it is true that Government have entered into legal obligations as my hon. Friend suggested, if they have made promises, then certainly these promises have to be kept. If they are not kept, the Government will be subjected to unnecessary and vexatious litigation; they may be subjected to law suits for breach of trust or breach of contract. Is it desirable that in the face of all these difficulties we should place Government in that embarrassing and awkward situation and make ducks of the tax-payers' money?

"Secondly, Sir, whatever differences of opinion there may exist with regard to this Empire Exhibition, viewed as a business proposition—some contending that participation in this Exhibition might result in British capital flowing into this country and the Englishman being allowed to exploit our resources, others maintaining that it is not an altogether unmixed blessing to attract capital and to allow the Englishman to show us the way and help us in the development of the resources of our province, some holding that it is desirable to have European markets for Indian goods and even raw materials, because Indians are sure to realize large profits by selling these raw materials there, others maintaining that in the interests of the economic prosperity of this province it would be most advantageous that those raw materials should be retained here and made use of—whatever differences of opinion there may exist on this question, it seems to me that it is not altogether a safe and sound policy to mix together the two branches of politics and trade which must be kept distinct and separate. Is it absolutely necessary for us to drag in politics into a sphere which is one purely of trade? And again, cannot trade be made use of as an effective weapon for achieving the very purpose sought to be achieved by this motion in this Council, effective in the sense that if all Indian exhibitors refuse to participate in the Exhibition and are prepared to forego their claims, there would be no participation and we would be free from all liability, effective also in another sense, that of making use of trade for preventing imports from those Dominions which are markedly hostile to the political aims and aspirations of our countrymen in Kenya.

"Thirdly, an hon. Member said the hands of our esteemed countryman, Dr. Sapru, were strengthened by a message sent by His Excellency the Viceroy. All Indians are agreed in regarding the work done by Dr. Sapru as altogether invaluable. He has made heroic efforts to champion the cause of Indians, and by his sincerity and earnestness has even brought about a change of mind. His Excellency the Viceroy's Government have spared no pains to champion the Indian cause, and as constitutionally they are not in a position to force their opinion upon the Dominions, they did what was possible for them, that is, they made suitable representations to the Cabinet."

Mr. C. RAMALINGA REDDI :—"Sir, my hon. Friend seems to be going off the rails altogether. The Kenya decision was arrived at by the British Cabinet and not on the representations of the Government of Madras."

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Mr. S. ARPUDASWAMI UDAYAR :—" My esteemed Friend has not understood me. I am speaking here of the co-operation of the Viceregal Government and I am going to say that the Madras Government also co-operated in making representations to the Cabinet. That is precisely what I am going to say, that His Excellency Lord Willingdon's Government have not been behind any other Provincial Government in joining hands with the Viceregal Government and seeing that a very good impression was made on the Cabinet, and that the Cabinet gave a favourable verdict. I think by adopting the Amendment moved by my hon. Friend, Mr. Tanikachala Chettiyar, we will be really strengthening the arms of Dr. Sapru. If I make use of an expression just now used by my hon. Friend there on the Opposite benches, Dr. Sapru himself is for discrimination. As regards the expression used, namely, boycott of imports, he (Dr. Sapru) wants us to boycott the imports only of one colony, South Africa, which has been so markedly, frankly and brutally hostile to India's interests. I, for one, am prepared, like every true Indian, to put the right foot forward and do all that a Councillor may do. If I second the Amendment just now moved, it is because of these implications, especially the legal liabilities, involved. With these few words, I second the amendment."

11-45 a.m. The hon. the PRESIDENT :—" The amendment before the House is :—

'In line 2, omit the words "withdraw from any further participation in" and substitute therefor the words "incur no further liability in connexion with".'

"The Motion will then read as follows :—

'That this Council recommends to the Government of Madras that it should incur no further liability in connexion with the British Empire Exhibition of 1924 to be held in London.'

Mr. S. SATYAMURTI :—" Mr. President, Sir, I cannot sufficiently express my gratitude to hon. Members on the other side of the House who have so nobly responded, if I may say so respectfully, to the humble call of patriotism which was sounded yesterday by means of my Resolution. I am very glad indeed that they have taken this Resolution in this spirit, as one which is above all parties and have practically conceded the soundness and the validity of every argument that I advanced in support of my Resolution. Indeed, my hon. Friend, Mr. Tanikachala Chettiyar, was, in parts even stronger than I was, in moving his Amendment to the Resolution before this House. But, if I am grateful to them for that very generous gesture on their part, I am very sorry indeed, Mr. President, that I cannot see my way to accept the Amendment. I owe it to him, and I owe it to this House, that I must say why I, and those who think and act with me, will not be in a position to accept this Amendment. For one thing, Sir, as my hon. Friend there who seconded the Amendment himself admitted, no one in this House knows definitely or accurately what these unspent liabilities are, how much of them has been incurred, and on what account. Therefore, Sir, the amendment, for one thing, is very vague. It may mean too much; it may mean too little; nobody knows. But, apart from that, Sir, I wish to assure my hon. Friend that when I framed this Resolution, it was not in a moment of anger or of heat. Many long months have elapsed, and as month after month passes, the heart only gets the more lacerated. There is no anger or heat in it. There is this continuous challenge to our national self-respect and we are

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only anxious that we must do something to vindicate that self-respect. I entirely agree with my Friend that nobody in this House wants to place the Government in a false position. I am not anxious that the Government of Madras should enter the precincts of courts as defendants in suits for moneys for freight or other charges incurred. My hon. Friend who moved the Amendment is himself a lawyer and he knows that no Resolution of this House really may be an answer to liabilities which have already been incurred. Therefore, Sir, my Resolution does not, and did not, contemplate the idea that any liabilities so far incurred should not be respected as they ought to be. Therefore, it is wholly an irrelevant consideration.

"The point before the House is whether we should, to the extent to which we can influence the decision of the Government, permit the Government to take formal part in the British Empire Exhibition. My Resolution is indicative of the anxiety of Indians of all shades of political opinion, and I am glad that we all here do not want to have any part or lot in the Exhibition. Why, Sir, speaking for myself, if I am asked to vote 50 lakhs and be let off without having to take part in this humiliating exhibition, for myself, I am perfectly agreeable to that course. After all . . ."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—" May I enquire, Sir, whether he speaks for himself, or whether he is saying that on behalf of the Government ?"

Mr. S. SATYAMURTI :—" I do not understand the joke of it, Sir. I am speaking as an elected Member of this Council, as much as my hon. Friend himself is, and I am telling him, and I am telling this House, that if any amount has to be paid for and that a sum of 50 lakhs represents that amount, I would rather pay that and be done with it. If it is a question of taking part in the Exhibition, Mr. President, the dignity and the greatness of India require that we should spend as much as we can. I would rather not put this question at all. Do we want that India should go there and add to her humiliation by having unfinished pandals, unfinished exhibits and things coming on the way? I do not see the rationale of that at all. Either go there, or do not go there, and, if we go there, have we not got that additional responsibility of the honour of this beautiful country? Let us not be willing to wound, but afraid to strike and say 'We will pay you whatever you have incurred?' That is unmanly. I think it is not right. It will be again wounding to the pride of India. The hon. the Mover of the amendment said: 'We are bound by what we have done in the past'. I have closely followed the elections to the Assembly, Mr. President, as I am sure everyone here has, and, unless something very unexpected happens, I expect that next January, when the Assembly meets, there will be a Resolution which will be passed, withdrawing all participation in the Empire Exhibition. I know the Members there. Therefore, Sir, being the first Council who are meeting on this question and discussing it, let us give a manly lead to the country on this matter.

"Then, Sir, we are told that we have already spent money upon it and that we must not lose it. To that my answer is 'Who steals my purse steals trash. It was something, it is nothing. It was mine. It is his and has been slave to thousands. But he who robs me of my good name robs me of that which not enriches him, but leaves me poor indeed'. Am I going to be allowed to be exhibited as a slave before the British Empire Exhibition because I have spent money upon it?"

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"Then, Sir, Mr. Tanikachala Chettiyar told us that as people working for Responsible Government, we ought to vote for his Amendment. What a petty reason, Mr. President, I ask the hon. the Mover of the amendment? Do you think that any man of any nation in this world which is self-governing, will be treated as fit to have Responsible Government when you are willing to take insults lying down and calculate rupees, annas and pies when questions of national honour are concerned? I would rather, Sir, that this House would stand as a man and stand for Responsible Government by voting for my Resolution and against the Amendment. It is not by these methods that nations are built. Nations are not built in counting-houses. Nations are built in temples where the goddess of honour is worshipped and where national self-respect is exalted. I invite my Friend, therefore, Sir, to shed all considerations based upon filthy lucre, to stand up as an outraged man with dignity in the face and tell the British Empire: 'Whatever you may do, or whatever you may not do, so long as you do not give us a place in your Empire, we will not willingly take part in your Exhibition. Enough unto your Exhibition and for the day.'

"Then, Sir, we have been told that lands have been taken, that shipping freights have been paid and that private persons have been asked to do various things. Indeed, Mr. President, if there is land taken, and if the land is left vacant there, there may be no greater, no more significant, reminder to the crowds that will go to Wembley and that will gaze at the vacant site, that India is not here because her children are weeping. Surely we do not want any greater vindication of India's manhood. I, therefore, trust, Mr. President, that we shall not be drawn by this red herring of saying 'No further liabilities', which may mean anything, or which may mean nothing. But what we want is that the Government of Madras, to the extent to which we can bind their hands, shall notify to all whom it may concern, from Mr. Baldwin or whoever may be the next Premier down to the Governor of Madras, that we shall not have anything to do with this British Empire Exhibition. Thereby we shall be showing our true loyalty to the Empire. It does not consist in sycophant praise of the Empire, but in manly assertion of our dignity. We shall be true to the British Government in India, because I know they are fighting on this question. Now, Sir, Government servants are not able to speak out their minds, but if they can, I am certain that the two Indian Members on the Treasury bench there will feel with me if only they are able to lay their hearts on the table. I have no doubt, therefore, that whatever officials may or may not be able to do, we non-officials, who represent the public outside, let us hear the voice of the wounded nation outside asking for redress. I therefore ask my Friends and this House to vote against the Amendment."

MR. C. V. VENKATARAMANA AYYANGAR:—"Sir, I have also great pleasure in opposing this Amendment. Mr. Ramaswami Mudaliyar—of course he was once a paid spokesman, but now an honorary spokesman of the Justice Party—told us that this Amendment was the same as the Resolution of which I have given notice. I say, Sir, that if he will only go through it again, he will see that the difference is indeed very great. Mr. Tanikachalam Chettiyar himself, who moved this Amendment, knows that there is vast difference between my proposition and his Amendment, and, therefore, he never pleaded to be my spokesman in moving his Amendment."

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"So far as my proposition is concerned, my only object, Sir, is to spend no more upon this Exhibition. That will come on between the present Resolution and the present Amendment. But here, first of all, we have to see whether the Resolution of Mr. Satyamurti is to be supported by us. Certainly, Sir, I will have to ask your permission to move my proposition in case Mr. Satyamurti's Resolution is not carried, which I hope will not be the case. But so far as this proposition is concerned, Sir, I may say that I honour my dignity and my word as much as the two gentlemen who have spoken in favour of the Amendment. I was one of those who heartily voted in support of the proposition granting money for this Exhibition. Further, I am one of the leading members of the executive committee, or rather I was, for the Coimbatore district for collecting exhibits in that district. May I go further and say that I am one of those who subscribed the first instalment towards the expenses of that committee? But all that, Sir, is ante-diluvian; all that is pre-historic."

"One other point referred to by Mr. Tanikachalam Chettiyar was that we sanctioned this money fully knowing the treatment that we had in the Colonies. Is there no difference, Sir, between the Self-Governing Colonies and the Crown Colony of Kenya? The whole question is that when we passed that Resolution granting the money for this Exhibition, we knew that we were not treated properly by the Self-Governing Colonies, and we thought that by our producing our products in this Exhibition, probably economically and commercially the Self-Governing Colonies might think that India was also capable of doing something for them by supplying them raw-products and then might probably change their minds so far as the treatment of Indians was concerned. But things have changed very much in England which was pretending to safeguard the interests of our Indian subjects and went to war with the Boer Republic for the purpose of saving the honour of the Indians. England which spent so much of money and so much of blood, Indian and European, by saying that she went to war with Germany for the protection of the freedom of the various weak nations, England which has got full control over Kenya in getting equal treatment for Indian and European subjects, she has neglected her duties, she has foresworn her responsibilities and in a weak moment, in a selfish moment, has said that India shall be only a slave even in the far east Kenya. Well, Sir, many important facts have intervened between that day when we sanctioned this money and this day, and therefore, whatever might have been our attitude then, we must now change it."

"Then, Sir, we are told that we have promised and, therefore, we must keep it. Well, Sir, Ravana appeared before Sita in the garb of an ascetic and wanted alms. That innocent Sita, that charitable Sita, then went out to give him alms. The demon appeared then in his true form. Can any one say that Sita should give alms to Ravana even when he appeared in his true colours? Supposing, Sir, we give permission to a man who comes and pretends to be a beggar and wants permission to enter the house for shelter are we to continue the permission, Sir, even after knowing that he has got a bad heart and would stab every inmate of the house and walk away with all the property? England has appeared in her true colours. England has appeared practically in the garb of a robber, nay of even a murderer, so far as Indians' rights in Kenya are concerned and therefore we must treat her in the way in which she deserves to be treated."

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“Unfortunately, we have no other way excepting this one of showing to the world our resentment, at the wrong that every Indian feels. There is no use of pretending and saying ‘I also feel’. What is the use of your feeling unless you speak it out? If you feel, you must act. This is the moment of action. The Amendment goes to say that we should not incur further liabilities. What does it mean? Probably, we have already incurred all the necessary liabilities. What remains to be done now is probably only to decide who should go, whether the Director of Industries with his troupe of followers should go or somebody else; probably they have even purchased their tickets for going and returning; probably contracts have been made for erecting a very spacious pandal, and therefore there is practically nothing more to be done. Whatever our liabilities, whatever our obligations, whatever litigation might be brought forward, so far as this Council is concerned, we must face them. The greater our liabilities, the larger the number of suits that will be filed against us, the better will it be to proclaim our indignation to the world. The pandal should remain unfinished and as it is, with one post in one place and without a post in another, with roof not covered in one place, so that the millions of people that go there for the Exhibition may see the unfinished condition of the Indian pandal and put the question ‘Why is this not complete?’ That will show that we too, Indians, have feeling and that this is the way in which we have expressed our feeling in this matter. But if you are going to fulfil all your obligations, nobody will be made to understand our feelings. It is only by repudiating our liabilities, it is only by not spending a pie more on these things that we can show to the world at large that we, Indians, are able to act as we feel.”

“With regard to this Amendment, I think we can as well throw out this Resolution instead of passing such an Amendment as this. It has been said that economically we will be very much benefited. Thanks to what has been said by Mr. Tanikachalla Chettiyar, we must guard our honour more than the millions of money that we may lose. But, even as it is, I know a little of business and I know that so far as business is concerned those people who have invested large sums of money in such businesses would rather feel glad if their exhibits are not sent to England. If our raw products like cotton, groundnuts and other things are not exported to England, and converted into manufactured goods and brought here, it is all well and good for us. We want strong export duties as well as import duties to prevent our raw products going to England and coming back as finished goods, so that our starving millions may have something to get by way of wages. So far as India is concerned it is not a question of unemployment as it is in England but it is a question of life and death for our starving people who have to be fed with a few hundred rupees for life or a few annas a day, so that we Indians strongly feel that the English nation is not going to benefit the Indian nation by taking away our raw products. But whatever that may be, it is not a question of rupees, annas, pias. I may echo, as Mr. Satyamurti has said, that we may pledge ourselves to any losses that we may incur on this account. If necessary, indemnity Acts may be passed to guarantee against litigation and various other liabilities. Such indemnity Acts were passed to safeguard the interests of officers concerned in the Punjab wrongs, in Egypt and so on. If necessary, we will be prepared to incur the cost of any litigation. This is not a question of money but this is a question of national

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honour. We will be prepared, if necessary, to grant supplementary grants for lakhs and lakhs if suits are filed against us. By this boycott we will show that we are prepared to pay heavily to save our honour. Let the suits come, let the liabilities be forced on us; we will put up our defence. If to-morrow or day after to-morrow damage suits are brought in, we will show to England and to the world that we are rather prepared to pay lakhs and lakhs of rupees than risk our honour. Therefore, Sir, I heartily oppose this Amendment that has been put forward.”

Mr. ABBAS ALI KHAN:—“Mr. President, I rise to oppose the Amendment of Mr. Tanikachalla Chettiyar and to support the motion of Mr. Satyamurti for three reasons. Sir, when this Exhibition was arranged to be held in London, I presumed the necessity was that the Conservative Government wanted to bring about a feeling in favour of protection, or at least imperial preference, to save the nation from unemployment which was ruining the nation in the shape of the doles that had to be paid to these unemployed families, and also, I believe, with a view to put a stop to competition. They wanted to show to the world that our raw products would be marshalled for the benefit of their industries. Now, Sir, the Liberal Government has come into power. Practically speaking, it has come into power, because the results of the elections secured a majority for the Liberals and the Labour Party who are not going to allow the Conservatives their way of protection or imperial preference. So, there is absolutely no necessity that India should participate in this British Empire Exhibition.

“Secondly, our finances are so bad. When we want our schoolmasters, our vettis and talaiyaris to pay more, we are asked to find the money, and the bureaucracy say that they cannot find the money. But for this Exhibition and for all this *tamasha*, they come forward with money and ask us to sanction the expenditure. So, Sir, on the ground of retrenchment I am strongly against this action of spending Rs. 2½ lakhs in a foreign country.

“Thirdly, Sir, England and her Ministers have proclaimed from platform and pulpit that they went into the Great War to demolish the German Imperialism and to proclaim the principles of justice, liberty and humanity to the world, and we, Indians, most cheerfully sacrificed our money, our lives and our blood for the cause of England, because England has stood for all that was noble and for all that was humane in the world. But what spectacle have we now, after the Germans have been defeated in the war, of those wonderful and magnificent principles. They have all been forgotten. We have now this paradox of our own quondam friends, those people in the colonies and in the dominions, with whom we fought side by side whether in the snow-covered peaks of Flanders or in the black-cotton soils of Mesopotamia, treating us as slaves. Sir, it is a slur on us. If it had been possible for our nation, we would have a peaceful blockade, we would have ruptured the diplomatic relations, and we would have given the *casus belli*. But all these things are prohibited to us, and this is the only thing that is open to us to do. If we want to show to the British Government that we are anxious not to suffer this ingratitude at the hands of her colonies, we can only do so by supporting the Motion of Mr. Satyamurti and opposing this Amendment.”

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—“Mr. President, Sir, as one who was responsible in the main, if not wholly, for our taking part in

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the British Empire Exhibition, as one, Sir, who from the beginning up to the date on which I had to hand over charge had had to do all that was necessary on the part of the Government of this province and on the part of the people of this province, I feel it my duty to rise at a somewhat early stage of this debate and give expression to my own opinion and the views that I hold both on this Amendment and on the Resolution."

The hon. the PRESIDENT:—"I think it will be convenient for hon. Members to confine themselves to the Amendment. In fact, we are now dealing with the Amendment. Later on, hon. Members will have opportunities of discussing the main Motion."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"I am conscious, Sir, of it. From my point of view, there is absolutely no difference between the Amendment and the Resolution itself, and my arguments will apply to both the Amendment and the Resolution which I rise to oppose. As regards the other point, viz., that there will be another opportunity of speaking on this Resolution after the Amendment has been disposed of, I am afraid that if the Amendment is carried such an opportunity will not arise for me."

The hon. the PRESIDENT:—"If the Amendment is carried, the House will have before it the main Motion of Mr. Satyamurti as amended. The discussion will continue on it. I suppose the hon. Member will not speak on that Motion."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Thank you very much, Sir. But, as I already stated, my position is such that both as regards the Amendment and the Resolution it would perhaps be advisable for me to set forth my arguments once for all.

"Mr. President, at the very outset I may be permitted to state that I do not yield to any one in this House, or for the matter of that to any one in this country, in the feeling of resentment, sorrow and humiliation and all that has been said about the decision of the British Cabinet. But, Sir, my point is this: how does this Resolution and ceasing to take part in the British Empire Exhibition, which will be the result of passing this Resolution or this Amendment, help us? I can understand, Sir, if a proposal is before the House, assuming that it is possible for such a proposal to be before the House, as for instance, that we should levy a heavy import duty on South African coal. I can very well understand, Sir, if there is a proposal for an embargo on or prohibition of the admission of South African diamonds into this country. I can understand, too, if an absolute boycott of both those goods into this land is urged upon. I can also understand if there is a proposal before this House, or in any other place where it may be competent to raise such a proposal, that no South African should be permitted to enter the Services in this country. What I am afraid I cannot see is this: how a resolution against our taking part in this Exhibition would affect the situation or alter the humility, the resentment and all that is involved in the unfortunate decision of the British Government? Sir, I think it is like what Macaulay describes as the action of the Jesuits who secured a Decree or Bull from the Pope against Galileo when he discovered that the earth was moving round its own axis and going round the sun. Sir, in spite of that Papal Bull that it was not so moving, they could not prevent the earth from moving

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round its own axis and going round the sun. And what is more, the Pope and the Jesuits could not prevent themselves being moved along with the earth's motion." (Cheers.)

Mr. J. A. SALDANHA:—"I think this sort of reference to the Jesuits and the Pope is quite out of order. First of all, what the hon. Member says is a perversion of truth. I can prove, Sir, that neither the Pope nor the Jesuits ever issued a Bull in which they declared that the earth did not move round its own axis. Controversial matters like this affecting religion should not be uttered."

The hon. the PRESIDENT:—"I should think that it is not a controversial matter. But in any case there is no point of order in it (laughter). It seems to be a reference to an historic matter, and unless there is a good historian here, a better man than myself to answer with authority on the subject, (laughter) there is no use of taking an objection to the statement."

Mr. J. A. SALDANHA:—"I beg your pardon, Sir. The statement hurts the religious feelings of several hon. Members of this House. There are some Roman Catholic Members in this House, and it is not right to say something against the Jesuits and the Pope which offends the religious sentiment of such hon. Members."

Mr. M. RATNASWAMI:—"I think the hon. Member, Sir K. V. Reddi, was merely quoting from Macaulay, though that is not the last word on the subject." (Laughter.)

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"It is not, Sir, my intention to offend the feelings of any one in this House or any one outside this House, whether Jesuits or the followers of the Pope. I have the highest regard for the Catholic Members, and let me not be understood in the least as offending anybody's religious feelings. As Mr. Ratnaswami said, I was referring to a passage in Macaulay in order to draw a parallel to the present Resolution.

"Now, Sir, so far as the Amendment is concerned, to me it appears to be worse than the Resolution itself. What the Amendment says is that there should be no further obligations. I may tell you, Sir, for the information of the House that the obligations already incurred come up to about 2 lakhs being the major portion of the estimate. Such being the case, either to take part in it wholesale or not at all, that should be the position. So far as the Resolution is concerned, we have heard two very eloquent speeches. I yield to none in my admiration for the very high eloquence that this House was electrified with yesterday and to-day. But you will permit me, Sir, to ask on what grounds it has been shown that we should not take part in the Exhibition? No doubt a great deal has been said about the manhood of India and Indians and all that. I quite agree; but how is this Resolution going to help us in restoring to us or getting back for us or our countrymen in South Africa the dignity that they have lost by the unfortunate order of the Government at Home? Great authorities have been cited by my learned and hon. Friend the Member for the University yesterday. The *Justice* newspaper, the newspaper of the party to which I have the honour to belong and with which I have all along been working, has also been quoted. I am glad that the authority of *Justice* has been recognized by my hon. Friend. At the end of the quotation, Sir, there is a condition that my Friend has evidently ignored, viz., "if

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only we could thereby convey to the British public even a faint impression of the great indignation felt by one and all of us." Now, Sir, can we do that by passing this Resolution? Again, reference has been made to the Rt. hon. Mr. Srinivasa Sastri. There again it is a matter for gratification that one of the great moderates and a great Swarajist meet on a high common platform. Again, Dr. Sapru, to whom I am myself going to make a reference presently, has been quoted. But the very fact of his having taken part in the Imperial Conference when he full well knew that on this question of the Empire Exhibition there was a strong feeling to boycott, is proof positive of his approval of this participation in the Exhibition. For, after all, the British Empire Exhibition itself is a child of the Imperial Conference. Sir, the hon. Member for the University of Madras has quoted Dr. Sapru and said that the Resolution passed by the Bombay Corporation to boycott had considerably strengthened his hands. But what is it that the Bombay Corporation resolved to boycott? It is not the British Empire Exhibition, but the British goods as the telegram quoted clearly shows.

"Sir, I was saying that my hon. Friend has quoted Dr. Sapru and the Government of India. He has been good enough to recognize the great stand which the Government of India have taken in this matter and the hon. Member was also pleased to appreciate the bold stand which Dr. Sapru has taken in the Conference itself. Another gentleman who is recognized as a great friend of India, one whose cult has always been listened to with great respect in this land—Mr. Andrews—says that over the dark clouds of the Kenya decision there hangs a silver lining and it is even possible that the cloud itself may disappear altogether. What will be the effect under those circumstances if we carry this Resolution? Will it not be disastrous, detrimental to our own interests? Are we not to strengthen the hands of the Government of India? Sir, I respectfully beg to submit that if we pass this Resolution it is bound to react on us. Our Resolution is admitted to be an act of retaliation, and retaliation naturally provokes counter-retaliation, and in such a case, Sir, the relative strength of the parties cannot be ignored. The authority of Dr. Besant has been cited. I take it also that it is that authority that stated that brickbats could be returned by bullets; Indian brickbats may not hurt but British bullets may easily. . . ."

Mr. A. RANGANATHA MUDALIYAR:—"May I say, Sir, that if my hon. Friend wants to quote, he may do so by stating all the facts upon which that statement was made? I may point out that it is altogether unfair to single out a passage from the entire context and then quote it."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Sir, it is not my intention to be unfair to any one or misquote any statement. I am only quoting from memory."

"Now, Sir, let us for one moment calmly think for ourselves on what grounds we are asked not to take part in the British Empire Exhibition. There must be some reason for not taking part in it. Much has been said of the conditions in South Africa. In spite of the electric eloquence displayed by the hon. the Mover yesterday and the graphic description he has given us of the condition of Indians in South Africa, I am not able to see any argument on which he urges this boycott. What is it that he has said by

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way of argument to maintain his position? He has spoken of the honour and dignity of India, of the assertion of India's manhood, India's self-respect, of India's outraged dignity. I sympathise with him and I join with him in his resentment and condemnation. But is not all that mere sentiment—an honourable sentiment it may be? But what is required here is not sentiment or assertion but reason and argument. In the speeches that were delivered yesterday and to-day, I searched in vain for the latter. There was much of assertion and nothing of argument and they reminded me, Sir, of Gratton's description of one of Lord Clare's speeches, 'great generosity of assertion, great thrift of argument, a turn to be offensive, without the power to strike, fury in temper, and famine in substance' (Cheers). It is needless to add, Mr. President, that no amount of sentiment can be a substitute for reason and argument.

"The hon. the Mover has asked us that we should look upon this not as a party measure. Well, Sir, I consent to that. I speak for myself and I hope my party will agree with me in this matter. What are the merits of the case actually? A communal franchise has been accorded to us and segregation from the Highlands has also been provided."

Mr. S. SATYAMURTI:—"And emigration laws specifically intended to exclude Indians and Indians only have also been passed."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"I thank him, Sir; but I am concerned only with the first two. Now, as regards communal franchise, yesterday when the question of the pay for the village officers was being considered and when the hon. Member, Mr. Legh, pointed out that the question of pay need not be considered along with that of the satisfaction of the services, my hon. Friend, Mr. Satyamurti made an onslaught and said that those who belonged to the service which he said was the Heaven-born Civil Service had been fighting tooth and nail for the assistance and protection of the Government with regard to their pay and emoluments. And he put forward that argument because they fought on grounds of satisfaction. May I with equal reason ask him whether it comes with good grace from him to speak in the manner he did? Are there not representatives of various classes here? Have we not got communal franchise here? How are the thirteen Muhammadan Members elected to this Council? How about the Indian Christians and the Europeans? Are there not a number of registers kept up? And with so many separate classes of representatives, may I ask him if it comes with good grace that we should urge this matter? Not that I do not complain myself about the treatment accorded to our people in South Africa. We have a large number of constituencies and a number of those bodies are sitting in the midst of a conglomerous Council and his reasoning does not go with a good grace. Next, as regards segregation, even in this country a whole population of about a fifth of the nation has been cut off from the rest of us, and they are asked to live in untidy huts far far away from the villages and what about them? When it comes to a question nearer home we do not admit them into our houses but still when it is in far off South Africa, it comes with all the pride of India. Impressions were created in this House, and it has been presumed that everybody would vote for the Motion; but I would ask you to consider what it is that we are asked to do to-day. We are asked not to take part in the venture we have launched upon more than a year ago; we are asked to recede from the

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position we have been taking for a year and a half; we are asked to recede from the Resolution passed at the Moore Pavilion at a largely attended representative meeting; we are asked to recede from the budget that was passed granting a lakh of rupees towards expenses in this connexion."

Mr. S. SATYAMURTI:—"May I know how far the gentlemen that attended the Moore Market meeting can be taken to be representatives of this Presidency?"

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Mr. President, Sir, it is my earnest desire that discussion in this Council need not result in or degenerate into a desultory skirmish. The hon. Member has got the right to answer me. He can have his say in his own turn, and I really do not see any necessity for this cross-examination."

"Well, Sir, points have been raised to show that there is no economic advantage to be gained by our taking part in the British Empire Exhibition. A speech of mine has been quoted, a speech in which I have pointed out that we have got a few industrial products that we can send; that there is a wealth of natural products in our country, and that it can bring in more money to us. The hon. Member for the University has told us, with a sneer, that cotton and hides are the products which the Development Minister, who is no more a Minister, will be willing to send to that country. May I point out what really the advantage is by sending these articles and what enormous lucrative trade can be developed by sending these products alone so that the House may understand the position? Sir, in 1918-19, the actual exports of hides and skins from this country were worth £18,475,519. That comes to nearly 27 crores of rupees. In 1919-20, this country has exported 2,398,000 bales, the cost of which was £59 millions. If we can get an extra Rs. 10 per bale by their advertisement our gain will be Rs. 2,39,00,000, annually. It was urged that the question should not be judged from the standpoint of rupees, annas and pies. Sir, I look upon this as a business transaction, and points of honour and dignity need not count, when nothing substantial can result therefrom. As Wordsworth somewhere said, 'wisdom is sometimes nearer when we stoop than when we soar' and on occasions like this we may have to stoop to conquer. (Cheers.)

"Well, Sir, the hon. Member for the University of Madras told us that he had travelled in foreign countries. I think I was with him in England and have seen him."

Mr. S. SATYAMURTI:—"I have noted it."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"Sir, the hon. the Mover of the Resolution said that the Britisher appreciates action and not words. I agree. But what does this Resolution mean? It means words, certainly not action. It is the negation of action—it is inaction. It is words, words, words. If on the other hand, you go and show your articles there, show your raw products there and point out to the rest of the world what potentialities the natural resources of the country have, then, Sir, the world will know that you are a great nation; then they will learn to respect you but not when you tightly sit in a corner. Mr. President, I am told that when I spoke about these raw materials I said that the raw materials should be carried to foreign countries and therefore the implication was that that was all the industrial development and advance in this country that I stood for. I quite disagree. If within the last three years I was able to do anything, hon.

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Members will see that it was only to convert our raw produce into finished articles. I do not want to boast of my actions. But if I had to do anything at all it was in that line alone. The State Aid to Industries Act may be a dead letter as some Member said in this House. It is a humble step taken in the right direction and that is the honest opinion I have held. If the market price of cotton is reduced by ten rupees a bale, the next year, so far as the cotton cultivation is concerned, thousands of acres would be given up. If, on the other hand the price increased by five rupees, cultivation would be increased by thousands of acres. So long as we are not able to use that cotton, is it to be allowed to rot in this country? I base my argument on one ground and on that one ground alone. Our participation in the exhibition means the improvement of our national wealth. With great respect to those who hold the opposite view, while I do not yield to any one in their desire for national liberty, still I would lay great emphasis on the economic aspect which deserves to be solved more than the political problem. It is the chronic poverty and the chronic indebtedness which we have to fight against. Unless we free ourselves from this economic bondage, political freedom will still be farther away from us. By non-participation in the British Empire Exhibition we will get nothing, while participation is one the means by which our economic condition might be bettered". (Applause.)

Mr. S. MUTTAYYA MUDALIYAR:—"In rising to oppose this Amendment of Mr. Tanikachala Chettiyar, I should like to have a ruling from you, Sir, as to whether it is open to hon. Members who have yet to address the House to refer to the original Resolution. If the ruling of the President is that we are to talk on the Amendment alone then, Sir K. V. Reddi was allowed to talk on both the Amendment as well as the original Resolution."

The hon. the PRESIDENT:—"Strictly speaking, Members should confine themselves to the Amendment. But if the hon. Member wants to talk on the main Motion he will not be allowed to talk again. Sir Venkatarreddi was given 20 minutes, because he had said at the commencement that he would talk on both. But certainly, he will not catch my eye, if he again stands up."

Mr. S. MUTTAYYA MUDALIYAR:—"I hope Mr. President, the same indulgence would be given to all hon. Members as regards the time-limit. Mr. President, Sir, the Amendment that was proposed by the hon. Member, Mr. Tanikachala Chettiyar, entirely conflicts with the principle or motive underlying the proposal of the hon. Member, Mr. Satyamurti. Mr. Satyamurti did not bring his Resolution before the House on any ground of economy or for the purpose of saving any money to the Madras Exchequer. He wanted to move the Resolution irrespective of any expenditure or cost. I believe he did not in the least calculate what the exhibition would cost or what the financial results would be or what our participation would cost to the Madras Exchequer. I understand from the speeches from the Opposition benches and the benches supporting the Government that the motive underlying this Resolution was that we should show our resentment against the decision as regards Kenya by boycotting the British Empire Exhibition and by not taking any further action in regard to that. Certainly if it were a question of rupees, annas and pies, even supposing we had to spend a little more than what was sanctioned in the last budget, if that could be the only consideration that prevailed, I would be the last man to support the Resolution. But I do believe that the Resolution has been tabled with higher sentiments, that it has been tabled for the purpose of showing that India has got

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a feeling, that India can exhibit that feeling, that India can resent the action and resent effectively too, and to the knowledge of the whole world. I wish that India resents the action and that, to the knowledge of the entire world; the most effective way of doing it is by boycotting the British Empire Exhibition. We have been told that things have been sent, that a certain place in the Wembley Park has been reserved at the Exhibition. The most effective way of showing that we do not at all sympathize, because of the Kenya treatment, is by leaving this place vacant and not exhibiting our goods for the gaze of the other dominions constituting the Empire. Those people who go to attend the Exhibition will put the question: 'why is this place left vacant?' They will learn that India claimed to participate in the Exhibition, that she was an inseparable unit in the Empire, that owing to the unfavourable decision of Kenya she at once thought it more prudent to keep away from the Exhibition and show to the world at large that she will not be in that constituency. Will not the various people who constitute the British Empire then think that the Empire has acted wrongly, that Kenya has acted wrongly, and that the British Government was not wise in giving sanction to the Kenya decision? Then will be the day when the other nations of the world will realize that India will resent any wrong done to her. Certainly we do not agree with the statement that inaction is not action. I submit that non-participation in this Exhibition is positive action and not inactive action. If we do not participate, we are actively telling the world that we are not the people who will take insults lying down, that we are people who will resent and resent most effectively in a manner which the world at large may know. This is an action of the most effective sort, and therefore I support the Motion and oppose the Amendment that has now been brought forward.

"Then, Mr. Tanikachala Chettiyar told us that the Madras Government has incurred financial liabilities. I certainly would be the last person to shirk the responsibility. Let all the moneys for all the contracts and all the liabilities be paid. Certainly nobody will say that they ought not to be paid. Let us pay the liabilities, but let us not take the advantage or disadvantage, whatever it may be, of participating in the Exhibition. Some may think that it is an advantage; some others are disposed to think that it is not. There is a difference of opinion whether it is an advantage or disadvantage. For this particular advantage of showing to the world that we are a self-respecting nation, I request hon. Members of this House to support the Resolution and oppose the Amendment. All hon. Members of this House who spoke prior to the last speaker were all agreed in thinking that the Kenya decision was wrong and that we must resent it; but some thought that, owing to certain steps already taken, the proposition that is now put before the House was not the proper one and that it ought to be amended. But Sir Venkatarreddi said that Kenya decision was certainly a proper decision. He seemed at the same time to share the view that the Kenya decision was not a proper decision. But when we go into the details of his speech, he said that while we are having here communal electorates, he could see nothing wrong in having communal electorates in Kenya. Is that the reason for which the Kenya decision is resented by the people of this country? It was on other grounds that both sides of the House considered that Kenya decision was an injustice which should be resented. I am sure that Sir Venkatarreddi does not intend all that is conveyed by saying that the Kenya decision is not, after all, a bad

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one. I am perfectly certain that Sir K. V. Reddi does not think so. But I am not in a position to quote any speech or remark of his in which he resented the Kenya decision. I believe there was one occasion in which he participated, but I am not able to quote him at the present moment. So, my submission to the hon. Members of this House is that they ought, with one voice, to reject the Amendment that has been brought forward and vote in favour of the Resolution.

"We have been told that if this is the way in which this House is to shirk the obligations imposed on the Government, it is not a wise step for us who want to obtain full Responsible Government to take. But I do say that this is the only step and the only proper step which ought to be taken if our goal is Responsible Government and if we want a more Responsible Government than the one we have at present. This Kenya decision was arrived at in spite of the protests of Indians, in spite of the protests of the Indian Government and in spite of whatever could be said against it by our representatives in the Imperial Conference. Why was this decision given? Because the South African representative was unyielding, his words weighed more with the British Cabinet than the wailings of the Indians. If the British Government has only such regard for the Indians, if the British Government thinks that we cannot resent the action, do you expect them to change their attitude? They think that for the sake of a few Britishers in Kenya all the interests and sentiments of the vast population of India should be sacrificed. If the Indians in South Africa are not to have the privileges they want, it is because a handful of Britishers there are not willing to give them. If we now take this insult lying down, the British people in India will say 'these people ought not to be given greater rights because we find our position in India much worse than before.' If the argument put forward in favour of the Kenya decision is that the Britishers there resent giving any privileges to Indians, the same argument may be advanced in our case also and the British Cabinet may say that because Britishers in India resent giving any further reforms no further reforms will be granted. Is it the wish of this House that no further reforms should be given to India? I don't think that it is the wish of this House. But it is the logical conclusion to which we are driven if we now take this insult lying down. As regards the economic aspect of this question I have nothing to say because I am sure it will be debated by experts in economics."

Mr. C. RAMALINGA REDDI:—"Mr. President, Sir, I now wish to speak on the Amendment of my hon. Friend, Mr. Tanikachala Chettiyar, for that gives me a right to 'catch your eye' when the discussion on the main proposition is resumed. It was my intention to go through the series of arguments advanced by my hon. Friend, Sir Venkatarreddi Nayudu, who is the only old father in this House with regard to the participation of this Government in the British Empire Exhibition. Since he stands in that respect unique, I think for the present I had better confine myself to the Amendment moved by my hon. Friend, Mr. Tanikachala Chettiyar, and not refer to general matters.

"The Amendment of my hon. Friend is to the effect that no further liabilities be incurred in connexion with this Exhibition by our Presidency. I object to this Amendment on various grounds, the first of which is that we

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shall not be doing justice to ourselves if an Amendment so ambiguously worded as this is allowed to pass. What exactly is meant by saying 'no further liability shall be incurred' I am not able to understand. What he said was, 'we have contracted for so much space, many firms have been given contract for so much freight and these liabilities have to be met.' Now, the proposition moved by the hon. Member for the University does not, either directly or by implication, prevent the Madras Government from fulfilling the contracts which it has so far made. If you have to pay rent for so much space, nobody asks you not to pay rent. By all means pay the charges that the shipping companies demand. It is not a question of how much you shall spend in connexion with this Exhibition, but it is a question whether as a self-respecting nation you are going to participate in it or not. If my hon. Friend Mr. Tanikachala Chettiyar's Motion is no more than this, namely, that we shall pay off all our existing liabilities but shall not participate any further, I am perfectly sure my hon. Friends in this House will support the proposition. On the other hand, his proposition is neither fish nor flesh but a very bad red-herring. He says that no further liabilities shall be incurred. Now what is the definition of 'further liabilities'? It will be held technically by the hon. the Minister that liability as it stands at present should be met because the Resolution of this House is to participate in the Exhibition to the extent of the money that has already been voted for the purpose. If this is the meaning, if the Amendment is susceptible of this meaning, let us be more straightforward and say, 'we are for it but we are opposed to supplementary grants.' That is a straightforward question which I can understand; but this kind of trying to torpedo a plain issue by a submarine attack, by covering it with ambiguity, is, I consider, not consistent with the high level of dignity of this House. But if the intention of the Amendment is that we shall not be liable for breach of contract before the law, then we are willing to move an Amendment to this effect, namely, that at the end of Mr. Satyamurthi's proposition, the words 'after paying off all existing liabilities' be added. That ought to satisfy the financial conscience of hon. Members of this House. But as it is, the Amendment might mean participation in the Exhibition to the fullest extent of the money already got. If this is so, the right thing is to oppose the Amendment.

"The hon. Member Sir Venkatarreddi Nayudu has told us that in his judgment—I consider his judgment as erroneous in this respect—participation in the British Empire Exhibition is advantageous for the country not merely economically but politically also. His capacity for inferences is beyond my understanding. He says, 'Dr. Tej Bahadur Saprú took part in the Imperial Conference; the British Empire Exhibition is some kind of branch of that Conference; since we have taken part in the one, we ought to take part in the other as well'; but he does not say that while a Resolution boycotting British goods could be made, such a Resolution should be made here. He tells us of an action converted into effect. He readily infers, therefore, that wherever you think that action is ineffective you ought to take no action and you ought to wait till Providence comes and brings success to you. Is that the stuff of which true nationalities are ever made? It is not a question whether your action will be effective or not. My hon. Friend has placed the emphasis in the wrong direction. We are a feeble race; we are not powerful; we have not got arms; we could be knocked down in a moment; but that is not a justification why when you are kicked you ought to keep

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on smiling or why you could not, in sheer assertion of the manhood still left in you, hit back with all your strength though it is the strength of a dwarf against that of a giant. It is not the question of means to an end; but it is the question of a principle.

"Again, my hon. Friend says that we are now exporting so many raw products, so many crores worth of cotton and we will get a good return. But were they not exported before this Exhibition was thought of? And does my hon. Friend think that by sending our raw products now and by exhibiting our skins in that place where they have been exhibited more than once before, we are going to get an increased number of orders from England? We are supplying hides—and I know my hon. Friend is a discriminating or other kind of Protectionist—and our object should be to keep our products in our own country and try to get manufacturing industries established here so that in many ways our country might benefit industrially. However, leaving aside all these questions, the manufacturer is in greater need of our materials than we are able to supply. Are not English people represented here by various firms who are on the look out for every quality and variety of goods? Are there not consular agencies all over this country who are supplying reports every week, and every month regarding the possibilities of expanding their trade in our country? However, I plead guilty to this: that I was one of those who took part in the Moore Market Conference presided over by His Excellency the Governor in order to inaugurate this movement of participation in the British Empire Exhibition. I am proud that I had taken part in that Conference. I did it as a matter of imperial sentiment. I think the limited training that I had in economics, which cannot for one moment be compared with that of my hon. Friend, Dr. Mathai, there, made me feel that as a business proposition it might not be the glorious thing or the grand thing that it was represented to be or might be easily represented in newspaper articles. But we were filled with the sense of imperial partnership and it was our duty to make the Empire Exhibition as great a success as possible so that the foreign nations visiting it might be properly impressed with the might and possibilities of this great Empire. But after this came the decision which has violated all the promises given by the British Government and crushed every hope that we have been entertaining with the best of motives.

"My hon. Friend from Trichinopoly thinks 'let us not do this thing, but let us do a hundred other things'. It is this kind of irrelevant circumstances that I would deprecate. When a person is asked to do a certain thing, he must judge it on its merits and say definitely 'we are going to do this or we are not going to do this'. Instead of that the suggestion is thrown out 'let us boycott the imports from the Dominions'. We have no quarrel with the Dominions. So far as Kenya is concerned, it is the decision of the British Cabinet. It has also been stated by my hon. Friend that the telegram from His Excellency the Viceroy to Dr. Saprú produced great effect. I do not know if the inference is suggested 'let us request the Viceroy to send more telegrams'."

Mr. S. ARPUDASWAMI UDAYAR:—"What I meant was that, as the Government of India and other Governments were in entire sympathy on this question, and the Viceregal Government had made suitable recommendations to the British Cabinet and Dr. Saprú cherished the hope by means of a change of temper effected in the Dominions but one to have the old verdict

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reversed, we shall be smoothing the ways of Dr. Sapru and strengthening his hands by being guided in matters like this not by impulse, sentiment or even enthusiasm but by facts and judgment based on those facts."

1 p.m. Mr. C. RAMALINGA REDDI:—"Sir, I have not in the slightest degree misunderstood my hon. Friend who thoroughly misunderstood the hon. Member for the University who said that a telegram from His Excellency the Viceroy was sent to Dr. Sapru conveying a message that the Bombay Corporation had resolved to boycott the British goods. Sir, it was not a blank shot that produced the impression but it was a good cartridge containing combustibles from Bombay that produced the impression. Lastly—and we shall hear more of this argument—my hon. Friend Sir K. Venkatarreddi Nayudu touched upon this question, which, I honestly confess, is a disgrace to India, viz., the way in which we ourselves are treating the depressed classes, and asked us what right we had to complain of the injuries inflicted upon our country-men in other parts of the Empire."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"I did not say 'what right have you?' But I simply said that it came with bad grace from us."

Mr. C. RAMALINGA REDDI:—"I am not thinking of the propriety or the manner that should prevail. Does he feel that we are precluded from taking up this question? It does not matter for me whether it proceeds with bad grace or good grace."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"It does not arise at all in my case also."

Mr. C. RAMALINGA REDDI:—"Very well. Since he does not complain of the wrongs inflicted on our country-men elsewhere, I shall only just say a word or two not by way of justification, but only to put our case at the proper angle from which we should view the question. Sir, nobody hates more than myself racial or any other kind of inequality. I have been a humble worshipper at the shrine of humanity and not any other shrine. Will any man with humanitarian sentiments say that because you have been perpetrating indescribable wrongs in your own country you should not complain of the wrongs inflicted upon your people elsewhere? What the true humanitarian would say is this: we have wrongs and we will do our best to eradicate these wrongs, but at the same time we must resist any similar wrongs perpetrated elsewhere. I am perfectly sure that my hon. Friend, Mr. Paddison, who is doing in my opinion a most soulful work in his department, will agree that the presence of wrongs in this country is no justification for condoning their existence in other places. That is the spirit in which the hon. Members of this House should look at this question.

"I have only one word more to say and that is that we cannot keep politics apart from trade as we have been advised to do. What is the price of self-respect if it is sunk? What is the good of trading? It is said, Sir, 'let us keep politics and trade apart, let us be economically fit, let us display our riches; that is the way in which we should prove ourselves to be a great nation; it is riches that go to prove the greatness of a nation more than of self-respect'. Well, Sir, I may say that riches have never brought the spirit to a nation. It is only a means though an indispensable means.

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More than the equipment and the enlightenment which riches can supply is the man behind the gun and the spirit. It is in that spirit that I request this House to outvote this Amendment and vote for the Resolution, if necessary with the Amendment I have suggested. I can understand a person like my hon. Friend Sir K. V. Reddi Nayudu, saying this, though I for one cannot agree with him in saying that 'this is a good thing for you as an economist; you have got so many wrongs in this country that it does not matter if wrongs are inflicted on your countrymen in other parts of the Empire. . . ."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"I never said that. I already corrected my hon. Friend Mr. Ramalinga Reddi. I put that forward as an argument to show that it did not come with good grace."

Mr. C. RAMALINGA REDDI:—"I am sorry that in my hon. Friend's estimation I am more incorrigible than I ever may be. Any way, Sir, what is the inference from my hon. Friend's statement referred to. It is 'let us participate in the Exhibition'.

"I may say, Sir, that if the sums we have already voted are not sufficient let us vote for more and make the Exhibition as successful as we can. But that is not the view of my hon. Friend Mr. Tanikachala Chettiyar, who professes sympathy with this country and says once 'We have been outraged; we are at one with you; our political sentiments are identical with yours; but when it comes to action we shall immediately assume an attitude which to an ordinary man untrained in legal subtleties cannot be very convincing.' Well, Sir, I may say if you are going to participate, participate fully. Otherwise, pay all your liabilities, whatever you have incurred, and let all the ships in which you have contracted for freights sail empty. Let all the bills which the banks present to us be duly honoured. But let those who go to the Exhibition ask why is it that these spaces are vacant? Why is it here you see something very different from the rest of the show? Let the disgrace that has been inflicted upon us in Kenya be exhibited there and there is no better way of exhibiting it than by refusing to participate any further in this Exhibition. As I said, once again I repeat that the Government should not be in a false position with regard to the existing commitments, and if necessary we shall move an Amendment to that effect by putting the words (*after meeting all the existing liabilities*) at the end of the Resolution.

"The real issue of the Kenya decision is not so much the decision itself as the spirit underlying it, the doctrine which that decision discloses. I may say to His Excellency the opinion given to me by an English friend of mine, viz., that if this decision was inevitable it could have been embodied, not in the malicious language in which it has been couched, but in a more sincere and straightforward phraseology. Everywhere they talk so much about racial disabilities and that no racial disabilities based on colour or anything else shall be imposed. But whatever that may be, the general proposition in this decision is put down with much circumspection and when you come to the question of colour the very opposite of the general proposition is put down. Now it is not merely the wounded self-respect that finds its way in this Resolution but it is also the sense of pity for the statesmen who issued a document like that. And we owe a small debt of duty to the British statesmen in showing that we are also vindicating our just resentment by

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boycotting this Exhibition which is the only loyal, sincere and straight-forward way. I may assure my hon. Friends opposite that nobody will make this a party question. This is a national question. We have avoided all reference to the past commitment of the parties. Grave national issues are in the balance. It does not matter what would be the effect of your action or indignation. The Amendment is neither fish nor flesh but a bad red herring. An attempt to torpedo a plain issue by a submarine attack is not right. Therefore with all due deference to my hon. Friends on the other side of the House I say that this has become a national question, and so far as our national interests are concerned is it not right that our Legislative Council should not only vote with a united voice, but, with no uncertain voice, oppose the Amendment that has been introduced and pass the Resolution with the additional phrase I have suggested?"

Mr. VENKATARAMA AYYAR alias V. PANTULU AYYAR :—" Mr. President, the glorious partnership in the British Empire which we are invited to participate in reminds me of the story of the Giant and the Dwarf who went to battle together. After many battles fought, when the two began to count the spoils the dwarf had lost his two legs and two arms. Such is the fate of India to-day. After 150 years of partnership with the British Empire, to-day we are dying, mutilated and bleeding, unable to resist the oppression or retaliate it as one hon. Member put it. So I think our partnership should be set on more definite basis with mutual consent. Further we are asked that for sentimental considerations we ought not to forego the economic advantages that may accrue by participating in this Exhibition. I would beg to remind the House that this Exhibition is not to the advantage of India at all, but only to show to the outside world, especially to America and other countries, whose raw products are exported to England, that the latter country is depending for her raw products on a great Dependency where they can be produced in abundance, even if America takes to cornering its raw products. (Hear, hear!). So I beg to emphasise that no advantage, economic or otherwise, would accrue to India. For this reason, and also for the various other Reasons which the hon. the Mover of the Resolution so well pointed out to us, we ought to boycott the Exhibition."

Mr. R. VEERIAN :—" Sir, I rise not only to oppose the Amendment but also the original Resolution. I wish to offer only a few remarks. My hon. Friend Mr. Satyamurti with all his eloquence, with his might, and with all his political tactics, wanted us to vote for his Resolution. One thing which I just want to know is this: have the grievances of the so-called depressed classes, the suppressed, the down-trodden classes been redressed in this country? They are treated like beasts in our own country. Such is the position of the depressed classes in our own country. We now complain that Indians are not treated properly in Kenya. Sir, my hon. Friend, Mr. Satyamurti, has not said a word about the treatment meted out to the depressed classes in this country. Sir, let me quote a verse from the *Bhagavat Gita* which says that—

'Whenever there is danger to the cause of righteousness on earth I (Lord Krishna) come down as Avatar on earth to redress those wrongs'.

"That is now what is happening. The depressed classes in this country are undergoing hardships which are indescribable. We want to reform the

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conditions in Kenya. The depressed classes here are not only poverty-stricken but enveloped in utter ignorance. For the last 2500 years nobody here ever fought for their social uplift. But we are however fighting for political freedom. What is the use of political freedom, Sir, when we are unable to ameliorate the depressed classes in our own country. We do not at all care for political progress. What is the use of asking for political freedom when we are not able to satisfy the hungry people, the depressed classes who are suffering from starvation for the last 2500 years. The first thing to be done is the amelioration of the depressed classes in this country. That is what is wanted, Sir. Every minute and every hour new social disabilities are imposed upon us, and yet they expect others to do justice to them. If you will permit me, Sir, I will quote a Tamil proverb which they seem to forget. ஊரார் பிள்ளையை ஊட்டி வளர்த்தால் தன் பிள்ளை தானே வளரும்.

"Is it not a fact that the depressed classes have not been done justice and that they have been existing down-trodden for years and centuries? It is for these sins that the Indians have been made to suffer in Kenya and elsewhere. If we had been treated properly here, nothing of the kind complained of now, would have happened. Therefore, God has taken birth to punish the wicked deeds of the caste Hindus here. (Laughter). There is no use of finding fault with the foreigners when Indians are not treated properly in India. If Indians begin to realize and begin to treat their fellow-Indians properly, then, Sir, I predict that everything will be all right. The foreigners give us a better treatment than that given by our fellow-Indians. They raise no sentimental objection with regard to the touching of the depressed classes. If you go to Malabar, you can see how badly they treat us. There, the question of unapproachability is nothing but ridiculous and hopeless misery. (Laughter). We want to do away with these things which go to the very root of our social life. The politicians here never cared for all these things, but they are always longing for political reforms. Agitations after agitations go on for political reforms, but what is the use? Nobody comes forward to remove our disabilities and if at all anybody comes forward to do his mite to elevate the condition of the depressed classes, he is being oppressed and he is asked not to work for our cause and is excommunicated from his community.

"The hon. the Mover, Mr. Satyamurti, said that he was obliged to bring this Resolution from a high sense of honour and responsibility and further stated that the Resolution was a very very mild one presented in a very mild form. But what about the motive contained in that Resolution, Sir? It is nothing but boycotting the Empire. Supposing all the depressed classes were to rise up to-day and boycott the so-called high class (caste) people, would my hon. Friend tolerate it, Sir?"

Dr. P. SUBBARAYAN :—" May I say, Sir, that I for my part would welcome it?"

Mr. R. VEERIAN :—" Sir, the hon. Mover would at once telephone to the Commissioner of Police to arrest the depressed classes as a whole. (Laughter)."

Mr. S. SATYAMURTI :—" Sir, may I assure my hon. Friend that I will do nothing of the kind?"

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Mr. R. VEERIAN :—" I am very glad that he is so sympathetic. I still believe that he will not act as he pretends." (Laughter).

Mr. S. SATYAMURTI :—" On a point of order, Sir, is the hon. Member in order in saying that I am pretending ? "

The hon. the PRESIDENT :—" He did not say so, I believe."

Mr. S. SATYAMURTI :—" I heard him say so, Sir."

Mr. R. VEERIAN :—" It is open to every hon. Member to say what lies at the back of every other hon. Member and I repeat it, Sir. I do not think, Sir, that I am out of order in saying that. I am only saying what strikes me as to what actually lies at the back of another hon. Member. I believe it is open to hon. Members to say that. The hon. Member is pretending to . . . "

Mr. S. SATYAMURTI :—" Sir, I ask for your protection. Is the hon. Member in order in saying that I am pretending ? "

The hon. the PRESIDENT :—" The hon. Member, Mr. Veerian, is evidently not much acquainted with the Legislative Council. Hon. Members must not attribute motives to one another. That is prohibited. If one hon. Member suspects that another hon. Member has something at his back, of course let him keep it for himself and ventilate it outside the House but not inside. It is understood that hon. Members must treat one another as gentlemen and refrain from attributing motives."

Mr. R. VEERIAN :—" Sir, I feel very sorry for what I said. I have only a few words more to say. As I have already said, for the last 2500 years or more nothing has been done towards the elevation of the so-called depressed classes. I hope that at least in future, they will realize our intolerable condition and promptly elevate our condition and treat us as equal citizens to share all the rights and privileges in the country. Even now, I am sorry to say, several elementary rights have been denied to us and nobody cares to espouse our cause. We are not, even now, admitted into public schools and into the public latrines contributed and built out of public funds."

At this stage (at 1-25 p.m.) the House adjourned for lunch.

The House re-assembled after lunch at 2-30 p.m. with the hon. the Deputy President in the chair.

Mr. P. SIVA RAO :—" Sir, I rise to oppose the Amendment moved by my hon. Friend Mr. Tanikachala Chettiyar. The essence of the original proposition is the non-participation of India in the British Empire Exhibition. This Amendment simply says that we should incur no further liability in connexion with the British Empire Exhibition. It does not commit itself to any proposition as to whether the Government should participate in the coming Exhibition or not. To put it shortly, it is vague; it is taking the soul out of the original Motion. That by itself is a sufficient ground to make up my mind to reject the Amendment. Now, as regards the question of boycott, it cannot be denied that the Kenya decision of the British Cabinet has caused widespread discontent, and a most acute disappointment among all sections of our countrymen, whether they be Moderates or Extremists, Hindus or Muhammadans. All feel alike in the matter that India's rights have been ignored mercilessly. Indians claim that they must be

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equal citizens in the British Empire. There is a huge volume of feeling that India has been wronged, wronged seriously, and that this wrong ought to be retaliated in a suitable manner. I was very much surprised at the attitude taken by my gallant Friend, Sir K. Venkata Reddi, on this matter. I thought he would stand severely alone, but a few minutes later Mr. Veerian joined him, and he secured some support for his position. Now it was a surprise to me to see my gallant Friend justifying what has been done in Kenya. He professed to express his full sympathy with the object of this Resolution, but the whole effect of it was taken away when he went on justifying the measures that have been adopted in Kenya. I do not think there would have been any necessity at all for the steps now proposed if the government of the country had vindicated our rights in a suitable manner. The Government of India whom we look up to for the protection of our interests is reduced to a position of impotency and is considered to be a subordinate Government. The Government of India did not think of even protesting against the Kenya decision. We are now absolutely powerless. The question that arises for our consideration is what we shall do to retaliate. We were told at the time of the Imperial Conference by the Colonial Premiers that if they hit us why not we hit them in return. So, the question now is how to hit them in return. There cannot be any two opinions in this matter that India's wrongs must be righted. We must express our indignation in a suitable manner. My hon. Friend, Sir K. V. Reddi, asked what we were going to achieve by passing this Resolution—the earth will go on moving on its own axis. Now, whether the earth goes on moving on its axis or not, we have to demonstrate our feelings in a suitable manner. I cannot think of any other method of doing so than by passing this Resolution.

" All kinds of commercial considerations were sought to be imported in a matter which affects our self-respect, our own national existence and national dignity. Such commercial considerations ought not to be allowed to come into play in this matter. Our position in regard to this matter was summed up splendidly by Sir T. B. Saprú at the time of the Imperial Conference. He said :

" Sir, let me tell you frankly, as a subject of King George, I fight for a place in his household, and will not be content with a place in his stable."

" That sums up the situation. No doubt all the allotments were made when we were hoping for a favourable decision at the hands of the British Government. All those hopes have now been dashed to the ground. Even at the Imperial Conference our gallant representative, Sir T. B. Saprú, was not able to achieve much. It is not his fault. He proposed a committee which was accepted by the Colonial Secretary. We must demonstrate to the whole world the strength and volume of feeling that we have got in the matter. In this matter I feel strongly, and we have to reject this Amendment. It is a futile one; it does not go far enough. I quite agree with Sir K. V. Reddi when he said that we must either participate or stop completely. That would be a consistent attitude to take up in the matter. I have heard it said of a noble son of Rome, that when the liberty of Rome was in danger he would rather be a dog and bay the moon than be such a Roman. I would rather be a dog and bay the moon than be such an Indian. With these few words I support the Resolution."

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MR. R. SRINIVASA AYYANGAR :—" Mr. President, it seems to me, Sir, that this Resolution is bound up indissolubly with India's honour and self-respect. It also seems to me that it is the duty of the House not merely to recognize, but also to maintain at any cost India's honour and self-respect. If I rise to speak by way of opposing this Amendment, it is with a view to appraise this hon. House of the intensity of feeling that prevails in the district from which I come. I know it for a fact, and I am not disclosing any State secret when I say, that a few respectable merchants in my district who were inclined to participate in the Exhibition by sending some of their exhibits have, since the Kenya settlement, resolved to have nothing to do with it consistent with their sense of honour and self-respect as Indians. Whatever might have been the state of affairs at the time when this House gave its assent to the former Resolution that was moved by the Minister for Development nearly two years ago, since then much change has come over the country. There has been a great change in the attitude of Britain to us. And to-day the question naturally arises that when our position as partners of this growing Empire has been affected, whether, consistent with our national self-respect, it is permissible for us to participate in the Empire Exhibition as irredeemable helots of the Empire. That is the question which we have to consider. Occasions such as these seldom arise and when they do arise it is incumbent upon us as representatives of the people to face the situation fully, squarely, and even honourably. Viewed in that light, I would venture to submit for the consideration of the House that the only effective and potent way in which we could express in unmistakable terms our feeling of resentment is by boycotting the Empire Exhibition absolutely. By this method we shall be able to exhibit to the outside world what the feeling of this country is and to what extent India is outraged, and what steps she is prepared to take with a view to assert and maintain her self-respect. So far as the Kenya settlement is concerned, I would venture to submit that it has placed on us a badge of inferiority and has also reduced us to the position of helots of the Empire. Can we in that state of things, and wearing that badge of inferiority on our breasts, send our goods and participate in the glorification of that Exhibition? If I understood my hon. Friend, Mr. Tanikachala Chettiyar aright, he told us that certain commitments had been made, certain obligations had been incurred and that certain legal obligations were likely to ensue and that the Madras Government were likely to be sued for damages. We will not be alarmed at those state of things. Let us meet those claims for damages and pay them heavy compensation if necessary when they seriously think of claiming such compensation. But let us make our protest effective by keeping the stalls absolutely empty. Then the question will naturally arise as to what had happened to keep those stalls empty. That will serve as an eye-opener to the world and to the people who are sending their goods there. That will make them realize that India had been wronged and humiliated and that something must be done in order to right the wrong.

"I am not for participating in this Exhibition with a view to reduce our liability for damages or on account of the three or four considerations which my hon. Friend, Mr. Tanikachala Chettiyar, had in view and to which he adverted in his speech. He stated that on account of those considerations we were obliged to participate. I am rather led to think that these considerations, far from supporting him, ought to take

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him just in the opposite direction by making him more firm, more stiff-necked not only in the direction of not incurring further liabilities but in the direction of boycotting the Exhibition altogether. That is the only weapon we can use in default of anything more substantial. The only effective way of expressing our resentment would be to keep the stalls absolutely empty to pay up all the bills, to meet all claims, to withhold all goods, to advise the Government to retain and withhold the goods already sent, and thereby making the boycott a success. I am not therefore well impressed with the via media course or suggestion thrown out for our consideration by the hon. Mover of the Amendment. It may perhaps be pecuniarily advantageous to India. Probably he may have the argument of expediency in view. But in vital questions this argument of expediency cannot find a place. We must face the situation as men, but not as cowards. Therefore, the only honourable course left open to us under the circumstances is to boycott the Exhibition altogether and to vote against the Amendment and in favour of the Resolution moved by my hon. Friend, the Member for the University."

MR. J. D. SAMUEL :—" Mr. Deputy President, I rise to support the Amendment which has been moved by my hon. Friend, Mr. Tanikachala Chettiyar. Indeed we have heard on this occasion the best eloquence to give expression to our sense of indignation, and I do not think I have heard or read anything better than the speech of the hon. Member for the University as expressing the feelings in the matter of treatment of Indians in Kenya. It is certainly most appealing. Sir, I yield to none in the great respect and regard that we should have for our country.

"We are met here to advise the Government, and I would put it to you, do you think you would be giving proper advice by passing the original Resolution? We have been told something about retaliation, but I believe the best of us, the most hopeful of us, do not think that this boycotting of the Empire Exhibition will be any kind of retaliation. Certainly nothing can do greater harm to the honour of our country. This kind of boycott can never be retaliation. Retaliation must be stronger. My hon. Friend Dr. Rama Rao who seconded the original Resolution said that if we boycott the Exhibition, it would cost the British authorities very much. Certainly this boycott would not cost them anything but it would cost us much, and that is why I say it would not be retaliation, because it won't bring happiness either to them or to us. Now let us see whether this boycott will be useful. Nothing can be of use in this world unless there is sacrifice in it. If we sit together here and simply say 'We boycott the Exhibition', what will it amount to? The Resolution is put and all Members vote on it and it may be carried by a majority of five, ten or twenty. But what will be the effect of it? Would it mean that there would be at least an empty room? Are we certain of that? I am afraid I am not at all certain. I am of course new to the Council and am but a student of the rules of procedure and other regulations. But I find from what I have seen that under section 19-A of the Government of India Act the Secretary of State in Council has to safeguard imperial interest, and, in safeguarding imperial interests, he will certainly safeguard the Exhibition. And as such, whatever we may say here, the Exhibition will go on because we have already spent some money and incurred some liabilities. Moreover I doubt very much whether every Englishman or Colonial who goes to the Exhibition would care to know the reason for the empty room. I think their ignorance of other countries is

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very great. And then, can we expect them to go on enquiring, whenever they find an empty stall, as to why that particular stall was denuded of wares? Can we expect them to ask 'why is this empty? What is the matter?' Even if some may ask why stalls are empty, they cannot be expected to go further and ask who the stall-holders are and what they are feeling in the matter of treatment by other races. Who would ask whether a Resolution was passed in the Madras Legislative Council expressing the people's indignation and whether, as a result of that, the stalls are empty?

"Then again, there is another thing also which I should like to put before you. Any Resolution passed by us, as also the present Resolution, must clearly state what exactly we feel on the matter expressed therein. But let us not try to affect what we do not really feel. We must be sincere and to the extent to which we are sincere our Resolutions will have effect. The proper thing for us would be to state what we really feel. At the time when the Exhibition was asked to be held, I think thousands of rupees were granted by this House and some thousands were actually spent. Then, subsequently something has occurred which has damped our enthusiasm. So, our Resolution must show clearly where we are and what we feel, and then only can it be said to be a correct representation of our views. If it does not, then it only means that we are going to affect what we are not. That is not the right thing to do. Now, boycotting the Exhibition means that we should have nothing to do with it and we set our face against it from the beginning. But here we have made preparations for it. We are all of us Indians, and yet we had made preparations. Everything has been arranged pursuant to a Resolution passed in September 1922. But subsequently something has happened, something untoward has taken place which we resent, and we want now to stop further proceedings in connexion with the Exhibition. Is that not our position? And do you not think that the Amendment proposed by my hon. Friend Mr. Tanikachala Chettiyar exactly represents what I have pointed out just now, and what we do really feel. Here is an Exhibition which we wanted to participate in, and we voted money for it and incurred some obligations, but subsequently something has happened. The British Government has done something which denies us equality with others elsewhere, and therefore now we say 'We shall have no more of the Exhibition'. Therefore, Sir, would we not be really telling the people concerned what we exactly feel by voting for the Amendment rather than for the Resolution?

"There is another thing, Sir, which is more important. Now, what is it that the decision of the British Cabinet tells us? It says that we are unfit, morally inferior, morally below them and all that sort of thing. But in regard to this Exhibition we promised co-operation and have already undertaken liabilities. If we pass the original Resolution, would we not be like sulky silly children saying that we will destroy the toy that we were given. Do you think that our respect among the nations would be enhanced in any way thereby? Do you not think that we will be looked upon as silly children or as people who are unfit for self-government? Have we not to pass through the experimental stage for ten years to show that we are fit for self-government and fit to enjoy all the rights of Dominions? And the original Resolution if passed will simply show that we are sulky silly children. At the same time, the injury that would be done to the character of our country would be so great that we cannot think of now. But really we

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want something to be done to show this: 'We were with you. You said in 1921 that we were all one. We believed and thought also that we were all one and began to co-operate in the Exhibition. But in 1923 you say we are not one, and we also say we do not want to continue as one. We fold our hands and do not want to go any further with regard to this Exhibition.' Therefore does not the Amendment really show what exactly we feel and mean? What is the meaning of affectation and saying in this Council that we are what really we are not.

"There are many other things that may be said, but I think what I have already stated is sufficient. To say that we shall boycott is not going to be effective at all, and it is not retaliation. Unless we vote for the Amendment, I think we will not be expressing what we really feel. I want to add that on this question we should not act as if it is a party question. This is a question for Indians. I beg of hon. Members to try to see what I mean. The hon. Member for the University when speaking for the original Resolution put it on very strong grounds. He has a heart which really feels for our country, and he expressed very strongly and vehemently what he really feels and we will also feel it to the end of our days. Here is our poor dear country and we have got every respect for our country. Every one has respect for his mother country, and would be indignant when his mother country is disgraced. Let us not say with regard to our mother country that it does not care for us or that we do not care for her. Let us all try to see that both are honoured and let us give a united voice. Even though we cannot expect all to vote for the original Resolution, in the matter of this Amendment at least there is a chance of showing exactly what we really feel and we can all vote for the Amendment. Otherwise, it may be said: 'You have given us word that you would participate in the Exhibition and voted funds, but now you cheat us by going back on your word.' And we cannot say anything if that attitude is taken up by the authorities, and how can you thereafter go before the people and say that you are self-respecting, honest, etc. We are not nonentities and we must show that we are consistent. I appeal to my Muhammadan Friends who, I hope, will agree with me in thinking that there is no use of passing the original Resolution and that we must vote for the Amendment. I would also appeal to the European Members sitting on this side to vote for this Amendment. I think that the Europeans are necessary for our country's progress. They have been in our country for a long number of years. They know what we feel about the Kenya decision. They know that our hearts are with them and that we have shed our blood in defence of them, and I would appeal to them to vote for this Amendment and show that the decision of the Cabinet is certainly unjust. Therefore, finally I would appeal to the House on behalf of our poor dear country for which we are prepared to die (hear, hear) and give our life blood, to vote for the Amendment. It is no idle boast, it is no meaningless boast, but it is the real truth. I think we have no business to be here unless we love our country. Under these circumstances, let us show by our voting what exactly we feel in the matter. I, therefore, appeal to my Hindu, Muhammadan, European and all the other Friends of this House to vote for this Amendment."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Mr. President, notwithstanding the fact that an eloquent appeal has just been made by Mr. Samuel in support of this Amendment, I feel

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constrained to oppose it. I still hope that, if he will only carefully follow the few remarks that I am going to make, he will see his way to change his position and oppose the Amendment. The main ground which he urged in support of the Amendment was that it might be ineffective, that the Secretary of State acting under section 19-A of the Government of India Act would guard imperial interests, that is, the Empire Exhibition, and that all attempts that are being made would be quite ineffectual and useless. May I point out to him, Sir, that this is a matter in which the Transferred departments have control and discretion and the question of the Exhibition was one which was moved and carried at the instance of the hon. Minister for Development? If this House to-day should give its approval to this proposition and state that we shall not hereafter participate in the Exhibition, then clearly it will be the duty of the hon. the Minister for Development and of the Government to give effect to that decision and make our decision effective."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" May I point out, Sir, that the hon. Member was not correct in saying that the subject was one belonging to the Transferred departments in the hands of the Development Minister? Although it was I that asked for a grant for the Exhibition, it is not strictly speaking a Transferred subject. There are other subjects, Sir, for instance, the Forest Department, which has got a big share in this Exhibition. In fact, every department of Government has got a share in it, and it was only as a matter of convenience that the Minister who was in charge of Industries was asked to take charge of this Exhibition."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, notwithstanding the explanation given by my hon. Friend Sir K. V. Reddi Nayudu, I wish to remind him of the circumstances under which the question of the Exhibition was placed before the Council and the reasons which were adduced to induce this House to accept that Motion. It was then pointed out that there was no mandate from the Government of India in respect of this question, but that, following the example set forth in the Legislative Assembly, a Motion was made in this Council last year. May I point out, Sir, that if this House at the instance of the hon. the Minister for Development thought it fit to take part in the Exhibition, it will be within its limits and within its rights if it should on a future occasion give expression to this unequivocal intention regarding the matter. May I also point out, Sir, that so far as the Resolution passed in this House last year was concerned, it was to the effect

'That necessary steps should be taken and funds provided to enable this Presidency to participate on an adequate scale in the British Empire Exhibition to be held in London in 1924, and as a preliminary a provincial exhibition in Madras should be held in 1923 as will be found suitable and convenient, the necessary funds being provided for the purpose.'

"It will be within the recollection of hon. Members of this House that after that Resolution was passed, various attempts were made for the purpose of focussing public opinion in this Presidency and for the purpose of organising a provincial Exhibition. After opinions were collected and after various other attempts were made, was it not feasible to give up the idea of the provincial Exhibition, although, taking advantage of the vote of this House, some attempts were made to carry out our programme to a further extent?

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"Confining my remarks to the present Amendment, I would state that it would not serve any useful purpose in so far as the Resolution itself suggests that there should be no *further* participation in the Exhibition. The use of the word 'further', I take it, will enable the Government to satisfy all reasonable requirements and to fulfil all obligations heretofore contracted. I do not think it necessary to add to that Resolution any words such as those suggested by my hon. Friend Mr. C. Ramalinga Reddi. The Resolution itself, by the use of the word 'further', makes it possible for the commitments which have already been made being respected and being carried out to that extent. It only shows that the Government should not hereafter make any future commitments, and that it should not hereafter bind the Council by any promise made by them. Taking this view, Sir, I am pretty certain that the object of the Amendment in giving effect to the commitments already contracted is already covered by the Resolution and that it is, therefore, unnecessary."

"There is another and far graver reason, Sir, why I think that we should not accept this Amendment. What is the object of the Resolution? Is the object of the Resolution to convey to those in whose hands the affairs of the Exhibition lie at present our feelings that the money spent upon the Exhibition has not been properly spent and that a time has come for regulating that expenditure in better, well-defined and well-directed channels? The object of the Resolution is quite clear. It is only to convey to those abroad that we, as an Indian nation, feel that we are insulted and that we are looked down upon as an inferior race, and that, come what may, come whatever consequences, it is our duty to enter our emphatic protest against the treatment which has been meted out to us. If that is the object of the Resolution, I would only request this House to consider whether the acceptance of the Amendment would in any way carry out that object. If this Resolution is calculated to assert our self-respect, our honour and our dignity, I would ask the House to consider if the Resolution as amended will convey that impression and will give true expression to our resentment? If the Amendment is not intended to carry out that object, I would think, Sir, that whatever might be the fate of the Resolution, the Amendment would not serve that purpose and has, therefore, to be opposed. I take into account the possibility of the throwing out of the Amendment leading to various other consequences. We can rather anticipate those results and take those consequences than allow an Amendment to come forward which will not give correct expression to the feelings of the Members of this House. Sir, is it not a matter for surprise that even when in far-off countries persons have been correctly appreciating the sense of humiliation and indignity to which we have been subjected, we in this House should have some hesitation and falter in this matter? May I, Sir, with your kind permission, read to this House one or two opinions of those in the far-off British Guiana tending to express the present situation? I must on this occasion express my gratitude to the hon. the Deputy President for furnishing me with some information regarding the state of affairs there."

"One Mr. D. S. Payne, who is a Negro himself, writes as follows regarding the feeling in India on this important question. He states in a letter dated 30th September 1923 (which is of a very recent date):

'I for my part am thoroughly in favour of discreet retaliation: if a race sits still and bears all indignity, then the ruling power takes it for granted that there is all contentment on the part of that race: but as I say there must be careful consideration and discretion. When

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a race is weaker, rashness may cause greater troubles, although I may say that the Indians if united would form a powerful factor in this world's affairs. There is wealth and members, but there must be unity."

The hon. the DEPUTY PRESIDENT :—" May I correct the hon. Member ? It is from Barbados and not from British Guiana."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Thanks, Sir. May I point out in this connexion that if such is the state of feeling which is evoked in a far-off distant country, what should be the state of feeling so far as we are concerned ? Do we, to use the words of Mr. Samuel, show ourselves fit for full Self-Government by submitting ourselves to all indignities and insults hurled against us, or do we, by asserting ourselves as men, by showing forth as persons who would not subject themselves to such kind of degradation, show that we are fit for Self-Government ? I take, Sir, the other view. So long as we are suppliant and on bended knees submit to all indignities and insults offered to us, we will be treated as persons who deserve this and nothing more. I appeal to the Members of this House not to be carried away by the idea put forward, viz., 'let us be more practical; let us not be playing like children and thus stultify ourselves; let us go forth and make ourselves worthy in the eyes of other nations'. I would appeal to them rather to go forth and make yourselves heard in the proper perspective and make yourselves understood by those at home rather than in a spirit of deceitfulness, if not of hypocrisy."

" Sir, I would also venture just to refer to another small quotation in this connexion taken from the *Daily Chronicle of British Guiana* under date 19th October 1923 and I shall not detain you long. I shall be satisfied only with this quotation. Dealing with the question of Kenya, this is what they state :—

" . . . the Kenya question is by no means ended, in so far as the British in India are concerned, whatever it may be in so far as it affects the Indians in Kenya."

" Feeling in India is running flood high; and sneer, and however many will, the end is not in sight. Protest meetings have been held all over India; and such an avowed moderate as Mr. Sastri has become one of the most violent agitators for boycott of all things, British, including even withdrawal from the Empire Exhibition, Imperial and Economic Conferences. The old irreconcilables are of course just making more capital out of the incident than ever, and laughing at Mr. Sastri and other moderates, for ever placing their trust in the Empire or in its protestations to do Indians justice. Not the least of the contentions put forward by exasperated Indians is that Indians, before the advent of the European, enjoyed free rights of emigration to Kenya for centuries and exercised those rights to the full."

" Sir, I need not detain the House long to satisfy it that this is not a matter upon which we can give up principles, we can give up a correct expression of our feelings. This is not a matter in which we can accept a slight modification of the language of this Resolution in this respect or in that respect. If we really feel that it is our duty to continue to take part in this Empire Exhibition, let us like honest men do so. If we in our innermost portions of our hearts really feel that the worst wrong and injustice has been done to us and that we can only effectively give expression to it by carrying out a boycott of this Exhibition, let us without any faltering give expression to that view and carry this Resolution. I will therefore appeal to this House not to be carried away by this Amendment which has the only effect of taking away the object of this Resolution and giving a different colour altogether to it."

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" Mr. President, at this stage I rise to make a few observations on the subject that has been

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engaging our attention from last evening. On the subject of the Kenya question we have heard with rapt attention the spirited address given by my hon. Friend, Mr. Satyamurti, the Member for the University. He has shown how the whole of the Madras Presidency, the whole of this country, feels like one man the indignity to which we have been subjected in connexion with the Kenya question. But the question which we have to decide will be what is the best remedy for putting a stop to it. It is like the case of doctors prescribing medicine for the disease. Both sides are agreed that the disease exists. If we only differ, or rather if the two sides differ, it is as to the method to be adopted to bring about a healthy condition. On the one side, it is asserted that because the British Government has flouted you, it is but necessary, meet and proper that we should express our indignation in a tangible form, and that tangible form is understood to be non-participation in this great Empire Exhibition which will be in full swing from the beginning of next year. Another side thinks that it is not the proper way; if we have got a political disease, political remedies, and not economic remedies, should be applied. Such is their view of the question. As both sides feel equally so strongly, the vote of the House will decide the best remedy that should be applied. I only rise, as I said before, to make a few observations and to place a few figures and facts before you. What I intended to say on the general question has already been anticipated by my hon. Friend who preceded me, Sir K. Venkataraddi Nayudu. I only rise to show you how the question of money and the question of space have been engaging our attention from as far back as September 1922, when the hon. Member, Sir Venkataraddi Nayudu, the then Minister for Development, moved a Resolution that necessary steps might be taken and funds provided to enable this Presidency to participate on an adequate scale in the British Empire Exhibition. Later on, the funds were allotted by this Government. Now as regards the figures as collected up to date, they are something like this: the amount already expended comes to Rs. 55,461; the further expenditure for which bills are coming in and which could not be evaded comes to 1.71 lakhs; in addition to that we have committed ourselves to an expenditure of Rs. 82,000 and odd to be incurred in England and in passage. Two or three facts which have to be borne in mind in connexion with this question I shall state briefly. If, as is contemplated, it is proposed to boycott the Exhibition and to have nothing more to do with it, we must be prepared to undergo a certain number of inconveniences. One of them is that we have collected about Rs. 54,000 from people who are going to exhibit their articles at the Madras Court. That amount we shall have to refund. Another loss will be that as we are not partaking in the Exhibition we will be prevented from partaking in the value of gate-money that will be collected. One item which cannot be reduced to any figures is that in order to extricate ourselves from certain obligations which have been undertaken we shall have to pay a good round sum, should circumstances so happen."

" As regards space, the space that is available for occupation is 5,500 square feet of which 3,850 square feet has been taken up and paid for by private exhibitors. It will thus be seen that for that space of 5,500 square feet we have already committed ourselves to an extent of Rs. 2,52,038. Some hon. Member said yesterday, and I think it is Mr. Satyamurti, that it is impossible to say in pounds, shillings and pence the value of participation in the British Empire Exhibition. Now, a market will be found for a large variety of products including fibres, timbers, ores, minerals, many raw

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materials and many manufactured goods such as our silk and cotton goods, our fancy products, our condiments, our various art and craftware including coir work. There has been a great demand for some classes of oil seeds, principally groundnuts and copra. Our raw and tanned skins and hides form the largest item of export from this Presidency. It is for the hon. Members to say if all those lists of articles that are going to be exhibited will not command a larger market than heretofore. In this connexion I would read to the Council the weighty words of Lord Lytton uttered when opening the Calcutta Exhibition recently. He says:

'The objection that this Exhibition and the participation in the London Exhibition afforded an opportunity for foreign exploitation of our goods needs only to be stated to be refuted. Experience has shown that this form of doing business affords both the individual a profit as well as develops the trade of a country. No country therefore can in fact afford to be left out.'

I wish to make a few observations in connexion with some statements made by Mr. Satyamurti as regards the method of treatment of this question. As I have already said, it is for the Council to decide it. If this motion had been brought forward sometime last year, the Government could have abstained from the expenditure. But, as it is, as I have already explained by facts and figures, we have committed ourselves up to a certain stage, and it is for the Council to consider whether at this stage we must abandon the Exhibition and incur the loss, while by proceeding with it we would be in a position not only to recover the money, but to improve the country. Therefore, I leave the matter to the Council to decide."

Mr. C. RAMALINGA REDDI:—"May I ask whether the hon. the Minister is supporting or opposing the Amendment?" (Laughter).

Mr. SAMI VENKATACHALA CHETTIYAR:—"Sir, I oppose the Amendment moved by Mr. Tanikachala Chettyiar. Before the hon. the Minister for Development spoke on this question, I thought the Government was contemplating to commit this House to a further liability. Otherwise I cannot understand the significance of the Amendment calling upon the House not to incur any further liability in this matter. There can only be two considerations which must have induced Mr. Tanikachala Chettyiar to move this Amendment. Either he must have been aware of a contemplation on the part of the Government to commit this House for further liabilities, or it must be that the expenditure has already been incurred by the Government, so that he wanted to lead the House to vote for his Amendment and thus proceed with the Exhibition. If the latter was his object, I am afraid his Amendment is to my mind a negation of the Motion of my hon. Friend, Mr. Satyamurti. All the same, Sir, the British Empire Exhibition is a political blunder, and from the economic point of view it is unsound and from the commercial point of view unprofitable. From the political point of view, it is a blunder not only on account of the attitude of the British Government with regard to Kenya, but also on account of the previous attitude of the dominions towards us. Kenya is perhaps the consummation of a series of acts on the part of the Colonial Government towards Indians in their countries. So, even before the Kenya question came before us, there was really a political objection to participate in the British Empire Exhibition. From the economic point of view, we have been accustomed to statements being made by responsible public men in this country and also by business men in this country that the more you allow your raw products to be exported to other countries, the poorer you become. Again, even the ex-Minister, Sir K. Venkatarreddi Nayudu, in his evidence

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before the Fiscal Commission has said in unmistakable terms that we ought, as far as possible, discourage the exportation of raw products. It may be said that while on the one hand you cannot improve your manufacturing industries, there is no use in stopping the raw products that are sent to other countries. The hon. Member also drew a picture of the probable gain by exhibiting our raw products in the British Empire Exhibition. He has told us that for every rupee of gain on one bale of cotton before, we will get an increase of Rs. 10 and that the large number of bales of cotton that we are exporting will increase our national wealth enormously. It is no doubt true that you can increase the profit twice or thrice, but there is a limit for the increase in the gain. Prices, after all, have to be regulated by world prices and world's supply and demand. For instance, taking cotton, you cannot go on increasing the price of cotton, because it has to compete in quality as well with commodities from other countries. There may be other countries producing cotton which may come up to our standard and which may be sold cheaper. You have also to take into consideration the cost of transit and several other factors which govern the development of a trade. So, Sir, merely by exhibiting all the wool, cotton and such other things to say that we shall be improving enormously our wealth by increase of prices reminds me of the story of Alnaschar who by the sale of his crockery wanted to build a mansion.

"Sir, it has been said that political considerations need not arise in the participation of this province in the Exhibition and that we should consider the business point of view only. Even supposing that we concern with the business point of view, so far as the raw products are concerned, where is the chance of getting much increase in prices? I dare say the trade in this country, being as it is, it would not be possible that the increase in prices would reach that level that it would profit the tiller of the soil. We know how crippled are our resources and we know how our banking facilities are handicapped by other considerations. We know also what sort of handicaps our Indian merchants are undergoing in the matter of development of trade. Even supposing that a rise in the price will inevitably follow from the exhibition of our products, how will our Indian merchant improve his position? The hon. the Minister for Development said that in the matter of manufactured articles we have silk and cotton goods. I wonder if it can hold a candle before the manufactured British and Japan goods. This is the first time I ever heard that these silk goods can stand competition with the British manufactures. So even from the business point of view it is unsound.

"Now that the Kenya question has been settled so much to our shame and disgrace, is it worth our self-respect to participate in this Exhibition? It is said that we are losing something like 3 lakhs. We have lost the sum when we passed the participation in the Empire Exhibition and as such where is the question of any further loss? The gate money that the Development Minister has spoken of is, I think, included in the profit and loss account of the British Empire Exhibition. I believe that in answer to the treatment we have had we should be prepared to bear this loss even as a retaliatory measure. What loss is there that we cannot gladly incur in the face of the disgraceful treatment we have had? It has been suggested that the buying of South African coal might be stopped. But that is being done and why not do this also? The hon. the Development Minister said, "we have a strong disease and it requires a strong treatment." But does it not stand to reason that we should use the small medicine that we happen to have near hand until we procure a better treatment?

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"Sir, the mandate for this came from the Government of India who in turn had it from the White Hall. There are Indians in the Reserved and Transferred portions of the Government and what have they done to express our resentment? It is their bounden duty to represent the people's collective opinion."

Rao Bahadur C. NATESA MUDALIYAR :—"Sir, Mr. President, I am one of those that supported the participation of our Province in the British Empire Exhibition which is to be held shortly. I was on the Exhibition Committee and attended its meetings till most probably its very last sittings."

Rai Bahadur T. M. NARASIMHACHARLU :—"Regularly."

Rao Bahadur C. NATESA MUDALIYAR :—"Sir, I am convinced that India's participation in the Exhibition will find a very good advertisement of her products both raw and manufactured and that they may get very ready and profitable market and that the balance of trade may double or treble itself as a consequence."

"Sir, I have another point weighing in my mind. India by assiduously and vigorously partaking in all imperial undertakings, as she did in the great war, may attain a fellowship not only with the freedom loving Britishers but also with the members of free colony, a fellowship of equal status and citizenship in the Empire. And it was with this intention that I gave the interview to a representative of the *Madras Mail* in support of the Exhibition. The Kenya decision came as a bolt from the blue. The self-respect of Indians has been brutally outraged. Sir, as you know Indians are touchy and Indians feel extremely outraged when their honour and self-respect are injured. The Kenya decision has put a stop to all the expectation of the fulfilments of the various promises so solemnly made and it has brutally shattered the confidence which Indians had in the British Cabinet. Sir, India has no place anywhere in the British Empire and where is the rationality of India taking part in the British Empire Exhibition? Sir K. V. Reddi wanted us to act and not to speak; I now ask him to act and have nothing to do with the Exhibition. He also told us that social and political inequalities are existing in our land. While we are trying to level up all social and political inequalities in our land, is it right to recognise the inauguration of it in another land? Sir, does he not belong to the Justice Party and is it not struggling to level up the social and political inequalities in the land and are we not trying to elevate the position of the depressed classes? Why should he not now try the same to those abroad? The depressed classes Member Mr. Veerian asked why should he try to bring down the position of those afar off while he is himself trying to uplift his community? The progressive non-Brahmans have taken up the cause of the depressed classes. They are safe in their hands."

Mr. R. VEERIAN :—"Sir, my hon. Friend is labouring under some misapprehension. He has been speaking of the Indians abroad; but those Indians have mortgaged the liberties of the depressed classes. There is some misapprehension, Sir."

Rao Bahadur C. NATESA MUDALIYAR :—"Sir, the Minister for Development has been telling us that we will be losing all the money that we have so far spent on the Exhibition. All the moneys spent by the Government and all the wealth with which India could enrich herself by her participation in the Exhibition cannot stand against the self-respect of our land which is at

12th December 1923] [Mr. C. Natesa Mudaliyar]

stake. So I appeal to the Indian Members of this House and also to the domiciled Europeans and Anglo-Indians and also to the official Members, European Members that have toiled all the best part of their life for our land, to vote for this Motion, and against the Amendment."

Mr. B. MUNISWAMI NAYUDU :—"Sir, let me tell this House first of all that the Resolution that has been moved by my Friend, Mr. Satyamurti, has got my entire sympathy. And if, Sir, I have made up my mind to vote for the Amendment, it is for the reason that I shall state presently. I will state the position and I expect him to explain and convince me and this House that there will not be serious results by the House adopting the Motion. The hon. the Minister has told us that a very large amount has been expended. So that we need not be saving anything even if the Exhibition is abandoned. But he has told us that about five thousand and odd square feet of space have been taken up and more than three thousand square feet of space have been allotted; also some fifty thousand rupees have been expended. In these circumstances, I ask my hon. Friend, Mr. Satyamurti, to state what course he would have us adopt now. If the participation is avoided, those with whom contracts have been entered into will have a right for damages and not only that but also they will be entitled to sue for the specific performance of the terms. They have been assured by a Resolution of this House that they will have our help in exhibiting their wares. Let us take it that we carry the Motion and consequently break our contract. Will they not be entitled to a specific performance of their contracts and enforce us to stand by our promises already made and make provision for them to exhibit their articles? And then what will be the extent of damages that we may have to pay? I can very well understand that Mr. Satyamurti who belongs to the Swarajya party may not care for whatever the loss is. But, Sir, as persons representing the tax-payer, are we not to protect the interests of the tax-payer and not waste his money over paying damages? Is it prudent to do so? I am certainly not for such a policy."

"All that I wish to say is that to the extent to which we can fulfil our liabilities we cannot withdraw from any of these things. If
3-45 p.m. not, there will be much room for claiming damages. That, Sir, is the position that we have to grapple with. On that point Mr. Satyamurti should be able to convince the House before asking it to vote for the Motion and not for the Amendment. Then, Sir, with regard to the point of Sir K. V. Reddi Nayudu Garu that participation is the best and effective step for the industrial advancement of the country, I would only repeat what I have already stated, namely, that it is not. If it is said that it is one of the steps, I agree with him. Then, Sir, I am in part for joining the Exhibition in so far as it relates to the things already collected. To that extent and to that extent alone can we participate in the Exhibition. I appeal to the hon. Members of this Council to consider this aspect of the question. I am glad that the hon. Minister for Development has not committed himself one way or the other. I would only say, Sir, that I appeal to him to discharge, as far as possible, all the officers and have nothing to do with the Exhibition. I would also ask him to see that nobody has power to act in the name of this Government. I would also ask him to publish widely that the Madras Pavilion, though available, the Government do not propose to have anything to do in the actual Exhibition. Ultimately, I would ask him, Sir, not to let the remaining place hereafter. If the people are willing to take their exhibits,

[Mr. B. Muniswami Nayudu] [12th December 1923]

let them do so. But let us not commit ourselves further. I think that the Amendment of my hon. Friend is the right course in these circumstances. Hon. Members of the House have to consider how far they can carry out their object consistent with the dignity of this House, and the policy for which they have committed themselves already. For these reasons I support the amendment."

Mr. C. E. Wood:—"I move that the question be now put."

The hon. the Deputy President then called upon Rao Bahadur O. Tanikachala Chettiyaar to reply.

Rao Bahadur O. TANIKACHALA CHETTIYAAR:—"I am thankful to you, Sir, for giving me an opportunity"

Mr. S. SATYAMURTI:—"I rise to a point of order as to whether the Mover of the Amendment has the right of reply."

Rao Bahadur O. TANIKACHALA CHETTIYAAR:—"Has any Member the right to question the ruling on a point of order? May I have an answer to that question?"

Mr. A. RANGANATHA MUDALIYAAR:—"Is the mover of an Amendment allowed to reply?"

The hon. the DEPUTY PRESIDENT:—"I have allowed him. Of course it is the discretion of the Chair. After Mr. Tanikachala Chettiyaar speaks, I will put the Motion for closure to the House."

Rao Bahadur O. TANIKACHALA CHETTIYAAR:—"I am thankful to you, Sir, for allowing me this opportunity to make a few observations by way of reply. I will take the last point first. It has been proclaimed that the progressive non-Brahmans have been overtaken by a feeling of despondency, and that the bolt from the blue came down upon them, and that it blinded their vision. May I remind the House that the Kenya decision or the decision of the Cabinet was so far back as September and that the progressive non-Brahman so late as December, that is after the elections, went to the very grave extent of proposing to send some dancing girls to exhibit their capacity to sing the songs of the Mahabharatha?"

Rao Bahadur O. NATESA MUDALIYAAR:—"I was against sending dancing girls from Madras. But I was for sending our ladies to England. Therein I am progressive."

Rao Bahadur O. TANIKACHALA CHETTIYAAR:—"He says what I have said and does not contradict it. Well, there were exhibits of manufacturers who were prepared to exhibit them. Sir, we have to look for the bolt from the blue, not from the decision with reference to the Kenya problem but with reference to the Madras politics and the Madras Ministry-making. With that I leave it, Sir. I leave to the House to judge whether this feeling has come from a sense of wrong done to his personal or political matters or wrong done to our friends in Kenya months ago. Now as regards my Friend, Mr. Sami Venkatachala Chetti, after listening to him carefully I am not able to make out on what ground he says that the participation is undesirable, whether it is from an economic point of view or from the political point of view. All these reasons were urged in this Council 15 months ago and they all unanimously agreed to support it."

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Mr. SAMI VENKATACHALA CHETTIYAAR:—"That was an answer made in answer to the hon. Minister for Development. We have to take into consideration the economic point of view and not the political point of view."

Rao Bahadur O. TANIKACHALA CHETTIYAAR:—"Yes, Sir, whatever that may be, we will leave it there. My Friend, Mr. Krishna Rao, made a present to the House of some speeches. I propose to ask permission to quote his own speech made 15 months ago. He said:

'Sir, before I sit down I wish to make a remark upon the political advantages which the hon. the Minister for Development referred in the course of his speech. I, Sir, am afraid that I cannot express an opinion upon the possibilities of political advantages by the holding of this exhibition. I think I would like to wait and have further proof of the good effects of the deputations which have recently been sent to the foreign countries at a considerable expense. Our distinguished friend the Right Hon. Mr. Sastri is still in the midst of his labours and I hope by the time he comes back we will be in a position to appreciate the possibilities of political advantages by these deputations. I wish this House to consider only the economic aspect of the question and to see if by the step we take we cannot make the country industrially great. That is the only test by which we should be guided without turning our eyes this side or that. And if we are satisfied that we can organise it in a satisfactory manner and add, even though to a small degree, to the industrial progress of the country, it is our duty to give our support to it.'

"So this possibility of our being badly treated in the colony was before him. It was like this: A cloud of the size of a hand in the horizon which we might have anticipated beyond, overspread the horizon. All the same he said it was not a consideration that ought to be taken into account. He said that it was the industrial greatness with which we should engage our attention. How is it now that he was prepared to set aside the participation without the consideration of the advantages and changed his vision? Is it also a result of the election, Sir? Then we have been listening to the various speeches from my Friends, Mr. Satyamurti and Mr. Ramalinga Reddi. So far as I can gather legal liabilities have been admitted. Mr. Ramalinga Reddi says, 'Yes.' The exhibits which you had already intended to carry might be stopped and cheques sent to the respective persons in satisfaction of the contracts entered into. Mr. Satyamurti is generous enough to say that 50 lakhs of the tax-payer is nothing compared with the national honour. If national honour is to be preserved at all, we need not pay 50 lakhs in a doubtful manner to boycott the Exhibition. I suggest that the House should take into consideration the business aspect, and as we have given the mandate and as the Government have incurred a liability, it should be allowed to the tax-payer as well as the merchants and manufacturers and other industrialists who have been persuaded and induced by saying that Government is going to be the agent of the industrials to expose the exhibits and advertise them. Now on account of political considerations are we to stop it? The damage that is likely to arise has not been taken in the budget calculation and that will be a figure which will stagger the imagination of my Friend, Mr. Satyamurti. In these circumstances, though I do feel that we have not been properly treated, still we think that we ought only in a partial way express our disapproval and not undo what we have done so far."

* The hon. the DEPUTY PRESIDENT:—"I may inform hon. Members that Mr. Tanikachala Chettiyaar does not seem to have the right to reply on the Amendment. But I have permitted him on account of the long and desultory nature of the discussion. This cannot be taken as a precedent hereafter. I now put the Motion that the question be now put."

[12th December 1923]

4 p.m.

A poll was taken with the following result:—

Ayes.

- | | |
|---|---|
| 1. Mr. R. W. Davies. | 26. Mr. P. N. Marthandam Pillai. |
| 2. " H. Tireman. | 26. " B. Muniswami Nayudu. |
| 3. " C. R. T. Congreve. | 27. Rao Bahadur A. M. Murugappa Chettiyar. |
| 4. " J. A. Davis. | 28. Mr. C. Muttayya Mudaliyar. |
| 5. " A. J. Leech. | 29. " B. Obalesappa. |
| 6. " C. Nicholson. | 30. " C. Ponnuswami Pillai. |
| 7. " A. E. Rencontre. | 31. " K. Prabhakaran Tampan. |
| 8. " C. E. Wood. | 32. " K. Raghuchandra Bellala. |
| 9. " S. R. Y. Ankinedu Prasad. | 33. " B. Ramachandra Reddi. |
| 10. " Ari Gowder. | 34. Rao Bahadur P. Raman. |
| 11. " S. Arpudaswami Udayar. | 35. Mr. A. Ramaswami Mudaliyar. |
| 12. " P. K. S. A. Arumuga Nadar. | 36. " P. Sagaram. |
| 13. " A. V. Bhanoji Rao. | 37. " J. D. Samuel. |
| 14. " N. Devendrudu. | 38. " K. Sarvarayudu. |
| 15. Diwan Bahadur Sir P. Tyagaraya Chettiyar. | 39. " K. Sitarama Reddi. |
| 16. Rao Sahib S. Ellappa Chettiyar. | 40. " R. Srinivasan. |
| 17. Rao Bahadur F. C. Ethirajulu Nayudu. | 41. " Chavadi K. Subrahmanya Pillai. |
| 18. Mr. P. V. Gopalan. | 42. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 19. " B. Mahabala Hegde. | 43. Rao Sahib T. C. Tangavelu Pillai. |
| 20. Rao Bahadur K. Krishnaswami Nayudu. | 44. Rao Bahadur O. Tanikachala Chettiyar. |
| 21. The Zamindar of Kurupam. | 45. Mr. K. Venkatachala Padayachi. |
| 22. Mr. V. Madhava Raja. | 46. " W. Vijayaraghava Mudaliyar. |
| 23. Hony. Lieut. Madurai. | 47. " R. Veerian. |
| 24. Mr. T. Mallesappa. | |

Noes.

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|---|---|
| 1. Rao Bahadur C. Natesa Mudaliyar. | 24. Mr. M. Ratnaswami. |
| 2. " T. A. Ramalinga Chettiyar. | 25. " S. Satyamurti. |
| 3. Mr. C. Ramalinga Reddi. | 26. " T. Adinarayana Chettiyar. |
| 4. Rao Bahadur A. S. Krishna Rao Pantulu. | 27. " C. Maruthavanam Pillai. |
| 5. " C. V. S. Narasimha Raju. | 28. Rao Sahib U. Rama Rao. |
| 6. Mr. P. Siva Rao. | 29. Mr. G. Rameswara Rao. |
| 7. " A. Chidambara Nadar. | 30. " P. C. Venkatapathi Raju. |
| 8. " K. Koti Reddi. | 31. " Venkatarama Ayyar alias V. Pantulu Ayyar. |
| 9. " J. Kuppaswami. | 32. " B. Venkataratnam. |
| 10. " P. Anjaneyulu. | 33. " Abbas Ali Khan. |
| 11. Sriman Biwanath Das Mahasayo. | 34. " G. Abdulla Ghatala Sahib. |
| 12. Mr. S. Muttayya Mudaliyar. | 35. " Abdul Hye Sahib. |
| 13. Dr. P. Subbarayan. | 36. " V. Hamid Sultan Marakkayar. |
| 14. Rai Bahadur T. M. Narasimhaachari. | 37. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 15. Mr. P. Peddiraju. | 38. Mr. T. M. Moidoo Sahib. |
| 16. " A. Ranganatha Mudaliyar. | 39. " Muhammad Moosa Sait Sahib. |
| 17. " J. A. Saldanha. | 40. " T. N. Bava Ravuttar Muhammad Sahib. |
| 18. " M. Seetayya. | 41. " K. Uppi Sahib. |
| 19. " M. R. Seturatnam Ayyar. | 42. Munshi Abdul Wahab Sahib. |
| 20. " R. Srinivasa Ayyangar. | 43. Mr. Janab Muhammad Yahya Ali Sahib. |
| 21. " Sami Venkatachala Chettiyar. | |
| 22. " C. V. Venkataramana Ayyangar. | |
| 23. The Raja of Ramnad. | |

47 hon. Members having voted *for* and 43 *against*, the Motion for closure was declared carried.

A poll was then taken on the Amendment with the following result:—

Ayes.

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|---|-------------------------|
| 1. The hon. Sir Charles Todhunter. | 7. Mr. B. W. Davies. |
| 2. " Mr. A. B. Knapp. | 8. " E. W. Legh. |
| 3. " Mr. C. P. Ramaswami Ayyar. | 9. " O. Madhavan Nayar. |
| 4. " the Raja of Panagal. | 10. Dr. John Mathai. |
| 5. " Rao Bahadur A. P. Patro. | 11. Mr. P. L. Moore. |
| 6. " Diwan Bahadur T. N. Sivagnanam Pillai. | 12. " G. F. Paddison. |
| | 13. " H. Tireman. |

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Ayes—cont.

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|---|---|
| 14. Mr. O. R. T. Congreve. | 38. Mr. B. Muniswami Nayudu. |
| 15. " J. A. Davis. | 39. " K. V. Ramachari. |
| 16. " A. J. Leech. | 40. Rao Bahadur A. M. Murugappa Chettiyar. |
| 17. " C. Nicholson. | 41. Mr. C. Muttayya Mudaliyar. |
| 18. " A. E. Rencontre. | 42. " B. Obalesappa. |
| 19. " C. E. Wood. | 43. " C. Ponnuswami Pillai. |
| 20. " S. R. Y. Ankinedu Prasad. | 44. " K. Raghuchandra Bellala. |
| 21. " D. Appavu Chettiyar. | 45. Rao Bahadur P. Raman. |
| 22. " Ari Gowder. | 46. Mr. A. Ramaswami Mudaliyar. |
| 23. " S. Arpudaswami Udayar. | 47. " P. Sagaram. |
| 24. " P. K. S. A. Arumuga Nadar. | 48. " J. D. Samuel. |
| 25. " A. V. Bhanoji Rao. | 49. " K. Sarvarayudu. |
| 26. " N. Devendrudu. | 50. " K. Sitarama Reddi. |
| 27. Diwan Bahadur Sir P. Tyagaraya Chettiyar. | 51. " R. Srinivasan. |
| 28. Rao Sahib S. Ellappa Chettiyar. | 52. " Chavadi K. Subrahmanya Pillai. |
| 29. Rao Bahadur P. C. Ethirajulu Nayudu. | 53. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 30. Mr. P. V. Gopalan. | 54. Rao Sahib T. C. Tangavelu Pillai. |
| 31. Mr. B. Mahabala Hegde. | 55. Rao Bahadur O. Tanikachala Chettiyar. |
| 32. Rao Bahadur K. Krishnaswami Nayudu. | 56. Mr. K. Venkatachala Padayachi. |
| 33. The Zamindar of Kurupam. | 57. " M. Ratnaswami. |
| 34. Mr. V. Madhava Raja. | 58. " W. Vijayaraghava Mudaliyar. |
| 35. Hony. Lieut. Madurai. | 59. " R. Veerian. |
| 36. Mr. T. Mallesappa. | |
| 37. " P. N. Marthandam Pillai. | |

Noes.

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|---|---|
| 1. Mr. K. Prabhakaran Tampan. | 23. Mr. C. V. Venkataramana Ayyangar. |
| 2. Rao Bahadur C. Natesa Mudaliyar. | 24. " S. Satyamurti. |
| 3. " T. A. Ramalinga Chettiyar. | 25. " T. Adinarayana Chettiyar. |
| 4. Mr. O. Ramalinga Reddi. | 26. " C. Maruthavanam Pillai. |
| 5. Rao Bahadur A. S. Krishna Rao Pantulu. | 27. Rao Sahib U. Rama Rao. |
| 6. " C. V. S. Narasimha Raju. | 28. Mr. G. Rameswara Rao. |
| 7. Mr. P. Siva Rao. | 29. " P. C. Venkatapathi Raju. |
| 8. " A. Chidambara Nadar. | 30. " Venkatarama Ayyar alias V. Pantulu Ayyar. |
| 9. " K. Koti Reddi. | 31. " B. Venkataratnam. |
| 10. " J. Kuppaswami. | 32. " Abbas Ali Khan. |
| 11. " P. Anjaneyulu. | 33. " G. Abdulla Ghatala Sahib. |
| 12. Sriman Biwanath Das Mahasayo. | 34. " Abdul Hye Sahib. |
| 13. Mr. S. Muttayya Mudaliyar. | 35. " V. Hamid Sultan Marakkayar. |
| 14. Dr. P. Subbarayan. | 36. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 15. Rai Bahadur T. M. Narasimhaachari. | 37. Mr. T. M. Moidoo Sahib. |
| 16. Mr. P. Peddiraju. | 38. " Muhammad Moosa Sait Sahib. |
| 17. " A. Ranganatha Mudaliyar. | 39. " T. N. Bava Ravuttar Muhammad Sahib. |
| 18. " J. A. Saldanha. | 40. " K. Uppi Sahib. |
| 19. " M. Seetayya. | 41. Munshi Abdul Wahab Sahib. |
| 20. " M. R. Seturatnam Ayyar. | 42. Mr. Janab Muhammad Yahya Ali Sahib. |
| 21. " R. Srinivasa Ayyangar. | |
| 22. " Sami Venkatachala Chettiyar. | |

Neutral.

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|-------------------------------------|---|
| 1. Diwan Bahadur M. Krishnan Nayar. | 3. The Raja of Ramnad. |
| 2. Mr. B. Ramachandra Reddi. | 4. Rai Bahadur Sir K. Venkatarreddi Nayudu. |

59 members having voted *for* and 42 *against*, 4 remaining *neutral*, the Amendment was declared carried.

4-15 p.m.

Mr. S. SATYAMURTI:—"Mr. Deputy President, I take it, Sir, that my proposition has been practically defeated by the acceptance of the Amendment that has been brought forward just now. The very fact that Government benches solidly voted for the Amendment is an eloquent commentary on the fact that the Reserved half knows how to treat the Transferred half. What the exact effect of this Amendment is that the Government are asked to incur no further liabilities in regard to the British

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Empire Exhibition. As the hon. the Minister for Development has practically said what the liabilities are that have been incurred already, my hon. Friend, Mr. Tanikachala Chettiyar, is satisfied of having done something by introducing a verbal alteration in the original Resolution without having anything effective at all. But I do not congratulate him on his embarking on this unworthy attempt, because he torpedoed this attempt to give expression to the feelings of our countrymen without having the courage to face the House and tell the honest and manly truth, viz., that he wants us to take part in the Exhibition. This act of his getting behind and putting before the House something, as though there was some motive behind it, is certainly unworthy.

"Now, with great respect to the speech of my hon. Friend, the Minister for Development, I may say that he delivered his speech without any passion or feeling and in a most prosaic way and I must say this: that he failed in giving a proper lead to this House which he is bound to do. It is up to him, as being in charge of the Transferred Department of Industries, to have told this House whether he accepts the Amendment or not. I ask him in all seriousness whether it is a right thing that a private Member's Amendment should be allowed to be carried by the Ministerial benches, without the Minister rising in his place and saying 'yes' or 'no' even to the necessary question of my hon. Friend Mr. C. R. Reddi. Therefore I say that the Resolution is in a most mutilated form which will give no effect to the feelings of this country, because the only effect of this Resolution will be that no further liabilities which are necessary are to be incurred for the carrying on of the Exhibition. I submit that this is a most unfortunate thing and I do want this House to remember that, whatever we may do and whatever we may not do in this matter, the feeling of the country is absolutely settled on the matter. Some of those who may face their constituencies may say that they have done something with regard to this Exhibition in that the Government accepted the Resolution that no further liabilities shall be incurred. Some of us will go and say that they have done nothing—it is even worse under the present Resolution. I do therefore appeal to the House to remember whether it is right that a Resolution which was intended as an honest expression of honest feeling entertained by all classes of political parties, by all Indians, official and non-official, should have been treated in this fashion.

"Speaking on the Resolution by way of reply, I do not think I really can say anything in reply. My hon. Friend, Sir Reddi Nayudu, took up the strangest position, attacked with all the vehemence and with much greater eloquence than my humble self my Resolution, and, perhaps suddenly, when the voting time came, cold feet overtook him and he could not make up his mind one way or the other."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"It is not, if I may say so, that I could not make up my mind one way or the other."

Mr. S. SATYAMURTI:—"This is not a point of order, Sir."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU:—"It is not a point of order. But it is a question of personal explanation. I was charged that I could not make up my mind. I did not make up my mind because I thought that it was not the proper time and that I might give my vote when the next question came up."

At this stage, the hon. the President took the chair,

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Mr. S. SATYAMURTI:—"I was under the antiquated impression that the time when a man could give expression to his opinion for a certain question was at the time of voting for that question, and not in advance or afterwards. However, I am thankful to my hon. Friend, Sir Reddi Nayudu, that there are opinions which hon. Members can entertain but which are not to be expressed at the time of voting; and I hope I shall never practise it myself.

"Apart from that, I want this House to understand that the way in which this Resolution has been changed simply means this: that no further liabilities ought to be incurred by the Madras Government with regard to the British Empire Exhibition. Now with regard to the past expenditure, the hon. the Minister for Development began by giving us some figures, but apart from these figures which are an eloquent commentary upon these great liabilities, viz., that they have collected already about Rs. 54,000 or about that sum from the Exhibitors for the space allotted to the Madras Court in the British Empire Exhibition, and that we have to pay 'a good round sum', whatever that phrase may mean, I do not think he has given us any good idea as to what it is meant by saying that no further liabilities will be incurred. But on the main question, Mr. President, I challenge the Minister to give this House an idea as to what is the profit in rupees, annas and pies which he expects if he advises the House to vote for the Exhibition. I venture to submit that he has given us no answer whatever.

"If there is any doubt in any part of the House as to the object of the British Empire Exhibition and that it is intended for any material benefit to India, I shall, with your permission, Sir, quote a few sentences from the speech which the hon. Sir K. Venkata Reddi Nayudu delivered when he moved a Resolution in this House in September 1922 regarding the British Empire Exhibition. This is what he said:

"Even persons occupying the highest places and expected to know more about the affairs of this land seem to be under the impression that the people of this country are something which they are really not. I can only mention one thing, namely, that the heart of this country is sound as sound as it ever was and as it ever would be. Impressions seem to have gained in England that something is wrong with the people of this land at least a portion of it. I do not deny that there will always be elements which will move in peculiar groove. And if only to show to England that we are all right, that we are loyal to the core (whatever that phrase may mean) and that the people of this country are prepared to stand by the Empire and as part of the Empire, I say it is necessary that we should take part in this Exhibition."

"After this pronouncement, Mr. President, it is hypocritical of any one to suggest that our participation in the Exhibition is certainly not for expressing our loyalty, but for getting rupees, annas and pies. Surely this attempt to get us to participate in the Exhibition in a half-hearted manner or full-hearted manner simply means that you are willing to wound but afraid to strike. I really do not know what I am to do just now. I am in this peculiar position. I am not willing to vote on this Resolution one way or the other. I shall only resume my seat and I leave to the Members of this House either to accept the Resolution or reject it. For myself, I am absolutely indifferent as to the fate of the Resolution inasmuch as it has been torpedoed. I do not influence any one in this House to allow this Resolution to be carried, so that they may say they have done something. They have done nothing and the world knows that the Madras Council in this matter of national honour and dignity stuck to their old antediluvian opinions and did not give their honest vote on this national question. I shall only suggest to hon. Members on this side of the House, if I may be so presumptuous as

[Mr. S. Satyamurti]

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to advise, to keep themselves neutral and leave the Ministerial benches to carry this ineffective Resolution. It will deceive nobody except themselves, and not the wide world at all."

Mr. Samuel then rose up to speak.

The hon. the PRESIDENT:—"Has not the hon. Member already spoken?"

Diwan Bahadur P. KESAVA PILLAI:—"He spoke of course on the Amendment."

The hon. the PRESIDENT:—"Mr. Satyamurti closed his speech. It is the reply and the final reply. Does the House want to continue the debate?"

Voices of 'no' 'no'.

4.30 p.m. A poll was then taken on the amended Motion, with the following result:—

Ayes.

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|---|---|
| 1. The hon. the Raja of Panagal. | 21. Mr. K. V. Ramaiahari. |
| 2. " Rao Bahadur A. P. Patro. | 22. Rao Bahadur A. M. Murugappa Chettiyar. |
| 3. " Diwan Bahadur T. N. Sivagnanam Pillai. | 23. Mr. C. Muttayya Mudaliyar. |
| 4. Mr. S. Arpudasmami Udayar. | 24. " K. S. Ponnuswami Pillai. |
| 5. " Ari Gowder. | 25. " K. Raghunandhra Bellala. |
| 6. " S. B. Y. Ankinadu Prasad Bahadur. | 26. " P. Raman. |
| 7. " P. K. S. A. Arumuga Nadar. | 27. " A. Ramaswami Mudaliyar. |
| 8. " A. V. Banaji Rao. | 28. " P. Sagaram. |
| 9. " N. Devendrudu. | 29. " K. Sarvarayudu. |
| 10. Diwan Bahadur Sir P. Tyagaraya Chettiyar. | 30. " K. Sitarama Reddi. |
| 11. Rao Sahib S. Ellappa Chettiyar. | 31. " R. Srinivasan. |
| 12. Rao Bahadur P. C. Ethirajula Nayudu. | 32. " Chavadi K. Subrahmanya Pillai. |
| 13. Mr. P. V. Gopalan. | 33. " J. D. Samuel. |
| 14. " B. Mahabala Hegde. | 34. Diwan Bahadur K. Suryanarayanamurti Nayudu. |
| 15. Rao Bahadur K. Krishnaswami Nayudu. | 35. Rao Sahib T. C. Tangavelu Pillai. |
| 16. The Zamindar of Kurupam. | 36. Rao Bahadur O. Tanikachala Chettiyar. |
| 17. Honorary Lieut. Madurai. | 37. Mr. K. Venkatachala Padayachi. |
| 18. Mr. T. Mallesappa. | 38. " M. Ratnaswami. |
| 19. " P. N. Marthandam Pillai. | 39. " W. Vijayaraghava Mudaliyar. |
| 20. " B. Muniswami Nayudu. | 40. " Virappa Chettiyar. |

Noes.

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|-------------------------|---|
| 1. Mr. H. Tireman. | 5. Mr. K. Prabhakaran Tampan. |
| 2. " C. R. T. Congreve. | 6. The Raja of Ramnad. |
| 3. " A. J. Leach. | 7. Rai Bahadur Sir K. Venkatarreddi Nayudu. |
| 4. " C. E. Wood. | |

Neutral.

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|--|---|
| 1. Mr. E. W. Legh. | 17. Rao Bahadur C. V. S. Narasimharaju. |
| 2. " C. Madhavan Nayar. | 18. Mr. P. Siva Rao. |
| 3. Dr. John Mathai. | 19. " A. Chidambara Nadar. |
| 4. Mr. P. L. Moore. | 20. " K. Koti Reddi. |
| 5. " G. F. Paddison. | 21. " J. Kuppuswami. |
| 6. " J. A. Davis. | 22. " P. Anjaneyulu. |
| 7. " C. Nicholson. | 23. Sriman Biswanath Das Mahasayo. |
| 8. " D. Appavu Chettiyar. | 24. Mr. S. Muttayya Mudaliyar. |
| 9. Diwan Bahadur M. Krishnan Nayar. | 25. Dr. P. Subbarayan. |
| 10. Mr. B. Obalesappa. | 26. Rai Bahadur T. M. Narasimhaacharu. |
| 11. " B. Ramachandra Reddi. | 27. Mr. P. Peddiraju. |
| 12. Diwan Bahadur P. Kesava Pillai. | 28. " A. Kanganatha Mudaliyar. |
| 13. Rao Bahadur C. Natesa Mudaliyar. | 29. " J. A. Saldanha. |
| 14. Rao Bahadur T. A. Ramalinga Chettiyar. | 30. " M. Sitayya. |
| 15. Mr. C. Ramalinga Reddi. | 31. " M. B. Seturathnam Ayyar. |
| 16. Rao Bahadur A. S. Krishna Rao Pantulu. | 32. " R. Srinivasa Ayyangar. |

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Neutral—cont.

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| 33. Mr. Sami Venkatachalam Chettiyar. | 43. Mr. Abbas Ali Khan. |
| 34. " C. V. Venkataramana Ayyangar. | 44. " G. Abdulla Ghatala Sahib. |
| 35. " S. Satyamurti. | 45. " Abdul Hye Sahib. |
| 36. " T. Adinarayana Chettiyar. | 46. " Hamid Sultan Marakkayar. |
| 37. " C. Maruthavanam Pillai. | 47. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 38. " U. Rama Rao. | 48. Mr. T. M. Moidu Sahib. |
| 39. " G. Rameswara Rao. | 49. " Muhammad Moosa Sait. |
| 40. " P. C. Venkatapathi Raju. | 50. " J. N. Muhammad Sahib. |
| 41. " Venkatarama Ayyar alias Pantulu Ayyar. | 51. " K. Uppi Sahib. |
| 42. " B. Venkataratnam. | 52. Munshi Abdul Wahab Sahib. |
| | 53. Jeneb Muhammad Yahya Ali Sahib. |

40 voted for and 7 against, 53 remaining neutral.

The Motion (No. 8), as amended, was declared carried.

When the result of the poll was declared, Mr. C. RAMALINGA REDDI rose up and said:—"Mr. President, can the neutrals have it if they are in a majority in regard to the voting on this Resolution?" (Laughter and cheers from Opposition benches).

Dr. P. SUBBARAYAN:—"May I say, Sir, that armed neutrality has been successful?"

Since Mr. Rameswara Rao's Motion No. 12 on the agenda was identical with that of Motion No. 6 which had been postponed for further consideration to the 13th December, it was not taken up.

IMPROVEMENT OF WORKS OF IRRIGATION IN NELLORE DISTRICT.

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

9. That this Council recommends to the Government to take special steps for the improvement and extension of works of irrigation in the Nellore district.

"Before I take this Council into a detailed consideration of some of the irrigation projects affecting the Nellore district, I think it is but proper that I give an idea as to the extent of irrigation facilities in the district at present. After giving an idea to this House of the extent of irrigation facilities in my district and after giving an idea of some of the irrigation projects which have been under consideration at least since the publication of the report of the Irrigation Commission of 1901-03, I will try to place before this House certain problems which stand in the way of the carrying out of the irrigation projects, with the full hope that the hon. the Member for Irrigation will be in a position to find adequate remedies to deal with such difficulties. So far as the Nellore district is concerned, it covers a very wide area of about 8,000 square miles without adequate provision for irrigation and I shall show presently that the cultivated area in the district is much less than the presidency average either in results or in respect of provision for irrigation facilities. At present, it will be found, that so far as this district is concerned, out of a total of 51 and odd lakhs of acres, the cultivated area is about 12'90 acres which works out only to 25 per cent of the total area as against the presidency average of 42 per cent. If we take into account the area commanded by works of irrigation, it is only 6 per cent as against the presidency average of 8 per cent. Again, if you take into account the extent of lands irrigable, it is only 5'8 per cent as against 7'9 per cent for the whole presidency. Among the main irrigation works in the district, apart from some minor works, the most important are what are known as the Pennar River

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Canal system. These works were completed with about 18·6 lakhs and about 67·34 lakhs of rupees have been already realized which means a surplus revenue of 57 lakhs. I am mentioning this figure to show that so far as the irrigation revenue from that district is concerned, it has been realized fairly reasonably and it has been showing a net profit year after year. The interest on capital outlay on the works of irrigation was calculated to the end of 1916-17 at 3·32 or three and one-third per cent, whereas from that year there was an increase to 6 per cent with the result that interest on capital outlay alone came to a very large sum. We will find that upon these irrigation works only there has been a net profit of 3·57 per cent. Notwithstanding the existence of these works, the Irrigation Commission which examined this question at considerable length in 1901-03, made various proposals for the purpose of improving irrigation in the district. They found upon inquiry that next to the Ceded districts, Nellore should be classed among those which are often visited by famine and made various proposals for the purpose of improving the irrigation of the district. They suggested among other things a re-investigation of the Tungabhadra project so as to benefit the Ceded districts as well as the Nellore district and they also suggested the feasibility of constructing other storage works for the river Pennar. I have taken into account the various works of irrigation which have been under investigation from 1901-03 and I find that though various works were investigated from time to time, though at a certain stage it was hoped that it would be possible to investigate them in a manner so as to bring some works into existence, several of them had either to be given up or had to be abandoned for various reasons. Among others, will be found four schemes; one known as the Paidemernu scheme, by which it was proposed to excavate a surplus channel from the Kanigiri reservoir, was under consideration and nothing came out of it. A scheme known as the Sarvapalle project which was irrigating an extent of about 11,200 acres and which was expected to irrigate a further extent of about 7,000 acres, was also abandoned on the ground that compared with its cost the results would not justify a further investigation of the scheme."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" May I correct the hon. Member, Sir? This scheme was abandoned as it was found that in years of short supply, little or no water would reach the extension of ayacut proposed and that the project would fail in seven years out of twenty."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" That is so far as the Sarvapalle project is concerned. There is another project known as the Boggeru project estimated to cost about 9½ lakhs intended to secure supply to two tanks in the western portion of the district, viz., Atmakur and Vasili, the idea having been to construct a new supply channel also. That was abandoned on two grounds. One was that it did not satisfy the conditions of productive work and the other was that the old ayacut might be benefited by the supply. There was another project which was taken up at a cost of about 11½ lakhs of rupees known as Surnamukhi project from which it was expected that several portions of the Venkatagiri estate would be benefited. It was also abandoned as the cost of construction would be very high and the return would be low and that the zamindars themselves did not recommend its continuance. The main reason so far as two of these projects are concerned was that it did not satisfy the conditions of productive work. After investigating these four projects which were abandoned for various reasons, we find that there are six other projects which according to Mr. Morgan's report are supposed to be

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still under investigation. An examination of the conclusions arrived at by him would show that there is not much hope of carrying out those projects to successful termination unless some difficulties which stand in the way are encountered. After examining the conditions of the district and the various projects it is stated that the four projects would require still further consideration. One is what is known as the Atleru reservoir, another is Gandipalem reservoir, another is the Pulikonda reservoir, the other is Rallapad reservoir, the fifth is the Mopad and Machavaram tanks, and another and important one is the Vengalapuram reservoir. So far as the last is concerned there is a further history behind it which would show that the Agricultural Department made some enquiries in 1918 as to whether the villages would be prepared to pay a proper water-rate of Rs. 12½ per acre to enable the Government to proceed with the project. The enquiry was made and the Director of Agriculture was satisfied from the enquiries that 17 out of 31 villages were willing to pay that rate. Notwithstanding this circumstance it has not been found possible to make further headway with that project. Sir, having given a brief outline of some of the projects which were investigated and in some cases abandoned and in some other cases still under investigation, I wish to point out that unless the hon. Member for Irrigation takes into his head to solve some of the difficulties which will be created in the way of carrying out these projects he would not be in a position to show satisfactory results in the way of extension of irrigation. One of the chief obstacles which have been created is the classification."

The RAJA OF RAMNAD :—" I think there is no quorum."

The hon. the PRESIDENT :—" Yes, there is."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" The chief difficulties which have to be solved before there can be any extension of irrigation in this district, notwithstanding all the good intentions of the Government, are these: there must be a better system of classification between productive and protective works. In considering whether a work is to be classified as productive or protective the nature of the tract which the work is intended to serve must be specially taken into account. I may point out that so far as the Nellore district is concerned the various irrigation projects are calculated to serve some of the dry tracts. I may draw the attention of the hon. Member for Irrigation to the fact that the rainfall in these taluks is much lower than in other portions of the district. If the average rainfall in those tracts where some of the projects are intended to be put into operation be taken into account, it will be found that they must show special consideration to those dry taluks which are liable to be affected by famine."

"The second point to which I wish to draw the attention of the hon. Member for Irrigation is this: to require that in the case of capital outlay it should carry an interest of about six per cent will practically impede the projects of several of the irrigation works. I quite realize that it is not possible to carry out new irrigation projects at the old water-rate. It is quite reasonable to require that they should be prepared to pay a reasonable water-rate for the purpose of getting water from these new irrigation works. If the Government should go to the length of saying that on all irrigation works undertaken hereafter at a heavy cost they should get an interest of six per cent on the capital outlay while till 1916-17 they wanted only 3½ per cent, I think they would be practically denying justice, and it would impede further extension of irrigation. It will also be remembered that at the time of the investigation of the Vengalapuram project Government considered that, instead of a wet

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rate of Rs. 4 per acre, Rs. 12½ might probably induce them to take up the work. Investigation showed the willingness of 17 out of the 31 villages to pay that rate. Notwithstanding their willingness to pay at the enhanced water-rate which is three times the original rate, is it fair, reasonable or just that they should be called upon to bear an additional burden? Unless the Government are in earnest in their efforts to carry out these irrigation projects, taking the circumstances of each tract into consideration, and fixing a reasonable water-rate with due regard to the economic value of the land and its crops, I am quite certain that much headway in the execution of these irrigation works cannot be made.

"There is another way of looking at this which might commend itself to the consideration of the hon. Member for Irrigation. There are some districts in which there has been a surplus irrigation revenue. In Nellore we have 57 lakhs of rupees. Why should we not take the district as a whole as one unit and take the irrigation revenue realized into consideration? If we then calculate the percentage I am quite certain it will be high. The hon. Member for Revenue visited Nellore district and at an informal conference for the purpose of seeing whether it is possible to make further progress regarding the irrigation works said that he would consider the possibility of giving effect to them. When the landholders of a particular district have paid large sums of money according to the established rates as irrigation revenue, why should not the sum paid in excess of the prescribed rate of interest upon the capital outlay at six per cent be utilised for the purpose of extending irrigation in that district? I have stated that there is a surplus of two or three lakhs of irrigation revenue from the Pennar water-works. Instead of making persons who are likely to be benefited by the new irrigation works, such as Vengalapuram reservoir or Gandipalem reservoir, pay prohibitive water-rates, it would be fair and just if the whole irrigation revenue is taken into consideration. I would, therefore, say that there is not much use in investigations being carried on in respect of these irrigation projects unless the Government will take a bold step forward and solve some of the difficulties. It was pointed out by the hon. the Member in charge of Irrigation in reply to the hon. Member from Coimbatore that all these irrigation projects have been investigated, that Mr. Morgan's report is ready and that hon. Members interested could make further examinations. I am sure that no further examination of the proposals under the circumstances in which we are placed would satisfy us unless these irrigation projects are pushed through in one or other of the ways I have suggested.

"The Government must fix the water-rate at a lower rate of interest, and take the full responsibility for carrying out these projects. In differentiating irrigation works intended to serve a particular locality, they must see whether conditions of production are to be enforced or not. They must at least take the revenue from the whole district into consideration and set it against the interests of the new irrigation projects. Unless modifications on these lines are made, such investigations which have been going on from the time of the Irrigation Commission, during the last 20 years, and any further investigation which may go on, will not be able to produce any tangible results.

"I therefore press on the hon. Member for Irrigation, who, I am sure, will take it into his head that during his tenure of office he will do something to extend the irrigation of the district, and try to tackle this problem not by

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mere investigations, but by grappling with the financial aspect of these projects. Some at least of these projects must be put into operation as early as possible. With these few words, I move the Resolution."

Mr. J. D. SAMUEL :—"Mr. President, Sir, I have great pleasure in seconding this Motion."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"Mr. President, Sir, if the hon. Member who had spoken will take out the word 'special' I shall accept the Resolution, for the simple reason that the Government have been taking steps already for the extension of irrigation in the Nellore district. I shall endeavour presently to supply certain facts to this House. Nellore is specially fortunate in that respect, and the position is this. If hon. Members will look into the 'Review of Irrigation in India' recently published, they will see how far Nellore, as compared with other districts, has advanced. The Mopad project in the Nellore district irrigated 800 acres in 1920-21 and 2,048 acres in 1921-22, the total outlay being 22.90 lakhs. The Vengalapuram project has been under the consideration of the Local Government and I may at once complete my remarks on that by saying that it is not in the same nebulous state of consideration, but we are pushing ahead with the work and you may take it that before long it will be completed.

"Let us, for a moment, consider what Vengalapuram project means. It means that the capital cost of the project is estimated at 34 lakhs, including the direct and indirect charges, and the net revenue represents a return of a very low percentage indeed as will be seen from Mr. Morgan's report. The Kaniyampalayam project also in the Nellore district was completed, the outlay to the end of the year being 1.21 lakhs. There are many other projects under consideration by the Government. Some of them which have been mentioned by the hon. the Mover had to be abandoned. He referred to four examples. The Pyderu scheme was abandoned, the cost being considered to be absolutely prohibitive, whatever interest we might fix, not only 6 per cent but even a lower rate of interest. The Sarvapalle project has been abandoned as it was found that in years of short supply little or no water would reach the extension of ayacont proposed and that the project would fail in seven years out of twenty. The Boggeru project was abandoned because the project does not satisfy the conditions of a productive or protective work, and in different years the old ayacont alone would benefit by the increased supply. The Swarnamukhi project was abandoned as even the zamindars concerned recommended the abandonment.

"I do not propose to relax the efforts made by the Government in the matter of pushing on the projects in regard to Nellore. And therefore I shall accept the Resolution if the word 'special' be omitted from it. The reason why I lay emphasis upon that is that there are many districts, the Ceded Districts especially, whose needs are so great that I do not desire to have a commitment by me to the effect that there would be a prior charge, so to say, in favour of Nellore district, over the other districts. We know exactly what conditions prevail just now in Bellary and other districts which are in a very bad way and require preferential treatment. It is for that reason and in order to guard against any undertaking or pledge that Nellore will have preference, that I say that I shall accept the Resolution if the word 'special' is omitted from it.

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"Then my hon. Friend from Nellore made some remarks on the general manner in which irrigation programmes are put through. He wanted a change of classification and he also referred to the water-rate. Now, I may mention that the Vengalapuram reservoir itself stands in this position. The estimate has been revised by the Projects division. The revision has been completed by the Chief Engineer for Irrigation, but the project has been deferred till the general question of water-rate assessment is finally settled. Wherever we may turn, we are back on the one and overmastering problem of the question of the water-rate and of a general irrigation law. Many of these schemes have been held over for that purpose, but so far as the Vengalapuram project is concerned, there will be absolutely no avoidable delay in pushing it through.

"So, Sir, I have great pleasure in accepting the Resolution if my hon. Friend the Mover will consent to omit the word 'special'. Otherwise I am afraid I cannot."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"Sir, I am rather embarrassed by the hon. the Law Member, the Member for Irrigation, consenting to accept the Resolution with the omission of the word 'special,' as if the word 'special' would create special difficulties in the way of his doing what otherwise he would be in a position to do."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I did not say that, Sir. I only say that if I accept the Resolution as it is, I must give preference to Nellore over other districts, which I cannot undertake."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"It is quite natural that in bringing his remarks to a close he should have pointed out that if the Resolution is accepted with the word 'special', it might mean preference to Nellore as against other districts, and naturally in a Council where there are inter-district considerations also, for he stated the case of the Ceded Districts."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Far be it from me, Sir, to play on any inter-district rivalries. All that I say is that I am more concerned with some irrigation programmes, and to see that they are pushed through first of all."

Rao Bahadur A. S. KRISHNA RAO PANTULU:—"I only wish to draw his attention to the fact that regarding the many schemes to which he has drawn the attention of the Council, they have been under consideration and they reached a certain stage from which they have not made any progress. I have before me Mr. Morgan's report which shows that in the case of the Vengalapuram reservoir, we find that it reached a certain stage some ten years ago and much progress has not been made since then. If I have mentioned the progress of the several projects, it was only for the purpose of drawing the attention of the hon. the Law Member to the fact that having allowed investigations to reach a certain stage, it is but desirable that further and greater progress should be made in regard to them. But I do not want to handicap the hon. the Law Member's discretion in any way in this matter, and I am quite sure that he is equally interested in the extension of irrigation in a district which next to Ceded Districts is suffering most from famine and drought, and the pushing through of the schemes as early as possible. Without handicapping him in any way, I have no objection to the word 'special' being omitted from the Resolution."

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The Motion with the word 'special' omitted therefrom was then put to the House and carried.

LEVY OF A FEE ON LANDS TO BE INCLUDED IN THE AYACUT REGISTERS.

Mr. P. PEDDIRAJU:—"Mr. President, Sir, the Motion that stands in my name runs thus:—

10. *That this Council recommends to the Government that notification No. 151, 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.*

"I formally move this Resolution, Sir, and at the same time I crave the permission of this House to get this adjourned to some day in February, that is, to a day in the February session, because I had a talk with the hon. the Law Member, and as Government have not got sufficient information, we agreed to postpone the discussion of this Motion to the first day in the February Session. So I crave the leave of the House to adjourn this matter. Even if there is no non-official day in the February Session, the hon. the Law Member has promised to give a day for this Resolution."

Mr. M. Seetayya seconded the motion.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The hon. Mover was kind enough to come and discuss the whole matter with me, and he has placed certain considerations before me and the Chief Engineer, which are worthy of careful scrutiny. And I told him that if I was convinced of his arguments, we would take certain action, and therefore I asked him to get this Resolution adjourned, and he has been courteous enough to do so. And with the consent of the House, I shall be glad to consent to the adjournment in the manner proposed. I may say that if the matter has to be discussed at all, it will be discussed in the February Session, but it is hoped that it may not become the subject of discussion."

The Motion for adjournment was put to the House and carried.

The House then adjourned (5-10 p.m.) to meet again at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

APPENDIX A.

[Vide page 309 supra]

NOTE FOR THE EXCISE ADVISORY COMMITTEE.

The time has now come for the Committee definitely to decide upon its policy in the matter of temperance, and to enable it to do this I have placed before it two documents which I commend to the earnest attention of members. The first is a pamphlet prepared by Mr. Strathie. In this he sets out the past history of many events connected with the development of the excise system in Madras (with which members of the public generally are not acquainted) and proceeds to examine in the light of them the

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various efforts towards making people temperate by legislative enactment that have been made in other countries. In the second set of documents Mr. Strathie and Mr. Shanmukham Chettiyar have examined the details of certain items in the temperance programme of other provinces. With the aid of these two sets of documents the committee have before them what they have not had till now, the materials for a decision on the policy of the future.

2. In framing an excise policy, we have to consider two sets of measures. The first set aims at a direct check upon consumption. The object of the second is an indirect check and it includes a variety of measures, many of them being the outcome of conditions peculiar to particular countries.

3. The measures of the first kind are divided by one of the leading temperance writers, Dr. Gould, into three classes, namely, (1) prohibition, (2) local option and (3) high licence. These are really in essence three stages of the same thing, prohibition, and it will be well to begin by considering the final stage. The questions that arise are—

- (a) What is prohibition?
- (b) Is prohibition justifiable?
- (c) Is prohibition practicable?

4. It is necessary to be quite clear as to what we mean when we talk about prohibition, because different meanings attached to this word in different countries have led to a good deal of misunderstanding. Prohibition may be either of sale for consumption on the premises, or of all sale, or of sale coupled with transport, manufacture, import and possession, or with some or any of them. Confusion between the various meanings is apt to lead to ludicrous results: as for instance when people were at one time asked to learn a lesson in prohibition from New Zealand where the prohibition actually enforced was only prohibition of sale for consumption on the premises, and the proportion of liquor licences to the population is many times larger than the proportion in Madras. For the present purpose it is proposed to define prohibition as complete prohibition or prohibition of sale, transport, manufacture, import and possession.

5. Such prohibition is undoubtedly an interference with individual liberty. It is often urged that such interference is justifiable on the ground that indulgence in liquor by an individual may become a nuisance to the community. But the question remains whether it is justifiable to interfere with the personal liberty of one man who takes his liquor in moderation because another makes himself a nuisance to the public.

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6. When we come to the question of practicability, we are on surer ground. No country in the world has attempted to carry complete prohibition into practice. Even in America possession of old stocks is still permissible.

Mr. Strathie's pamphlet illustrates the results of attempts made in certain countries in the direction of modified prohibition. In the more complete form it is being attempted only in America, as regards which country every fresh writer gives a new opinion.

7. As to its practicability in India, there can be less difficulty in arriving at a decision. It is quite clear that in the most advanced countries the success of prohibition needs the steady pressure of enlightened public opinion. Another essential is a respect for law and the presence or absence of facilities for illicit manufacture will be a large factor. Here respect for law has been considerably disturbed by the non-co-operators, and while in the irrigated districts a large proportion of the population can draw toddy in their own backyards, in other areas like the Ceded Districts illicit distillation is already so common that a law prohibiting licit sale, it is feared, would merely mean the transfer of the whole of the trade to the illicit distillers. Then again a prohibition law is useless unless the State is prepared to enforce such a law. This implies the upkeep of a large and expensive staff with no corresponding revenue to meet its cost. If prohibition is to be complete, it implies giving power to the staff to enter and search private houses in search of liquor. It is doubtful how far the public will submit to such an extreme measure. There can be little doubt, whatever view is taken as to its propriety, that prohibition is not a practicable proposition in Madras at present.

8. The next stage is local option, which has been defined as prohibition in its more logical form. This definition, however, has been found to be somewhat fallacious in practice. Logically it may be desirable that the people of a neighbourhood should say whether they will have drink shops or not. But the practical effect of such logical dealing with the question has been found to be that the neighbourhoods where drunkenness does not prevail are ready to prohibit in order to keep themselves respectable, while those where drunkenness does prevail are ready to retain their shops, with the result that the evil is only intensified where it exists. Again the existence of 'dry' and 'wet' areas side by side creates a problem which it is very difficult to solve: either transport from the 'wet' to the 'dry' areas has to be prohibited and a staff maintained to enforce prohibition, or in spite of the closure of shops, liquor will be freely obtainable from neighbouring areas. Even if this system had proved successful where it

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has been tried, it is very doubtful whether it could be made a practical success in Madras for the reason that this system again needs a large educated electorate which does not yet exist in this Presidency. In this connexion, I would invite the attention of the committee to the fact that in Scotland the voters numbered about 50 per cent of the population, whereas in Madras the voters under the Bill published some time back amount to about 5 per cent of the population, being composed very largely of persons who by caste and religion are opposed to the taking of alcoholic liquor.

9. There remains the third stage in the process, that is, high licence. It is suggested in the pamphlet that that is identical with the Government of India's policy of a maximum revenue from a minimum consumption. I do not regard it so. That policy, of course, involves a contradiction in terms; and it has two objects, viz., increase of revenue and reduction of consumption. The proper policy, I submit, should be to have the reduction of consumption as the only objective and to use the steady pressure of high taxation as a means to the end. Such a policy was adopted in America in the years prior to 1920 as witnessed by the extracts quoted below:—

"High licence is the method most in favour for large cities where restrictive measures have been practised at all. Advocates claim that it is the only effective form of control as demonstrated by experience. It may be applied to places where prohibition and local option would both fail, and it reduces the number of public houses within measurable limits, both as to number and geographical situation.

"It is true that, when a really high-licence fee has been charged, dram-shops have notably decreased." [Dr. Guild's *Popular Control of the Liquor Traffic*.]

"The high-licence system in the United States is practically the creation of the last thirty years. Up to 1880, a licence duty of \$200 (£40) was considered high. The system originated in the State of Nebraska, by the enactment of the so-called "Slocumb" law in 1881, which fixed the State licence duty at a minimum sum of \$500 (£100) in towns of less than 10,000 inhabitants, and \$1,000 (£200) elsewhere. The example of Nebraska was quickly followed by other State legislatures. In March 1883, the State of Missouri enacted the Downing law, which fixed a scale of licence duties ranging, for State and country purposes, from a minimum of \$600 (£120) to a maximum of \$1,200 (£240). In June of the same year, the Illinois legislature passed the Harper law, which fixed the annual duty at a minimum sum of \$500 (£100). Since then numerous other States have adopted the system."

"Although perhaps strictly a fiscal matter, high licence unquestionably achieves certain temperance ends. It "emphasizes the efficacy of natural and economic laws as an aid to Governmental regulation of the liquor traffic". Indeed it is probably true to say, as the thoughtful American writer just quoted has claimed, that in the United States 'the liquor traffic is

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generally taxed, in the several commonwealths, not primarily for the raising of revenue, but peculiarly for purposes of regulation."

"Bit by bit it was found that the high licence (duty) was improving the conduct of the saloons, and, as a natural consequence, that drunkenness was rapidly diminishing." The Mayor of the town of New Iberia (population 6,800) wrote to the *New Orleans Times Democrat* declaring that, since the cost of the licence was increased in his town from £20 to £200, the amount of drunkenness had been reduced by one-half, "and this took place in the period of ten years, although the town was constantly increasing throughout the period". Another town "has been able not only to reduce crime in its midst, and also to bring drunkenness down almost to vanishing point, but out of the funds which have accrued from licensing it has built a high school for boys and a public market, and has purchased outright its gas and water plant, so that these necessities are supplied at a price unequalled in the States."

"In twenty-two towns the revenue which has accrued for municipal purposes amounts to something like £64,000; while in New Orleans, which has four times the population of these twenty-two towns, and six times as many saloons, 'only half as much money is brought to the revenue, and the amount of crime and drunkenness in comparison is appallingly to the disfavour of the great city'. It is probable that other causes have contributed to the diminution of drunkenness in the small towns, and, in any case, strict comparison is not possible between small towns and large cities, but it is matter of experience that the stamping out of small and ill-managed saloons is not without its effect upon intemperance, and the chain of testimony in this instance is certainly remarkable. We are, however, here concerned with high licence solely from the point of view of fiscal justice. The licence duty in the small towns of Louisiana varies considerably. In Mansfield, which is strictly a village with a population at the last census of 847, the duty is £700, and this is stated to be practically prohibitive. In one town, where a charge of £600 is levied, 'a successful saloon of high reputation is conducted, but there is hardly likely to be another'. On the whole, the licence duty 'which seems to be most successful is about £200,' and it is this amount which is now being suggested in New Orleans. It is calculated that at this rate of licence duty 'something like £200,000 would be added to the revenues of the city, this calculation taking into account the fact that a number of present existing saloons would not be able to pay the tax. Consequently, the result would be, if the experience of other towns in the State is any criterion, that the number of saloons would be considerably reduced, while the city would gain to the amount stated.'"

"Sometimes, as will be gathered from what has already been said, the duties in particular towns in America are deliberately made prohibitive. Thus, in the small town of Waycross, in the State of Georgia, where the population at the last census was only 5,919, the licence duty for saloons has been fixed during the last sixteen years at the impossible rate of \$30,000 (£6,000). Needless to say, no one has ever applied for a licence. On the other hand, apparently prohibitive rates of duty are not always actually prohibitive. Thus, in the small town of Charlottesville, Virginia, where the population in 1900 was only 6,449 the municipal licence duty for saloons was raised in

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1903 from £32 to £80. In addition to this sum each publican has to pay separate State and Federal licence duties, making a total payment of from £120 to £160 per annum."

"Naturally, these high duties act prohibitively in many districts, and this result is often deliberately aimed at. Thus in some of the Southern States there are rural districts where the licence duty is fixed at sums varying from £1,000 to £2,000 per annum, or even more. The State of Georgia offers a good illustration of the policy. In several of its distinctively rural countries a prohibitive licence duty has been imposed."

"It is one of the cardinal virtues of the high licence system that 'it recognizes the virtue of economic law and throws back upon such law the limiting of the number of drinking places.' In recent years attention has been concentrated upon schemes of compulsory reduction which propose to accomplish at the public cost what is properly the function of economic law. All such schemes are, in our judgment, indefensible, at least in the first instance. The matter is properly one of economic law, and costly schemes of compulsory reduction should not be resorted to until after the economic check of adequate taxation has been applied."—Messrs. Rowntree and Sherwell's 'Taxation of the Liquor Trade.'

That a policy of this kind can amount to practical prohibition will be obvious if we examine the result of the pressure of high taxation in the case of the import of English motor-cars, where the law of diminishing returns has operated with such efficiency that the import has practically ceased. The same policy was used during the war in England, and there can be no question whatever that it effected an enormous reduction in the consumption of alcoholic liquors, so much so that after the close of the war the duties on some of them were again reduced. It is here that my policy would differ from that of the British Government. Having established so healthy a reduction by the aid of the steady pressure of taxation, I should have maintained the taxes.

10. Consciously or unconsciously the British Government in India have carried the policy of steady pressure of high taxation to the point of largely extinguishing consumption in the case of certain intoxicating articles. In the case of imported spirits, for instance, the duty has risen by 213 per cent, in that of opium by 300 per cent, and in that of *ganja* by 300 per cent. In the latter two cases at least, I believe it would be very hard to find from the police records, jails or lunatic asylums any material evidence of injury to the community as a whole by overindulgence in opium or *ganja*.

11. The question is how this policy can be pursued in the case of intoxicating liquors; and here I should notice that India differs from every other country in the fact that excise duties on spirits are imposed, not by the Legislative body, but by notification of the

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Executive Government, and instead of being uniform for the whole country, vary from tract to tract. The reason for this is to be found in the fact that the imposition of an excise duty itself over the whole country is a comparatively new development, and that as in each area the supply of properly distilled spirit which pays duty takes the place of the locally distilled liquor, it has been found necessary to keep the tax down for a period as otherwise the small country distilleries which have been replaced would have been revived and would have sold spirits illicitly. The system of imposition of direct taxation, as I have said, has now been extended practically to the whole Presidency, and the next step clearly is to endeavour to equalize the rate of taxation in the districts where it is lowest to that where it is highest, and when that has been achieved to try to force that rate up to the rate for imported spirits. If these measures are supplemented by a vigorous campaign against illicit distillation, we may see a steady progressive reduction of consumption while we shall have at the same time the confidence, which we cannot have under any other system, that the supplies which we are cutting off are not being replaced by equal or larger quantities of spirits far more harmful to the consumers.

12. So much for the direct measures. The choice lies between a steady and slow reduction by the agency of an organized staff, and a policy which may prove to be nothing more than a pious aspiration coupled with an admission that evasion is inevitable. Let revenue go by all means as fast as we can replace it, but let our policy of reduction of consumption be one which we can gauge, measure and control and not one which merely looks well on paper and is unworkable in practice.

13. As regards the indirect measures I shall ask the committee to advise on these in detail. Some of these are applicable to Indian conditions; many of them arise out of conditions for which we have no parallel in India. Whatever may be said of the policy which has been pursued in the past by the former Government we have much to be thankful for in that we have a very limited number of manufacturers, whose operations and sales are under the closest control. Therefore, we have none of the troubles arising out of competition between sellers. Again, we have a complete separation of manufacture and vend which only those who know the terrible evils of 'tied houses' can appreciate at its full value. Again, we have no vested rights in liquor shops, so that we have been able to close a proportion unheard of in any other country without being involved in the portentous bills for compensation which present the first obstacle to temperance reform in England. Again, our public

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The Committee are of the opinion that the proposal should be accepted subject to the limitation of the maximum number of scholars to 20.

(8) Additional establishment of two clerks for the Registrar-General of Panobayats whose existing establishment consists of an head clerk, a second clerk and a third clerk.

The Committee desire that further information should be supplied as to the amount and nature of the clerical work in the Registrar-General's office.

II—SUPPLEMENTARY DEMANDS.

(1) The supplementary demand for the execution of urgent repairs to minor irrigation works.

The amount provided in the budget for 1923-24 is 5.99 lakhs. An additional allotment of Rs. 14,300 is required.

A supplementary demand may be moved.

(2) Charge allowance to survey officers.

The Committee advise that a supplementary demand should not be moved until the report of the Retrenchment Committee has been placed before the Council.

(3) Travelling and halting allowances to the members of the Irrigation Committee—Rs. 7,750.

A supplementary demand may be moved.

(4) Telephone charges incurred in connexion with the visit of His Royal Highness the Duke of Connaught. The expenditure was incurred in January 1921 and has in January 1923 been debited by the Telegraph Department to the Accountant-General, Madras—Rs. 2,558-9-0.

The expenditure may be sanctioned.

(5) The appointment of a committee to consider the question of standardization of jewellers' weights.

The Committee are of the opinion that, until the use of standard weights has been made compulsory, little advantage will be gained by standardization of weights. They therefore recommend that, unless the principle of compulsion is agreed to, the Committee should not be appointed, but would, if it is, treat the scheme as a Part II scheme for 1924-25 placing it in class II, and recommending an expenditure of Rs. 300 in connexion with it.

(6) Reclamation of the Allur swamp.

The Committee desire that a detailed financial estimate of the scheme and a detailed explanation of the technical difficulties underlying the scheme should be prepared and placed before them. In the meantime they are prepared to recommend that a sum of Rs. 12,500 may be expended on the construction of a flood bank to protect the land between affluent No. 1 and the Allur swamp road, but advise that no further expenditure beyond the Rs. 12,500 should be undertaken until the whole scheme has been approved. The proposed expenditure for the current year, viz., Rs. 10,000, may be met by reallocation.

(7) Increase of the demonstration staff of the Agricultural Department by appointing 13 additional demonstrators in the lower division and 15 in the upper division of the subordinate service.

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The Committee are not prepared to concede the advisability of increasing the staff in the current year and of moving a supplementary demand therefor. They therefore suggest that the question should be postponed for reconsideration by the present Minister for Development.

(8) Purchase of the Indian Law Reports, Rangoon series—Rs. 680.

The law reports may be purchased, the cost thereof being met by reappropriation and not by supplementary grant.

FORT ST. GEORGE,
3rd December 1923.

C. G. TODHUNTER.

THE MADRAS LEGISLATIVE COUNCIL.

Thursday, 13th December 1923.

The House met at 11 o'clock, the President (the hon. Diwan Bahadur Sir P. RAJAGOPALA ACHARIYAR, K.C.S.I., C.I.E.) 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.]

BANK.

The Imperial Bank fraud case.

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

(a) the circumstances, in full, under which Mr. Nugent Grant was permitted by the Government to assist the hon. the Advocate-General in the conduct of the Imperial Bank fraud case;

(b) whether the Crown Prosecutor was consulted in the matter, and if so, what his opinion was; and

(c) whether there is any precedent in Madras for an Advocate paid by a private party being allowed to assist the conduct of the case for the Crown?

A.—(a) In view of the complexity and importance of the case and the various interests involved the Government, whilst entrusting the conduct of the case to the Advocate-General, considered that he should have the assistance of other counsel who had assisted in the preparation of the case and was fully cognisant with the facts thereof.

(b) No.

(c) No.

Mr. S. SATYAMURTI:—"May I ask, Sir, a supplementary question whether the hon. the Law Member will be so good as to say whether the Crown Prosecutor's duties do not include appearing for the Crown in such cases and whether he is not paid for that purpose?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, the Crown Prosecutor's duties, strictly speaking, are confined to the Sessions, but normally he appears in the Magistrates' Courts also. He was asked to appear, but he declined to appear for reasons more or less personal to him."

Mr. S. SATYAMURTI:—"May I ask the hon. the Law Member to be so good as to state the reasons why a public officer refused to do a public duty which his predecessors and he have been normally doing?"

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The hon. Mr. C. P. RAMASWAMI AYYAR :—"I require notice of that, Sir ; and if a question is put in the proper form, a statement will be made."

Mr. S. SATYAMURTI :—"May I know, Sir, whether the hon. the Law Member thinks it is consistent with the statutory power vested in the hon. the Advocate-General, to enter a *nolle prosequi* in a Sessions case of this kind when it comes before the High Court, and also with the statutory power vested in him to grant a certificate for further consideration of points of law in Sessions cases and consistent with the interests of justice that a statutory officer of that position should be asked to conduct what is practically a private prosecution, although it is called a Crown case?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"There are delicate problems arising out of that situation in which the Advocate-General finds himself placed. But the uniform practice of every High Court in India is that in every heavy Sessions case the Advocate-General by right appears. It was after consulting those precedents that the hon. the Advocate-General was asked to conduct this very heavy case."

ESTATES LAND ACT.

Revision of the Madras Estates Land Act.

30 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU : Will the hon. the Law Member be pleased to state—

- (i) whether the Madras Estates Land Act was taken up for revision during the last term of the Council and, if so, when ;
- (ii) whether a committee was appointed to consider about amendments to the Madras Estates Land Act, and, if so, when ;
- (iii) when the committee began and concluded its sittings ;
- (iv) whether the committee submitted its report to the Government, and if so, when ; and
- (v) what action, if any, has been taken by the Government on that report ?

A.—(i) Yes, in March 1921.

(ii), (iii) & (iv) An informal committee of non-officials representing various interests was convened in October 1922 to consider a Bill drafted by Government. It held its sittings from the 4th October 1922 to the 23rd October 1922. The minutes recorded at their sittings were communicated to Government by the end of October 1922.

(v) Their recommendations were duly considered by the Government and the Bill has been revised which is now under the consideration of Government.

HIGH COURT.

Official Referee of the Madras High Court.

31 Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased to state the number of cases disposed of by the Official Referee of the Madras High Court for the last six months ?

A.—The High Court has been asked to furnish the figures.

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Increase in the number of Judges of the High Court.

32 Q.—Mr. S. SATYAMURTI : Will the hon. the Law Member be pleased to state whether the Government have received any proposal from the High Court for an increase in the number of Judges ?

A.—No formal proposals have been received as yet.

Mr. S. SATYAMURTI :—"May I know, Sir, if any informal proposals have been received by the Government to increase the number of Judges of the High Court?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"A suggestion which may mature into an informal proposal has been made."

Mr. S. SATYAMURTI :—"May I know, Sir, what, according to that suggestion which may mature into an informal proposal, the number of Judges to be increased is?"

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

IRRIGATION.

Total irrigable area of the Godavari delta.

33 Q.—Rai Bahadur Sir K. VENKATAREDDI NAYUDU : Will the hon. the Law Member be pleased to state—

- (a) what the ultimate area under the Godavari project is ;
- (b) how much of it is actually under irrigation at present ;
- (c) what is the extent irrigable but not irrigated ;
- (d) whether improvements to canals and channels cannot be effected to bring the area referred to in (c) above under irrigation ;
- (e) what would be the extra revenue that can be realized by Government by irrigating lands referred to in (c) above ; and
- (f) whether the shutters of the Godavari anicut cannot be improved (as already ordered in the case of Kistna anicut) so as to afford facilities for letting in more water into the canals in order to bring the lands mentioned in (c) above under irrigation ?

A.—(a) 840,000 acres.

(b) 782,659 acres.

(c) 57,341 acres.

(d) Yes. The subject is receiving attention.

(e) Information is not available.

(f) This will be considered in connexion with (d).

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—"With reference to my question 33 (e) the Government have given the answer. 'Information is not available'. May I ask, Sir, whether that information will be called for?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—"It can be called for and will be."

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LOCAL SELF-GOVERNMENT.

Gudur water-supply scheme.

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

- (a) when the water-supply scheme in Gudur, Nellore district, was taken up for investigation;
- (b) whether any wells have been constructed or other works carried out under that scheme, and, if so, at what cost;
- (c) what amount of money has been hitherto spent for the investigation of that scheme; and
- (d) whether the scheme has been abandoned, and if so, for what reasons?

A.—(a) A scheme for the supply of water to Gudur was first drawn up by the Sanitary Engineer in 1904. The source proposed having proved a failure on subsequent investigation, the Government ordered a further investigation of all likely sources of supply in 1909.

(b) & (c) Two suction wells were constructed in order to test the yield and quality of the water-supply. In December 1918, the Sanitary Engineer reported that the amount actually spent on the wells was Rs. 18,117 and that the work remaining to be done to complete the wells would cost Rs. 6,716. In February 1919, an estimate of Rs. 5,500 for completing both the suction wells and for putting down a boring in the centre of each of the two wells was approved by the Government.

(d) The scheme was dropped in June 1921, as the Gudur Union Board was reported by the hon. Member as President of the District Board not to be in a position to contribute anything towards the capital cost of the scheme which had risen from the original estimate of Rs. 1.13 lakhs to Rs. 3.46 lakhs. The President of the District Board was duly apprised of the fact.

Mangalore water-supply scheme.

35 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

- (i) in what stage the Mangalore water-supply scheme is at present, and whether any plans and estimates have been prepared and sanctioned;
- (ii) when the scheme is likely to be put into execution; and
- (iii) whether the Government are aware that typhoid fever is always endemic in Mangalore and that the cause is attributed mainly to lack of good water-supply?

A.—(i) & (ii) A scheme for the supply of water to Mangalore from the springs in the Hassamer valley has been under investigation for some time; proposals have been received from the Sanitary Engineer for continuing the investigation. These are now under consideration. Detailed plans and estimates have not yet been prepared for the scheme.

(iii) The Government have no information.

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Rao Sahib U. RAMA RAO:—"Will the Government be pleased to call for the information, Sir?"

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

Indigenous systems of medicine.

36 Q.—Mr. B. RAMACHANDRA REDDI: Will the hon. the Minister for Local Self-Government be pleased to state—

- (1) whether any provision was made in the budget for 1923-24 for the improvement of indigenous systems of medicine;
- (2) if the answer is in the affirmative what was the amount so allotted;
- (3) whether any amount out of the allotted sum has been spent till now or is likely to be spent before the end of March 1924; and
- (4) if the answers are in the affirmative, in what directions the amount has been spent or is likely to be spent?

A.—No provision was made in the budget for 1923-24 for the improvement of indigenous systems of medicine, but a sum of Rs. 1,191 was provided by re-appropriation to meet the expenditure incurred by the committee appointed to report on the subject.

MINISTRY.

No-Confidence motion.

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

- (a) whether he has considered the effect of the voting of the Council on the 'No-Confidence' motion of Mr. C. Ramalinga Reddi, and
- (b) if he proposes to take any action thereon?

A.—The reply to (a) is in the affirmative and to (b) in the negative.

Mr. S. SATYAMURTI:—"May I ask the hon. the Minister for Local Self-Government whether he has placed the figures of the voting of the Council on the 'No-Confidence' Motion of Mr. C. Ramalinga Reddi before His Excellency the Governor, or the Cabinet in his official capacity?"

The hon. the RAJA OF PANAGAL:—"His Excellency must have seen the figures in the proceedings of the Council meeting."

Mr. S. SATYAMURTI:—"That is not an answer to my question, Sir, if I may say so respectfully. I shall repeat my question for the hon. Member's information. I ask him whether in his official capacity, as the hon. the Minister for Local Self-Government, otherwise called the hon. the Chief Minister, he has placed the figures of the voting before His Excellency the Governor, or the Cabinet."

The hon. the PRESIDENT:—"Will the hon. Member please tell me how it arises from the main question?"

Mr. S. SATYAMURTI:—"I take it, Sir, that the Minister, in any action he might propose to take upon that, will be guided as the Statute clearly provides, and as the practice of this Government also shows, by the advice of His

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Excellency the Governor as well as by the opinions he receives from his colleagues in the Cabinet. Before he answers my question whether he proposes to take any action, I presume that he would have normally placed the figures of voting before His Excellency the Governor and his colleagues in the Cabinet and asked their advice. I am asking, therefore, whether he did so in that capacity."

The hon. the RAJA OF PANAGAL :—" There was no necessity for my placing the figures before His Excellency, and so I did not."

Mr. S. SATYAMURTI :—" May I ask the hon. the Chief Minister one more question, Sir? Subsequent to the voting on the 'No-Confidence' Motion, three capital incidents have happened in this House; first, the defeat of the Court-fees Act Amendment Bill introduced by the hon. the Law Member and seconded by the hon. the Minister for Education; secondly, the voting upon the Coimbatore water-supply scheme where the Ministry had a majority of four; and lastly, Sir, the voting yesterday on the amendment of Mr. O. Tanikachala Chettiyar to my Motion to boycott the British Empire Exhibition, where we had an elected majority of ten members on our side. I ask him whether, with his knowledge of constitutional precedents and the working of the Reforms Act in this country and the working of responsible government in other countries, he still considers he has got a working majority to occupy his position as Chief Minister."

The hon. the PRESIDENT :—" It is very clear the hon. Member has delivered a speech instead of putting a supplementary question. Secondly, assuming that it is a question, it is far beyond the range of what is understood to be a supplementary question, and, therefore, I cannot allow this to go on."

TAXATION.

Enhancement of salt tax.

38 Q.—Mr. A. RANGANATHA MUDALIYAR: Will the hon. the Member for Finance be pleased to state whether the Government authorized their representative in the Imperial Legislative Assembly, Mr. Moir, to express their approval of the enhancement of the salt tax, subject to or free of any qualifications?

A.—The Government gave no specific instructions to Mr. Moir nor did he express their approval of the enhancement of the salt tax. Individual members of the Government were, however, aware that he proposed to support the Finance Bill in the hope thereby of securing a remission of part of the Madras contribution to the Government of India, and they approved his attitude for the following among other reasons:—

The revenue anticipated in a normal year from the restoration of the salt tax to the old rate of Rs. 2-8-0 per maund was six crores of rupees. If that sum had been applied to the reduction of the Provincial contributions, the amount due to Madras would have been Rs. 268 lakhs. The salt tax payable by the Madras Presidency at Rs. 1-4-0 a maund on a normal consumption of 16 pounds per head of the population is Rs. 104 lakhs. It was considered preferable for Imperial taxation to be imposed on the whole of India than for the

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Presidency to pay, out of the taxes assigned to the Provincial Government, a most disproportionately heavy contribution towards the expenses of the Government of India.

Mr. A. RANGANATHA MUDALIYAR :—" May I know, Sir, who the individual members of the Government were who were aware of the intention on the part of Mr. Moir?"

The hon. Sir CHARLES TODHUNTER :—" I can answer for myself, Sir; but, at this distance of time, I cannot speak exactly on behalf of my hon. Colleagues."

Mr. S. SATYAMURTI :—" May I ask whether the hon. the Finance Member had any formal or informal communication with Mr. Moir after he became aware of his support to the enhancement of the salt tax?"

Mr. C. RAMALINGA REDDI :—" May I ask, Sir, the Leader of the House, with your permission."

Mr. S. SATYAMURTI :—" On a point of order. I should like to have my question answered, Sir."

The hon. the PRESIDENT :—" Two or three supplementary questions may be put; there is no harm in that."

Mr. C. RAMALINGA REDDI :—" If I have interrupted my hon. Friend, I beg his pardon. I ask the hon. the Leader of the House, not as the Finance Member, but as the Leader of the House, whether or not it is a fact that our Government was consulted by the Government of India with respect to the enhancement of the salt duty, and whether in that connexion the hon. the Ministers were not consulted, and whether they did not give their approval either with or without conditions?"

The hon. Sir CHARLES TODHUNTER :—" So far as I can recollect, Sir, there was no consultation by the Government of India with this Government. As regards Mr. Satyamurti's question, I am sorry I did not understand it."

Mr. S. SATYAMURTI :—" I shall repeat my question, Sir. Did the hon. the Finance Member communicate with Mr. Moir formally or informally after he became aware of the proposal of Mr. Moir to express his approval of the enhancement of the salt tax, and if so, what did he tell him?"

The hon. Sir CHARLES TODHUNTER :—" Mr. Moir sent an informal communication to me and I told him that I agreed with his sentiments."

Mr. S. SATYAMURTI :—" That is what I wanted, Sir."

Mr. C. RAMALINGA REDDI :—" In that connexion, Sir, I beg to ask the Leader of the House one question, whether he gave that opinion as the opinion of the Government including the Transferred half, or in his individual capacity as Finance Member? If he had done it in his individual capacity, may I venture to submit that Mr. Moir was perhaps going beyond his instructions when in effect he declared there that the Madras Government would be in favour, provided the iniquitous impost was reduced?"

The hon. Sir CHARLES TODHUNTER :—" The reply to that is that Mr. Moir declared nothing of the sort."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I want to know whether the correspondence between the Leader of the House and Mr. Moir was in his

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official capacity or private capacity. If it was in his official capacity, I want to know whether he had any consultation with the other Members of the Cabinet before he gave his approval to the proposed action on the part of Mr. Moir."

Mr. C. RAMALINGA REDDI:—"Just one word, Sir. The reply as given is 'individual Members of the Government were, however, aware that he proposed to support the Finance Bill' and so on. If my hon. Friend, the Leader of the House, would only answer for himself, then we would have to put the question seriatim as in a class room to each and every Member of the Government present here. So, we would like to have an answer from the hon. Member, as Leader of the House, as to how many were consulted, whether the hon. the Ministers were not consulted either formally or informally, and what replies they gave, whether there were any individual differences, whether the opinion of the majority prevailed, or all agreed as to the course of action that Mr. Moir proposed to take."

The hon. Sir CHARLES TODHUNTER:—"Sir, I have already told the hon. Member that the whole question is based on false premises. 'The Government gave no specific instructions to Mr. Moir, nor did Mr. Moir express their approval of the enhancement of the salt tax.' I might have answered the question in those words and left it there. But I have endeavoured to answer as fully as I can, acting upon my recollection of an event of ten months ago. I have said I cannot remember exactly, but I am quite prepared to take the responsibility for any advice that I gave to Mr. Moir."

Mr. S. SATYAMURTI:—"May I again ask the hon. the Finance Member 11-15 a.m. whether in giving the advice or instructions to Mr. Moir, to express his approval to the enhancement of the salt tax, he consulted formally or informally his Colleagues in the Cabinet, especially the Ministers, and, if so, what their opinions were?"

The hon. the PRESIDENT:—"The hon. Member has already said that he has not done so."

Mr. S. SATYAMURTI:—"I will repeat my question. Sir, I want to know from the hon. the Finance Member whether, before he in his own individual capacity wrote to Mr. Moir expressing his approval of his proposal to approve the enhancement of the salt tax, he consulted, formally or informally, his Colleagues in the Cabinet, especially the Ministers? That I suppose is a plain question."

Mr. C. RAMALINGA REDDI:—"I am sorry I have to say one other word, Sir. May I with your permission, Sir, ask whether we can unreservedly accept my hon. Friend's statement that no instructions were issued before Mr. Moir took the action that he took, but that evidently subsequent approval was given? With respect to that approval, I would ask, with all due respect once again, who were the hon. Colleagues of his that were consulted, whether the hon. Ministers were consulted, and what opinion was given by them individually, or in their collective capacity? I think the House is entitled to know that, because it is a matter of very great public importance."

The hon. Sir CHARLES TODHUNTER:—"In reply, Sir, may I ask the hon. Member to read Mr. Moir's speech, which will give him a full answer to his question?"

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Mr. S. SATYAMURTI:—"That does not answer my question, Sir. My question is within the peculiar knowledge of the hon. the Leader of the House and nobody else. What I want to know, Sir, is whether he, with his present recollection of the event, will tell this House if, in his individual capacity as Finance Member, he consulted formally or informally his colleagues in the Cabinet, especially the Ministers?"

Mr. C. RAMALINGA REDDI:—"Before the salt tax was certified, Sir, did not the Government of India consult this Government also, as it was reported that they consulted all provincial Governments, as regards their probable attitude of what their advice in that matter would be before the certification."

The hon. Sir CHARLES TODHUNTER:—"I have already told the House, Sir, that I cannot speak with exactitude of conversations of ten months ago, and I have already told the House that I have no recollection—I may be quite wrong—but I have no recollection of any such consultation with the Government of India as is suggested."

Mr. C. RAMALINGA REDDI:—"May I request my hon. Friend to make a statement on this subject to-morrow? I certainly feel that at this date he may not probably remember."

The hon. the PRESIDENT:—"Does the hon. Member think that probably the hon. the Finance Member's memory will improve within the next twenty-four hours?" (Laughter.)

Mr. C. RAMALINGA REDDI:—"I thought he might consult the records, Sir. I did not mean anything so unpsychological as that."

Mr. S. SATYAMURTI:—"May I submit, Sir, that my question still remains unanswered?"

The hon. the PRESIDENT:—"I dare say it is. Honourable Members are aware that a Member of Government is not bound to answer when questions are put."

Mr. S. SATYAMURTI:—"May I ask the hon. Member to get up and say that he cannot answer?"

The hon. the PRESIDENT:—"The hon. Member is not bound to get up and say he cannot answer. His silence means (laughter) that."

II

ELECTION OF MEMBERS TO THE BOARD OF INDUSTRIES.

The hon. the PRESIDENT:—"I have to inform the House that at the election held on the 11th December 1923 the following Members have been elected to be the Council's representatives on the Board of Industries:—

Diwan Bahadur K. Suryanarayanamurti Nayudu.

Mr. Sami Venkatachalam Chetti."

III

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

The hon. the PRESIDENT:—"The Council will now resume discussion of Motions on matters of general public interest. The first is the Motion of Mr. A. Ranganatha Mudaliyar as amended by Mr. P. Siva Rao."

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The hon. Mr. A. R. KNAPP :—" Mr. President, the resolution as it has been amended runs as follows :—

6. *That this Council recommends to the Government that the G.O. No. 1332, Revenue, dated 21st July 1922, may not be enforced until the principles of land revenue settlement are codified and placed on a legislative basis.*

" The Government Order referred to is, as hon. Members are aware, the Government Order introducing resettlement into the black cotton soil taluks of Bellary and Anantapur. Now, Sir, the amendment of Mr. Siva Rao has very much altered the basis upon which we started the discussion on this matter. Mr. Ranganatha Mudaliyar was anxious to set aside the Government Order on the ground, I think, that the economic state of the Bellary district did not justify any enhancement in the burden of taxation laid upon it. Mr. Siva Rao prefers to leave out of his consideration altogether the economic state of the Bellary district and to base his demand on the ground of principle only, a principle, as hon. Members will observe, which is equally applicable to all other districts in the Presidency. As two days have passed since Mr. Siva Rao made his speech in support of his amendment, I think it will perhaps be convenient to the House if I should clarify the issue by stating what I understood to be the points which he brought forward in favour of his proposition. He will correct me if in any respect I fail to understand his arguments. He referred to the fact that during the first session of this Reformed Council a resolution was adopted recommending to the Government that resettlement in this Presidency should be postponed until the principles of land revenue assessment were embodied in legislation. He mentioned the fact that not long after that resolution was carried the Government constituted a committee to consider a draft Bill on the subject, and from the fact that the Government did appoint the committee, he inferred that the Government had assented to the principle that settlement operations should be given a statutory basis.

" He then went on to refer to the proceedings of the Committee of which he was a member. I take it, Sir, that as he has referred to these proceedings, I am also entitled to do so; for, otherwise, with all respect to the ruling which the hon. the President gave on the subject, it may lead to the very anomalous result that while Mr. Siva Rao, the Mover of the amendment, can refer to the proceedings, I on this side of the House cannot quote the same papers in the course of my reply. Lest, therefore, you should tell me that I am infringing the conventions of the House, I propose to ask the same right to refer to the proceedings as Mr. Siva Rao enjoyed."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Will the hon. Member place the proceedings in question on the table of this House ? "

The hon. Mr. A. R. KNAPP :—" Subject to your ruling, Sir, I do not think I need consider that question."

Mr. S. SATYAMURTI :—" May I remind you, Sir, if I may, and this House as well that the ruling of the hon. President regarding the prohibition from quoting from official documents not published, applied to Government members and not to private members. Therefore, I submit, Sir, that unless you revise the ruling, under the ruling as it stands, the hon. Mr. Knapp cannot quote from those documents unless he places them on the table of this House."

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The hon. Mr. A. R. KNAPP :—" That, Sir, is precisely the anomaly, to which I referred that Mr. Siva Rao should have the liberty and I should not have it. I may possibly be able to avoid the difficulty. I think, Sir, that I can go as far as I like in summarizing the report of the Committee provided only I do not quote from it. That, for the present, is the course I propose to follow.

" Mr. Siva Rao mentioned, among the resolutions passed by that Committee, a most important one, viz., that all resettlement proposals should be placed for positive sanction before the Legislative Council. He also referred to another proposal that there should be a limit placed on the future possible enhancement of taxation, the limit which he mentioned being 12½ per cent. Incidentally, perhaps, I may say that if he refers to the document once again, he will find that he was mistaken in thinking that any such provision was actually made by that Committee. Finally he mentioned that this Committee prepared a Bill embodying the conclusions which they arrived at. He complained that this Bill had never seen the light of day, and that the Government had never tried to introduce it into the Legislative Council even though they had given a distinct pledge that they accepted the principles of the legislation. He complained also that two years had elapsed and that nothing yet had been done. Then, all on a sudden, as he put it, the Government wanted to introduce a new settlement not merely in Bellary and Anantapur, but in several other districts. He enquired why the question of codification had not yet been taken up. He pointed out that the whole matter was ready and that the Bill had already been drafted by the Committee and that all that the Government had to do was to take it and put it before the House. Finally, he said with a good deal of emphasis that he and those acting with him were determined not to entertain any proposals for resettlement till they had the settlement rules codified and that until that was done they could not sanction proposals approved of only by the executive Government.

" Now, Sir, as regards Mr. Siva Rao's description of what took place in February 1921, I have nothing much to say. It is perfectly true that the Government accepted the principle that our revenue settlement proceedings should be given a statutory basis. Not only did they accept it in February 1921, they had accepted it even ten months earlier before the new reformed Council came into being at all, when they called upon the Board of Revenue to prepare a Bill for that very purpose. The Bill prepared by the Board reached us in March 1921. The Board submitted a tentative draft and at the same time referring to the extreme complexity of the subject, they made the suggestion that an experienced officer, an officer experienced in settlement principles, should be placed on special duty for the purpose of revising their skeleton Bill. The Government then decided that before considering whether they would place an officer on special duty, they would like to have an examination of the general principles of the Bill and that examination they committed to the Committee to which Mr. Siva Rao has referred. The Committee consisted largely of officials and my predecessor, Sir Muhammad Habib-ul-lah, was the President. It included four Members of the then Legislative Council. The Committee's report was received in September 1921 and it was at once taken into consideration. It was not, as hon. Members will readily understand, a matter which could be decided upon without a good deal of deliberation and examination. Mr. Siva Rao himself has explained to the House that the

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Committee's report contained at least one proposition which was certainly novel and, I may say, almost revolutionary, namely, that the decision not only as to the increase or decrease in assessment, but the final decision on every single matter of detail connected with resettlement should lie absolutely with the Legislative Council, the Government being required to pass orders in accordance with the decision of the Council. I shall probably refer later to the reason why I am tempted to call this proposal revolutionary. For the present, I mention it to emphasise my statement that this report was not a matter which could be dealt with in a single day. That, Sir, was in the autumn of 1921.

"While the report was under the careful consideration of the Government, notice was received of the Resolution proposed by Mr. A. S. Krishna Rao recommending the introduction of permanent settlement in this Presidency. It then seemed obvious that if we wanted anything in the direction of permanent settlement, there was no use in wasting further time or employing additional officers in considering the details of the Ryotwari Land Revenue Settlement Bill. Further consideration of that Bill was therefore postponed until the Government became aware what the attitude of the House was on the question of permanent settlement. The debate on Mr. Krishna Rao's Resolution came off on the 14th of December 1921. It was a full dress debate ranging over a very wide ground and ended in a division which showed that there was a very large majority in this House in favour of permanent settlement. Mr. Siva Rao himself took part in that debate and, as he said, he gave his most unstinted support to that proposal. The Resolution was opposed by Sir Muhammad Habib-ul-lah who then held the Revenue portfolio. He explained that so radical a change as this in the whole principle of our ryotwari administration would require the sanction of the Government of India and the Secretary of State and was not a matter upon which the Local Government could possibly give any offhand reply. While making it clear that he could not commit the Government to any undertaking to bring forward legislation for a permanent settlement, he did promise consideration of any argument that might be advanced, and particularly he referred to the definite proposal, which he accepted as a recommendation, that one of the obvious objections to permanent settlement might be removed by the imposition of a tax on agricultural incomes in addition to the standard rate of assessment. Sir Muhammad Habib-ul-lah noticed that point; it was put to him from this House and he mentioned that possibly that suggestion might ease the way towards a step which otherwise he did not see much chance of taking. At the same time, Sir Habib-ul-lah pointed out in unmistakable terms that if the examination of the question of permanent settlement were permitted to hold the field to the exclusion of the consideration of the other Bill, in that case the Government could acknowledge no obligation to continue the suspension of settlement operations which at that time were going on. That statement he made perfectly clear and I think my hon. Friend, Mr. Siva Rao, will probably acknowledge that on that point there was no possible misunderstanding. As I have said, this Resolution in respect of permanent settlement was carried by a very large majority. The matter then again underwent consideration at the hands of Government. That was in February last year, 1922. On the 6th of that month a letter was written to the Government of India explaining the whole position in which we found ring, as we promised to refer, to the views of this Council on

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the subject of permanent settlement, consulting them generally,—they are entitled to give us instructions—as to what our action should be."

Mr. C. RAMALINGA REDDY:—"May I ask, Mr. President, if it is proposed to publish that despatch of the Madras Government?"

The hon. Mr. A. R. KNAPP:—"Not at present, Sir. I am not entitled to disclose details of that correspondence now. But I can say that as the outcome of that correspondence there seems to be very little prospect of this Government in the near future introducing any proposal for permanent settlement. Well, Sir, we then found ourselves, after a rather considerable detour, back very much in the position in which we had been in 1921, that is to say, when the report on the Revenue Settlement Bill was received. The delay is no doubt to be regretted but on behalf of Government I take no responsibility for it. Mr. Siva Rao himself was partly responsible for it when he took part in drawing what was no doubt a very attractive red-herring across the track of the original Bill. He cannot be surprised if it took some little time to get back into the original line. Our correspondence with the Government of India terminated last autumn. Sir Muhammad Habib-ul-lah was very anxious indeed to take some further step before he left; but, unfortunately, his preoccupations just on the eve of starting for Delhi made it impossible for him to do so. He had to leave the papers to me and I have had them for the last few weeks. As hon. Members are aware, the conditions of the last few weeks have not altogether been quite favourable for a quiet study of the subject. I confess, therefore, I have not yet been able to put before my Colleagues any final conclusion as to the form which our Bill is to take. But we are proposing to legislate, and to legislate as early as we possibly can. I wish to remind the House that in an answer given yesterday by my hon. Colleague, the Law Member, the Land Revenue Bill was mentioned as one of the Bills which the Government propose, if possible, to introduce during the present session. I may be asked why if legislation was so imminent I should have any objection to accept Mr. Siva Rao's proposal to postpone the resettlement of Bellary and Anantapur for a few months. My answer is that it is not legislation that is imminent but it is the introduction of legislation and even that cannot be done in a day or a week. I know that it is not Mr. Siva Rao's opinion. His view is that there is no need for any further delay. He says that the whole matter is ready, the Bill has been drafted by the Committee and what is required to be done by the Government is to announce the introduction of the proposed Bill in the Legislative Council, by which I take it that he means the Bill of the Committee. That all sounds very simple indeed. But Mr. Siva Rao, I think, has overlooked one not unimportant element in the question and that is whether the Bill, as drafted by the Committee of which he was a member, is a Bill which the Government approves and which it is prepared to take responsibility for. If it is, the hon. Member may be entitled to think that the matter is perfectly simple, but if the Government are not prepared to accept the Bill as it is"

Mr. P. SIVA RAO:—"The resolution we adopted was unanimously carried in the Committee of which Sir Habib-ul-lah was the President. As the Revenue Member he accepted it on behalf of the Government."

The hon. Mr. A. R. KNAPP:—"I am afraid I must differ from any hon. Friend's view that Sir Habib-ul-lah accepted the resolution on behalf of the Government."

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Mr. P. SIVA RAO :—"There was no dissentient voice."

The hon. Mr. A. R. KNAPP :—"I am afraid I must remain unconvinced that a Member of Government sitting as a member of the Committee can be regarded as having committed Government because he signs an advisory report to the Government."

Mr. P. SIVA RAO :—"He did not think it fit to express any difference of opinion."

The hon. Mr. A. R. KNAPP :—"I thank Mr. Siva Rao for giving me that information."

Mr. C. RAMALINGA REDDI :—"If the hon. Sir Habib-ul-lah had any reservations, would it not be better to place them before the Committee so that they might be discussed?"

The hon. Mr. A. R. KNAPP :—"I know nothing about the proceedings of the Committee; Mr. Siva Rao does. I was saying that I could not accept the view that because Sir Habib-ul-lah was a member and the president of the Committee, when he sent the report he was committing the Government as a whole to the acceptance of the provisions of the Bill which the Committee submitted."

Mr. P. SIVA RAO :—"But, Sir, Sir Muhammad voted distinctly for this resolution, not that he committed the Government to it. Not merely did he not dissent, but he voted for it."

The hon. Mr. A. R. KNAPP :—"Well, Sir, I leave it there."

"Assuming for a moment that Sir Habib-ul-lah did accept or had spoken in favour of the proposal to be forwarded by the Committee . . ."

11-45 a.m.

Mr. C. V. VENKATARAMANA AYYANGAR :—"May I know whether Sir Habib-ul-lah presided over the Committee as Revenue Member or as mere Sir Habib-ul-lah?"

The hon. Mr. A. R. KNAPP :—"I am afraid I cannot answer that question. It is not going to affect the matter in any way. Sir Habib-ul-lah may have held that view but it is not beyond the bounds of possibility that a majority of the Cabinet may not fall in with his views. Well, Sir, I leave it there. As we stand at present, the Government are not prepared to accept that Bill as presented by the Committee and to introduce it as their measure. That is where I say Mr. Siva Rao has made a slight mistake in assuming that the position is perfectly smooth. The matter requires a good deal of consideration before we can arrive at a Bill which will be acceptable not only to the Government but also, as we hope, to the House. Incidentally I may point out with reference to this Bill that this very Committee whose opinion Mr. Siva Rao expects us to swallow without demur consisted very largely of subordinate officers of Government. Does Mr. Siva Rao suggest that we should accept the dictation of our own officers as to the course we should follow? We are, of course, very much obliged to the whole Committee for their advice. But I cannot subscribe for one moment to the theory that having appointed a Committee at least eight officers of which were subordinates of the Government we should be bound to accept their decision—their *ipse dixit*—and put it forward as our own."

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Mr. P. SIVA RAO :—"I wish to know whether the proposals of the Committee were not placed before the Cabinet before the draft Bill was prepared. Was not the Cabinet consulted on the matter?"

The hon. Mr. A. R. KNAPP :—"Sir, I have no information on the point from the papers which I have seen."

Mr. C. RAMALINGA REDDI :—"Sir, the Government is usually much more generous than their own subordinates, and where is the trouble?"

The hon. Mr. A. R. KNAPP :—"It is not a matter of generosity. It is a question whether we must accept the decision of our own subordinates as the last word on a matter. I am only pointing out that the matter is not so simple as Mr. Siva Rao suggests. He tells the House that there is nothing to do at all, that everything is ready and that the Government for some satanic reason of their own are holding it up and are not allowing it to see the light of day; that is my interpretation of his speech."

Mr. C. V. VENKATARAMANA AYYANGAR :—"Have they remained blindfolded all these two years?"

The hon. Mr. A. R. KNAPP :—"No, Sir. Some of these interrogations might more conveniently wait until hon. Members rise to speak on the motion. Now, Sir, when I say that I cannot consent to the proposition that this Bill is ready for introduction I am not merely taking my stand on the theoretical basis. As a matter of fact, as I have said, the Bill contains provisions which I cannot accept; for instance, the proposal which I have referred to as being revolutionary, namely, the proposal that not only the enhancement or reduction of the assessment but every single detail of the settlement has to be placed before the Legislative Council which is to give an absolute final decision in the matter to the Council. Now, Sir, I feel bound to remind my hon. Friend, Mr. Siva Rao, that in our constitution Revenue is still a reserved subject for the administration of which the Governor in Council is responsible to the Government of India and the Secretary of State and ultimately to the British Parliament. Is it seriously suggested, Sir, that the responsibility being there the Government could accept the position that while they remain responsible for the administration of land revenue the question as to how the settlement is to be conducted should be taken entirely out of their own hands and placed in the hands of the Council leaving the Government with responsibility but no power? That seems to me to be quite an impossible position for any Government to accept. Further I would like to remind the House that even among the Transferred subjects the Secretary of State has reserved some powers in the matter of finance in the Transferred departments and the Governor has certain revisionary powers. Is it suggested that in this department, one of the most important departments of our Presidency administration, the Council should be left absolutely unfettered, the Viceroy or the Governor having no check whatever on its decisions? I think, Sir, when I put this matter in this way it will be obvious to Members of this House that the position is one which we can hardly be expected to accept. I am very doubtful as to the legality of it. It seems to me as if we should be attempting by means of local legislation to infringe the powers of the Government of India and the Secretary of State. If such a provision were to be included in the Bill sent Home, I am fairly certain that the Secretary of State would object. It may be of course that the Legislative Council may

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be trusted to do the proper thing and there may be no need for any apprehension of any trouble arising. Well, Sir, I have been brought up to respect the European maxim—a German one I think—that while expecting the best one should be prepared for the worst.

“Now, Sir, as I have said, we are quite prepared to introduce legislation: beyond that we have no control. I am not optimist enough to suppose that I shall be able to introduce a Bill which will have the full concurrence of the House. If Mr. Siva Rao will give me a guarantee that the Bill which is intended to carry the injunctions of the Joint Committee will be carried in this Council straight off, I should be very glad to consider his proposal. But I am afraid that is quite out of question. I must expect that there will be discussion, very likely a prolonged discussion. Even if legislation is introduced, time has to be allowed before it can be brought into effect.

“Then again, the Bill is one which under the rules will have to be reserved for the consideration of the Government of India. Therefore, even if this Council passes it, we must expect another interval for the Bill being considered by the Government of India. The Bill being one which proposes to modify materially and affect the land revenue of the province comes under the rules framed under section 81-A of the Government of India Act.

“I have explained why this Bill has not seen the light of day. I will only refer to one other remark which Mr. Siva Rao made in his speech the day before yesterday when he complained that having given a pledge that we were not going to take any further action until the Bill became law we should suddenly introduce proposals for resettlement in the Bellary and Anantapur districts. Now, Sir, we gave no pledge of the kind and there was no suddenness about our action. The proposals for the re-settlement of the Bellary and Anantapur districts have been there for the last three years and twice the introduction of the re-settlement has been postponed on the ground of the then economic condition of the district, a matter which we are not now discussing at all. On the last occasion, when the discussion took place Sir Habib-ul-lah stated in the most specific terms that, though he was willing to allow the postponement we were going on with the measures for the introduction of the settlement, the preparation of *adangals* and so forth. He asked the House to bear in mind that the postponement did not in the least involve any intention to delay the formal introduction of the settlement longer than was necessary on official grounds. That, Sir, is my answer to the suggestion that we have sprung on the Council our proposals regarding the re-settlement of the district. Allusion has also been made to the suggestion that we have given some kind of pledge that we would not proceed with any settlement operations until we had settled this question of legislation. I should like to clear up that point also. I should like to refer to a very deliberate statement made by Sir Habib-ul-lah in the debate of 15th September that he distinctly repudiated having given any sort of pledge of that kind. Now, Sir, I have dealt, I think, with all the points raised by Mr. Siva Rao during his speech on this motion. The reasons why the Government consider the settlement which is overdue should proceed in the ordinary course, and that its introduction should not be deflected by the possibility of legislation being fixed on a statutory basis, are perfectly obvious and these reasons have been very often placed before the House. The contract between the Government and the ryot is for 30 years and the ryot has no right to expect any extension. If in the

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ordinary course the resettlement is likely to lead to increase of revenue, it is unfair and unjust to the general tax-payer in other parts of the Presidency that a particular district should escape the obligations of making its proper contribution towards the Presidency funds. I wish to press this point particularly on the attention of the Members of this House, and I would like to ask whether they are prepared to go down to their constituencies and tell them that in this House they have voted for the postponement of the settlement in the interest of some district, rich or poor I do not care for the moment to examine, with the result that the burden will be placed on their own constituencies in the other districts. Any hon. Member who has the courage to make to his constituency, this precisely accurate statement, deserves great admiration. There is another point, Sir. There is at present no reason to believe that there is going to be any radical change in the methods of settlement even when it is reduced to statutory form, and there is therefore no logical ground for asking for postponement. Honourable Members may be quite right in manœuvring for the advantage of their own constituencies to postpone on any pretext the raising of their rates, but I do not think this House can encourage the manœuvre.”

Diwan Bahadur P. KESAVA PILLAI:—“Dividing the districts at the cost of the poor people.”

The hon. Mr. A. R. KNAPP:—“Well, Sir, I need not detain the House any longer. I may summarize in a few words what the position is. We propose to introduce legislation without any avoidable delay, and I can assure the House that I will treat it as a matter of urgency. I cannot foretell when that legislation will be brought into effect. But I cannot see any reason why we should on that account upset the ordinary course of our settlement business. On the contrary, to ask for a special exemption in the case of one or two districts awaiting resettlement will be unjust to the rest of the Presidency. There is one other point which I should like to make clear. It may be in the minds of some hon. Members of this House that in opposing a proposal which will have the effect of postponing the Bellary settlement, I am acting in a hard-hearted manner. As we know, neither Bellary nor Anantapur have done well this year or in the last two or three years.”

Diwan Bahadur P. KESAVA PILLAI:—“Four years.”

The hon. Mr. A. R. KNAPP:—“What I should like to point out is that that has nothing to do with the present debate. Mr. Ranganatha Mudaliyar was, I think, willing to base his proposals on the economic condition of these districts. Mr. Siva Rao thought otherwise.”

Mr. P. SIVA RAO:—“The option of deciding the reasonableness in view of the economic consideration I wish to raise later.”

The hon. the PRESIDENT:—“I do not quite follow the hon. Member.”

Mr. P. SIVA RAO:—“In moving this Amendment, I must not be taken to have accepted the reasonableness of the rates the Government have proposed. In moving this Amendment, I reserve to myself the option of questioning the reasonableness of the rates later.”

The hon. the PRESIDENT:—“Later means when?”

Mr. P. SIVA RAO:—“I mean on some other occasion when the Bill is brought before the House.”

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The hon. Mr. A. R. KNAPP :—Then, Sir, I was quite right in saying that the question of the reasonableness of the rates is not the question in the amended Resolution that we are now discussing. I may tell the House that the condition of Bellary is being watched with anxious care by the Government and that the introduction of the new settlement will not in the least prejudice the ryots of Bellary in the matter of receiving such relief as the state of the season or the accumulated seasons may entitle them to. I think we have always been perfectly ready to give remissions when remissions were called for. I am asking hon. Members to put out of their minds any sort of idea that the introduction of the settlement will in any way tie our hands or prejudice our action in regard to the granting of remissions which we will certainly grant, if needed."

Diwan Bahadur M. KRISHNAN NAYAR :—"Certain alterations made by Mr. Ranganatha Mudaliyar with reference to the draft prepared by the Settlement Committee induce me to make certain statements. Mr. Knapp stated that the Committee consisted among others of several Government officials, as many as eight Government subordinates, and that certainly the Government could not be expected to swallow the recommendations of the subordinates of the Government."

The hon. Mr. A. R. KNAPP :—"May I say, Sir, that what I said was, 'to accept the dictation'. There is a slight difference."

Diwan Bahadur M. KRISHNAN NAYAR :—"Even with the modification of my friend, I may say that I was myself a member of that Committee. There were a number of settlement officers; there was Mr. Macmichael who was then a Member of the Board of Revenue; he knew a great deal about the settlement work of Government. In addition to Mr. Macmichael, there were Messrs. Todd, Bhore, Venkatanarayana Nayudu and there was a retired officer, Mr. Sivagnanam Pillai. All these officers were unanimously of opinion that this provision, namely, the introduction of the settlement rates, should be embodied in a Bill and that it should be given effect to only after a formal introduction in the Legislative Council. I thought that when these recommendations were made by a committee among whom were Government officers some of whom had special knowledge of settlement work, the fact that such a recommendation was made by such a committee was the reason why the Government should accept the recommendation. It is not the subordinate officers of the Government, particularly the settlement officers of Government, that can come to a conclusion which will be against the opinion of the Government. It is a fact that the subordinate officers, including the settlement officers, came to a particular conclusion, namely, that rates should be introduced only after they are accepted by the Council. My hon. Friend has again stated that the opinion of the hon. Sir Habib-ul-lah could not bind the Government as a whole. The opinion of Sir Habib-ul-lah may not bind; but Sir Habib-ul-lah sat there as the Revenue Member. He was the President of the Committee. If my memory is not correct, Mr. Siva Rao or some other hon. Member will correct me. My recollection is that Sir Habib-ul-lah did not remain silent over this proposal, viz., that the settlement rates should be introduced only after they are accepted by this Council. He was the first to make the suggestion and particularly the non-official members were very glad when the proposal emanated from the hon. Sir Habib-ul-lah."

Mr. P. SIVA RAO :—"Unfortunately, Sir Habib-ul-lah is not here."

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Diwan Bahadur M. KRISHNAN NAYAR :—"So that these two facts, that the hon. Sir Habib-ul-lah heartily and fully accepted this proposal and that the other settlement officers also accepted the proposal, are very strong circumstances to make the Government accept this proposal."

The hon. Sir CHARLES TODHUNTER :—"May I ask the hon. Member whether he suggests that because the Finance Member records a resolution of the Finance Committee the Government, as such, are bound by that Resolution?"

Diwan Bahadur M. KRISHNAN NAYAR :—"I am very sorry, Sir, that I did not hear a single syllable of what the hon. Member had been saying (laughter). He will do well to turn this side."

The hon. Sir CHARLES TODHUNTER :—"I wish to ask the hon. Member as an ex-Member of the Finance Committee whether he would carry his principle to the extent of saying that whenever the Finance Committee with the Finance Member presiding passes a Resolution the Government are bound by it."

Diwan Bahadur M. KRISHNAN NAYAR :—"I am very glad that such a question has been put. My answer I will readily give. If in the Finance Committee the hon. Member sits as a Finance Member and *himself* makes a proposal, I would certainly expect the Government to accept the proposal. Sir Habib-ul-lah sat there as a Revenue Member, made this proposal and naturally I expect the Government to accept this proposal. Having made this observation, I may just state one or two words with respect to this Resolution. I agree fully with the hon. Mr. Knapp that it is unfortunate that this Resolution has taken its present form by reason of the Amendment of Mr. P. Siva Rao."

The hon. the PRESIDENT :—"Order, order. The House having accepted the Amendment, it is not open to any hon. Member to criticize their action just now. That having been done by a majority, the minority should bow to it."

Diwan Bahadur M. KRISHNAN NAYAR :—"Quite so. What I say is that the Resolution, as it stood, I was very willing to support. As it is now, it makes the situation rather difficult; for, having regard to the peculiar condition of the Bellary district, I am willing to give my vote for it. In the course of a discussion last year on a similar Resolution, the peculiar condition of the Bellary district was recognized and the Settlement Member also referred to it in the speech this morning. We know that famines periodically occur in the Bellary district and it is in a chronic state. So, it is desirable that this Council should make an exception in favour of that district with reference to the introduction of resettlement. But, as the Resolution now stands, it is likely that this Council will accept the Resolution. It may delay the settlement proposals and it will delay the introduction of permanent settlement in other districts and the general tax-payer of the Presidency may not thank this Council for that. Having regard to that consideration, it is difficult to vote in favour of the proposition. But, as I said, if the effect of voting on this Resolution can be restricted to Bellary district, I am willing to vote in favour of it. I know it refers to Bellary. But, if we vote for the Resolution in its entirety, it may become necessary that this principle should be applied to other districts as well and there will be unnecessary sacrifice of revenue and the general tax-payer of the Presidency is not likely to thank this Council for coming to that conclusion. So that, on the understanding that this

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principle involved in this question applies to this district and not to other districts, I am willing to give my vote for it. But, if the principle is extended to other districts, it rather leads to an embarrassment."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"Mr. President, Sir, it has been said by the hon. Mr. Knapp that the Resolution of Mr. Ranganatha Mudaliyar was based upon economic conditions of the district, whereas the Resolution as it now stands amended is based upon the general principles of postponing the settlement till the general principles of resettlement are codified. For my part, I am not able to find out the difference between the two. If we read the proposition of Mr. Ranganatha Mudaliyar, we see that he wanted that certain rates ought to be introduced and that resettlement rates as recommended or proposed by Government ought not to be introduced. Mr. Siva Rao, who is well acquainted with the working of the Committee, being one of the members of the Committee, then introduced a general proposition by way of amendment. I do not think that the economic consideration of the district will be out of our purview when we take the whole question into consideration. He simply said that instead of reducing the settlement rate to 5 per cent we had better wait for the settlement of the principles and then re-examine the whole question and then introduce resettlement in the Bellary and Anantapur districts. The present economic condition is admittedly bad and it shall in no way induce the Government to go on with the resettlement of the district, especially when the condition is so for the last two years."

The hon. Mr. A. R. KNAPP :—"The Resolution as amended suggests not that there should be a remission, but that the rates should not be enforced until the legislation has come into operation. There is no question of reconsideration."

Rao Bahadur C. V. S. NARASIMHA RAJU :—"The hon. Member did not understand me properly. When the Resolution is accepted by the Government and when the legislation comes into operation, they cannot go back upon the Government Order already passed. When they want to introduce resettlement, they must examine the whole question in the light of the legislation. What the hon. Member says is 'We have already issued the Government Order; and if this Resolution is to be passed and accepted by the Government, we will postpone the resettlement, but after the legislation is passed we will bring in the settlement rates as per orders to be issued now'. But I say, when once the principles of resettlement are codified, Government will be prohibited to fall back upon the Government Order or the resettlement already made. They are again bound to resettle according to the principles which will be codified in this Council. Now, Sir, if I understand him correctly, what the hon. Member says is that no doubt the fundamental principle which the Committee recommended was that the settlement rates in operation are to be approved by this Council. It is too big a pill for the Government to swallow and they say it is a recommendation made by subordinate officials and also some non-officials and so they are unable to swallow it. I do not want to go into the question whether Sir Muhammad Habib-ul-lah Sahib suggested it or approved it. If I understand my hon. Friend, Mr. Krishnan Nayar, his position is this. He says that the principle was enunciated not by the members of the Committee but was put forward by the President of the Committee, Sir Muhammad Habib-ul-lah

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Sahib himself, and it was accepted by the Committee. The hon. the Finance Member put forward the proposition that when the members of the Finance Committee make any recommendation, 'is the Finance Member bound by it?' "

The hon. Sir CHARLES TODHUNTER :—"What I said, Sir, was this : If the Finance Member records a recommendation of the Finance Committee or a majority of the Committee, can it be held to bind the whole Government?"

Rao Bahadur C. V. S. NARASIMHA RAJU :—"The hon. the Finance Member could have waited to hear my further remarks. It is not a case where, as Mr. Krishnan Nayar has told us—for I do not know that myself—Sir Habib-ul-lah sat in the presidential chair merely recording the Resolutions of the Committee, but on the other hand the suggestion came from Sir Habib-ul-lah himself, that the rules with regard to settlement rates are to be approved by the Council in the form of a legislative measure. Therefore, if I may use legal phraseology, it is Sir Habib-ul-lah that gave the estoppel by throwing out that suggestion. I know the hon. the Finance Member is always careful enough not to come forward with any suggestions of his own. He sits on the Finance Committee or the Public Accounts Committee to merely record the Resolutions. It has been said that the Resolution of this Council regarding the introduction of permanent settlement in ryotwari tracts is mainly responsible for the delay of the codification of the settlement rules. Now the issue is not, who is at fault. The question is whether the principle is accepted or not. For a period of three years we have been asking for the codification of the settlement rates. Are the Government not bound to preserve continuity of policy and hasten the legislation regarding resettlement principles before they introduce resettlement in the Bellary district? It has been stated that the old principles are going to be enacted into law, and there may not be much difference after all, and why should you delay the introduction of resettlement in some districts? I believe this House, representing the various constituencies, will bear the principle in mind as to the proper apportionment or the introduction of resettlement, regard being had to the economic conditions of the various districts. In the recent Manual we find there is a reference to an inquiry into the economic condition of the districts. I hope when representatives of people deliberate over the question, they will not adhere to the old time-honoured rules, but will bring in their own practical experience and solve the problem quite reasonably, so that each district may be treated according to its own peculiar conditions."

"It has been said that by accepting this Resolution, the resettlement will have to be postponed in some of the districts and the deserving districts also will be benefited to the detriment of the general tax-payer. But, Sir, when an important question is at issue, we cannot take into consideration appeals based on minor points. We are anxious to examine the principles of settlement and then only the Government should take to resettlement in the various districts."

Mr. S. SATYAMURTI :—"Mr. President, Sir, the hon. the Home Member in replying on this Resolution as now amended has sought to make out as if there is an inevitable conflict between the economic reasons which underlay the Resolution as it originally stood and the reasons which underlie the Resolution as it now stands. I take it, Mr. President, that if the Resolution

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in its amended form is carried by this House, and I believe it will be, it will give relief to the Bellary and Anantapur districts, and therefore, to suggest that because we adopt this Resolution we shall not benefit the economic interests of the people of those districts, is somewhat ingenious but not convincing. There is no conflict here. The hon. the Home Member told us that the Government have agreed to placing settlement proposals on a statutory basis. In what particular form, he did not tell us. But from the way the Government are moving in the matter, it looks as if the wheels of the Madras Government are grinding very slowly indeed. Because he told us that the Committee reported in September 1921 and although he ended his speech by saying that he would treat it as a matter of urgency, he at once corrected himself by saying that he could not tell this House when he would introduce the Bill. Having said that, he told us that the Government could not hold its hands till this Bill—or in whatever form the Government are going to introduce it—is placed on the Statute Book. On that matter I find the Joint Committee Report has been quoted before. May I also quote it again and may I also remind this House that this Report was signed by their Lordships of the Joint Committee early in 1919. They say 'the Committee are impressed by the objections raised by many of the witnesses to the manner in which certain classes of taxation may be laid upon the people by executive action. . . . The hon. the Home Member thinks that four years and a half is too short a period of this Council to say that they are acting according to the recommendations of the Joint Committee in coming and telling this House that hereafter they will consider the question of introducing it but cannot tell when they will introduce it.'

"Then, Sir, the hon. the Home Member told us that the Committee on the Bill consisted of eight subordinate officers of the Government, and that therefore the Government could not listen to the dictates of their subordinate officers on a matter of this kind. Sir, I remember the Government of Madras like other bureaucratic Governments all over the world attach great importance to the opinions of those who are known as experts and more than that to the opinion of those who are known as men on the spot."

The hon. Mr. A. R. KNAPP:—"I may mention, Sir, that during the course of observations, I said that I attach great importance to the opinions of these particular officers."

Mr. S. SATYAMURTI:—"The hon. the Home Member attaches great importance to their opinions but will not accept them. I make a present of that statement to these officers. What I am concerned with is this, Mr. President—whether it is perfectly consistent with the position the Madras Government takes up in such a large important and vital question affecting the lives and well-being of so many people—asking the opinions of experts and then saying 'No, we are not going to be dictated by these people'. If they really thought that their opinions were not going to be accepted, I wonder whether that is the way of playing with the tax-payer's time and money in appointing these committees. Do you appoint a committee to say afterwards, 'No, we are not going to listen to you'? You must have some sense of responsibility in appointing a committee. Then the hon. the Home Member was surprised at what he considered a very extraordinary demand of the hon. Member Mr. Siva Rao when he suggested that almost every single item of settlement should be brought under the statutory

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control. Their Lordships of the Joint Committee thought likewise. I may read just one more sentence from that report, 'The Committee are of opinion that the time has come to embody in the law the main principles by which the land revenue is determined', which they go on to state, 'the methods of valuation, fixing of assessment, periods of revision and other chief processes of collecting revenue.' Practically all the matters are to be brought under statutory control. Then I ask why it should be suggested that we are making an extraordinary demand on this Government when we suggest that the increase of this tax should not be given effect to before practically every main proposal underlying this system is brought under statutory control.

"Then, Sir, the hon. the Home Member paid a very great compliment to this House and said that we might put forward proposals which 12-30 p.m. no Government could accept. Truly I thought we had a Government which consists of fallible human beings, and I was not suggesting that this Government or any Government was always going to be infallible.

"We know what is good for the people of this country, and I hope that in spite of the hon. the Home Member the times will soon be changed, and that any Government, good, bad or indifferent will respect the wishes of the people's representatives. It is the people's business to send us here, and therefore to say that we might be antagonistic or perverse with regard to our sense of right and wrong is merely antediluvian.

"The hon. the Home Member trotted out the theory of some contract between the Government and the ryot which naturally expires at the end of 30 years. Hon. Members of this House are aware, I suppose, that when the ryotwari settlement was introduced, the idea was paramount in the minds of early administrators that it was going to be a permanent settlement by a process of legislative and executive action. Sir, I need not enter into details, but I say this much: that the Madras ryot has been deprived of his inherent right which the British Government recognized by giving him a permanent right of paying only so much and having the land for himself. If hon. Members want authority, I beg leave of this House just to read one sentence from a very early Paper written by Sir Thomas Munro:—

He says:

'The first point to which I desire to invite attention is that this right of the Madras cultivator to have a fixed, perpetual and unalterable assessment, recognized by the British Government during half a century, has been virtually confiscated by the British Government in the last 40 years.'

Therefore, Sir, there is nothing to show that the ryotwari system was intended to be revised every 30 years. It was intended as a permanent settlement, but owing to an unfortunate accident in the history of Madras the ryotwari holders did not get their permanent rights, and the Madras Board of Revenue conceded that founders of the ryotwari system were of opinion that the permanency of the assessment was beyond doubt. If we are to go into the history of this question, let us go back as far as human memory goes back and not finally stop at a point where it is convenient and wherever it suits us to stop. Then we are told that this increase is going on in every district every 30 years and therefore we must agree to this new increase. In this connexion I want, Sir, not to quote the authority of an agitator like my humble self, but the authority of one who held a very high position as

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Commander-in-Chief of His Majesty's Forces in British India who talking of this perpetual increase in ryotwari settlements in his book on 'Indian Studies' thus says most emphatically :

'The peasant digs, sows and reaps, the rain falls, and the crops prosper and are reaped, but no sooner is the harvest over than the crop is divided. The landlord, be he the Government or a great landlord, takes the lion's share. The village shop-keeper and the village servants are paid from what remains when the producer has nothing left. He again gets credit for his food and seed for the next crop from the village shop-keeper, which costs him dear, and he goes home to plough, sow and live in hopes of better times which never come.'

"Therefore, Sir, this Resolution of my friend Mr. Siva Rao is intended to give the ryots of Bellary and Anantapur districts some hope of better times to come. I do most respectfully submit to this House that we must press this Resolution especially because the hon. the Home Member has practically told this House that this precious Bill which will come before this House will contain no radical changes at all in their hoary methods of settlement, and that therefore we are not going to get anything. I congratulate the hon. the Home Member on the clever way in which he sought to exploit latent district jealousies in this House. I would ask this House to rise above that consideration. Those who represent particular districts cease to represent the particular districts the moment they come here, and I take it that hon. Members of this House realize that they are representing the whole Presidency and not this district or that district. Therefore they must look upon, what Bellary and Anantapur suffer or get, the other districts also will get, and if the hon. the Home Member's argument is pursued to its logical conclusion, it means this: that so long as the executive Government goes on introducing settlements in these districts at different periods, the time will never come when we shall have an opportunity of stopping the settlements in these districts. Let us, Sir, therefore make a beginning somewhere. The hon. the Home Member said that if the conditions in Bellary and Anantapur are bad, he would consider them, which means 'I know better, trust my judgment, do not cloud it by your judgment.' But I appeal to this House, Sir, that it is rather better to trust the judgment of so many representatives who are here than to trust a single man's judgment and to pass this Resolution unanimously, and I am sure that once the districts of Bellary and Anantapur are allowed to continue paying the old assessment other districts will follow suit."

Diwan Bahadur P. KESAVA PILLAI :—"I move that the question be now put."

MR. A. RANGANATHA MUDALIYAR :—"Sir, I think the hon. the Home Member has himself adduced the various grounds on which this Resolution should be accepted. I wish, Sir, that hon. Members of this House should for a moment confine their attention to the proposition before them and not be influenced by considerations which are not relevant to the proposition under discussion. The hon. the Home Member has admitted that for some time past the district has been passing through unfavourable seasons. I would like to take the House, if I may, not only over a period of the last three or four years but also over all the 30 years which cover the period of settlement. We began the settlement in 1801, and these are the remarks we find in the official documents :—

1801—Famine—Both monsoons failed—Great distress—Relief works opened—Dry remission granted.

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1302—Favourable.

1303—Irrregular and insufficient rainfall.

1304—Fair.

What the difference between the words 'fair' and 'favourable' is I should like to explain. I want hon. Members of this House to understand that the word 'fair' in official documents does not mean 'favourable'. The word 'favourable' may be taken to indicate that the conditions are 'normal'.

1305—Favourable."

The hon. MR. A. R. KNAPP :—"May I rise to a point of order, Sir, and say that the amended Resolution confines itself to the codification of the principles of land revenue settlement?"

The hon. the PRESIDENT :—"I understand the point is that this district was adversely affected in the past and so unjustly treated by the Government that the House would be well advised to insist on a legislative enactment being passed before it is resettled. That is the point."

MR. E. W. LEGH :—"On a point of order, Sir. We have not had any discussion so far on the question of fairness of resettlement. The discussion so far went on only with regard to the unfair treatment that these districts had from the hands of Government. Now arguments on the question of resettlement have been advanced on the other side. I wish to know why one side of the House should be excluded from adducing those arguments."

The hon. the PRESIDENT :—"Did any Government Member offer to speak about the fairness of the resettlement?"

MR. E. W. LEGH :—"I say, Sir, that I intended to speak on that point, but I understood thereafter that I would be excluded from doing so."

The hon. the PRESIDENT :—"The hon. Member may have understood it so, but did the President tell him that because the Resolution has been amended, he could not speak on the question of fairness of resettlement?"

The hon. MR. A. R. KNAPP :—"Sir, with all respect due to you, I may say that you remarked that certain Amendments were inappropriate because they dealt with rates of assessment."

The hon. the PRESIDENT :—"The hon. Member certainly asked me what would become of some other Amendments. I said if this Amendment were adopted, other Amendments would be out of order. That is what I said. When I said they would be out of order I did not mean that hon. Members could not refer to anything in those Amendments. Amendments as Motions in the House will be out of order. These are matters of procedure. There is no use of making very strict rules. If it is found after Mr. Ranganatha Mudaliyar has spoken that the Government were under some misunderstanding of their own or of anybody else, they could speak with special leave from the President. But for them now to say that they are wholly blameless and the whole thing is being confused and all that is utterly wrong."

MR. A. RANGANATHA MUDALIYAR :—"I shall with your permission proceed to give an account of the seasons during this period."

The hon. the PRESIDENT :—"One word of caution. In all these discussions the hon. Member will have to add a word and say that the rates proposed to be assessed for that particular fasli must be postponed for the legislation."

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Mr. A. RANGANATHA MUDALIYAR :—" I thought that the thing was so patent that I need not refer to it."

The hon. the PRESIDENT :—" It is not very patent after all."

Mr. A. RANGANATHA MUDALIYAR :—" To continue my account, Sir—

1308—Fair.

1309—Early monsoon failed. Ordinary remission granted in parts.

1310—Fair. Cholera.

" For the next three years, I am sorry I have not been able to obtain the necessary information. I therefore resume from fasli 1314. .

1314—Unfavourable.

1315—Unfavourable.

1316—Better than in 1315. Prices abnormally high.

1317—Unfavourable—extensive sowings—crops failed for want of timely rains.

" Sir, I must say in passing that this failure of crops for want of timely rains is more terrible than suffering from famine. Because, if
12-45 p.m. we have no rains from the beginning we do not sow seed at all, whereas in the former case, the poor ryot spends a lot of labour and money in vain. He incurs a lot of expenditure and undergoes various troubles on the field and for a number of months, just when he is hoping to reap a very good crop, the rains fail, and his condition is much worse than what it would be if there was regular famine—

1318—Worse than even 1317. Test works opened in some taluks and also a poor house started.

1319—Unfavourable. Slightly better than 1318.

1320—Better, but outturn below normal.

1321—Season unfavourable more particularly for food-crops. Early rainfall and consequently korra and sajja did very badly.

1322—Rainfall in excess of requirements and had it not been for the rains received in November, the yield would have been exceedingly good. As it was, the cotton crop was spoilt and the yield of jonna was lowered by insect attack. This is also another miserable thing. We suffer mostly from want of rains and, at times, from more than what is required. When there are rains at inconvenient periods of the season, the crops suffer considerably."

Mr. E. W. LEIGH :—" May I know, Sir, from what document the hon. Member is quoting ? "

Mr. A. RANGANATHA MUDALIYAR :—" Sir, I am reading from the report of the agricultural farm—

1323—Season was one of short rainfall, badly distributed. Yield less than in 1322.

1324—Rainfall defective. Rain confined to south-west monsoon. Poor return of cotton and food-crop.

1325—Rainfall in excess. Badly distributed. Poor yield of cholam.

1326—Rains unusually heavy and damaged mungari crops.

1327—Unfavourable.

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1328—Bad state of season responsible for increase in occasional remissions.

1329—Relinquishments have increased owing to poverty of soil and succession of bad seasons.

1330—There was actual famine, according to official terminology.

" This is the condition of the tracts we are dealing with now. I contend that if the principles of land revenue settlement are embodied in a Bill there will be no reason whatever for enhancing the present assessment of that area from whatever standpoint you may judge. I want that the whole question should be put squarely and faced boldly. I am not at all afraid of the fate of the Resolution, because I am stating on facts and taking my stand on righteousness and truth and I hope to win my case at the hands of this House.

" Sir, I would again remind the House as to how we are faring with regard to rainfall. During the ten years ending with 1900 the average rainfall was 22·68, in the decade ending with 1910, 21·22 and in the last decade it was 19·42. What does that indicate ? Sir, the rainfall is becoming less and less and with what consequences you can easily understand. I shall just quote three extracts from the decennial reports to the Government and then resume my seat. During the period ending 1909-10, this is what the Collector of the district said: 'Statement E shows the proportional variations in the occupied area, its assessment and the net land revenue. Except in faslis 1301 and 1306 both of which were famine years and in 1309 which was also an unfavourable year there has been a steady increase in the occupied area and the net land revenue. The increase is due to the struggle for existence consequent on the steady increase in population'. Please mark the reason given for increase in cultivation. It is not due to alleged prosperity, but to a hopeless struggle for existence. Then the report goes on to say

' It will be seen that in the ten years since fasli 1301, there have been two famine years, two years of partial scarcity, four years which can only be labelled as fair and two which come under the head favourable. The district has thus been passing through a long period of bad or indifferent seasons.'

" Writing in 1895, the then Collector said that the ryots were reduced to a very low ebb owing to successive bad seasons and that the course of events since that date has certainly not improved their condition. Coming now, to the next ten years we find Mr. Robertson remarking as follows: ' During the decennium there was no famine in the real sense of the term '—note the official language—' so as to necessitate the opening of large relief works. But in 1908, a test work at a village called Kollur was opened. Further in faslis 1314-15 and 1317-18, on account of the favourable seasons, postponement of kists was ordered in some villages of Bellary. Special measures were taken for the disbursement of Takkavi loans during these seasons. And during the last decade also, Sir, the Collector has said that the south-west monsoon almost always began late and consequently sowing continued very late each season. Any one who knows anything about cultivation can understand what late sowing and untimely rainfall generally result in. So, my proposition is this: viewing it from any standpoint whatever there is no justification for enhancing the settlement rates. What is the objection on the part of Government to accept this modest resolution of mine ? They are not going to suffer thereby. They know that the seasons had been bad for a

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series of years. They are prepared to grant remissions and I do not know how they are going to be worse off by accepting this Resolution. I hope that the hon. Members of this House will, with one voice, accept my Resolution and give this much needed relief to the poor people who are almost uniformly suffering in the two districts of Bellary and Anantapur."

Mr. E. W. LEGH :—" I do not know if I can speak on this Motion after the closure Motion has been moved. I would like, if I might be allowed, to answer the charge which has been levelled against the Government that they have treated these two districts unfairly (Bellary and Anantapur), districts which are amongst the least favoured districts in the presidency in respect of rainfall. That charge I would like to meet. I thought and I am not alone in so thinking that when Mr. Siva Rao's Amendment was carried by the House, it no longer wished to discuss the question as affecting particular districts, but that the discussion should be confined solely to the general question of the delay of the introduction of settlement till after the principles thereof are codified. So, if I am in order, Sir . . ."

The hon. the PRESIDENT :—" The hon. Member is certainly in order."

Mr. E. W. LEGH :—" Sir I understand that there are two factors which are working in the minds of hon. Members in this House in moving this Resolution. One of these is the desire—which I am sure we all participate in, to be fair and just to these particular districts. There is also, I feel sure, at the back of the Amendment of Mr. Siva Rao, a desire to obtain the power to decide what rates of assessment shall be charged, not only in this district but in any given district. Now, Sir, we have had a good deal of discussion on that point. It seems to me that the discussion has gone very far from the real issue. The real issue is: under the Reformed Constitution has this House at present that power? Was it the intention of the Joint Committee from whose report extracts have been read, that such powers should be given to the Legislative Councils as at present constituted? Now, Sir, I am not a constitutional lawyer and it is not my business to give a pronouncement on that point. It is a question which will have to be decided and which will be decided not by this Council but by the Government of India themselves. It seems to me that before we have a decision by the Government of India on the point as to what powers are intended to be given to this House and the Houses similarly constituted as regards the fixing of actual taxation, it is premature for us to come to any conclusion on the point. Now, Sir, I quite understand the desire of the hon. Members to reach that stage when this House will have full power, and I am sure it is a privilege which this House will, before long, secure. But, Sir, at this moment it seems to me, having read the Government of India Act as I understand it, that we have not reached that stage and that it is quite unlikely that the Government of India will, at this stage, concede to us the right to decide without reference to the Government of India or to any other authority as to what the actual assessment shall be in any given district. Therefore, I think that the Amendment as it stands is neither useful to the particular districts nor for any other districts. For that reason, his Amendment should be opposed."

The hon. the PRESIDENT :—" Order, order. The Amendment which the hon. Member opposes has been already carried by the House."

Mr. E. W. LEGH :—" I mean, Sir, that this amended Resolution should be strongly opposed."

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" Sir, with regard to the other point, viz., the contention that the district has been unfairly treated, etc., I do think that I should give reasons for the orders passed by the Government, and I do also think that the hon. Members representing the district have a right to demand them."

" Sir, on the last occasion when the hon. Member (Mr. Ranganatha Mudaliyar) approached this subject, he said that the settlement of his district compared unfavourably with the resettlement of the Cuddapah district and on that occasion you ruled him out of order for quoting that. Now, I do not know how I can defend this resettlement without making some reference to that resettlement. The hon. Member from Bellary said that that resettlement was a fair one. Now, Sir, if you will excuse me, I would like to be permitted to refer to that in answer."

" Sir, the House knows that the resettlement which we are contemplating is one which terminated with the year 1919-20. The Cuddapah settlement was about 14 years previously. There was a difference of 14 years between these two resettlements. That is the first point which we have to remember in considering any comparison between them. We are not comparing two districts resettled on the same date, but we are comparing two districts resettled with an interval of 14 years between them. We have also to take into consideration the fact that it is during that interval the great War broke out and the further factors arose which have been operating on prices in this country."

" Now, Sir, in his speech in the beginning of the discussion the hon. Member from Bellary explained to the House what constituted the main work at resettlement. He explained to this House that the first consideration in resettlement was the fixing of commutation rates. Now, I want to make it perfectly sure that the House understands what is meant by that. The assessment for any given field is based on the assumption that the Government share is a share of the crop and, in order to arrive at the money value of that share, it is necessary that we should have a price fixed to value at. Sir, it is not the practice to fix the money at the prices obtaining at the time of the resettlement. The Government does not come and say that prices this year are very high, and therefore you must pay a very much higher assessment. The practice is to take 20 years prior to the date on which resettlement began and take the average price of those years. Much depends, of course, on the years you take. The hon. Member from Bellary has attacked the Government on the ground that they have not followed the ordinary practice in fixing the years on which the resettlement rates of the taluks (Bellary and Anantapur) should be based. Sir, if he will refer to the settlement of the same area prior to this one, he will find that the settlement of these districts at the previous date was made on a series of 20 years, without omitting any one year. Now, he claims that at the resettlement, we ought to have omitted certain years which were years of high prices, in addition to famine years. It is true that at the resettlement of Cuddapah in 1905, the years of high prices were omitted without question."

" Now, Sir, I am not going to question the propriety of the decision of the settlement officer, who had omitted those years without discussing the reasons why he did so. No question was at that time raised whether the principle of treating such years as famine years was right. By 1911 it was realized by every one that high prices were not necessarily

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an indication of famine. I think the House will very well understand that if we compare the prices of the present day with prices prevailing 20 years ago, it will be seen that they have gone up by about 300 per cent. If we apply the principle of treating every year in which high prices prevail as a famine year, then now-a-days every year must be considered as a famine year. It was by 1911 realized that the correct procedure was to exclude those years in which there was actual famine, considering the years of high prices as normal years unless there was any particular indication of famine."

Diwan Bahadur P. KESAVA PILLAI:—"Sir, I beg to point out that Mr. Moir and Mr. Davies were settlement officers in the Cuddapah district. And one of them being a Member of the Legislative Council, he will be able to explain why they omitted those years."

(The Member Mr. Davies was not in his seat.)

The hon. the PRESIDENT:—"Is it proposed that we should compel Members to be in their places? I have no power to do so."

Mr. E. W. LEGH:—"I am not criticizing the system which was followed at the date or at any other time. The system was not always at fault. As the hon. Member Mr. Ranganatha Mudaliyar said it was only at that particular date that the system of regarding years of high prices as famine years was followed. By 1911 it was realized that that practice was ridiculous, because every year would now have to be treated as a famine year."

"Mr. Ranganatha Mudaliyar further attacked the Government on the ground that even actual famine years had been included to calculate the commutation prices. I took some pains to look through the history of this case in the official records—I do not want to trouble the House with all the details—and I found that so far as this district is concerned there are only two years about which there is any doubt, i.e., 1908 and 1909. I find that in these two years the Collector informed the Government that the season was bad, that he anticipated the possibility of test works and that he would also have to start famine kitchens according to the Famine Code. I cannot find any further report of these two particular years; it may be that the Collector found it necessary to start test works but I cannot find any record of famine for 1908 or 1909. These were the years referred to in his speech in 1921 by Mr. Ranganatha Mudaliyar. So I make a reference to them. As regards the other years I cannot find any of them to be famine years."

Mr. A. RANGANATHA MUDALIYAR:—"In these years test works were opened; and they were intended to test whether there was famine or not. Then they were dropped. I say there is difference between famine years in the official sense and in the popular sense."

Mr. E. W. LEGH:—"There is this further point to be considered in fixing the commutation prices. The House will readily understand that the effect of the enhancement depends very largely upon the starting point. The enhancement will be the greater the lower you start. Looking up the records, I find that in the original settlement that took place twenty years before the resettlement there was no exclusion on the ground that any year was one of high prices. The starting point must therefore have been as high as it could reasonably be. And in making the resettlement we are justified in following the same practice. It is proper to take again a period of twenty years provided they are not famine years though they may be

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periods in which prices were high. I shall have reasons to refer later to some of the points which affect high prices. It is within the knowledge of this House that prices have jumped up during the last five years preceding the resettlement. And it does not seem likely that they will ever come back again to the point where they stood in the earlier years."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, one of the accepted rules of the Government is that commutation prices are based with reference to past record and not on an intelligent anticipation of the future. Mr. Legh referred to the fact that there was no possibility of the prices coming down. I think he has no right to take into account what might happen in the future. He has to confine himself to what has already taken place."

Mr. E. W. LEGH:—"I fully accept the statement that anticipation of the future should be no consideration. I was claiming that the Government was right in including within the period on which resettlement was based, those years especially those late years in which prices were very much higher than in the earlier years."

"I have a further answer to give. The House would agree that the actual rates fixed as the respective commutation prices were rather high. The old rate for the Bellary district was Rs. 135 per garce. The rates are quoted by the garce—a measure which may or may not be known to the House. For the Cuddapah district the price at the old settlement and the resettlement was Rs. 139 or Rs. 4 higher. The calculated price of cholam at the time of the resettlement was Rs. 219. You will find that there is a difference of Rs. 84 between the two rates, and that the settlement has not been made at the rate of Rs. 219. Members who have had time and occasion to read the resettlement report will notice that the utmost that has been claimed on dry lands—I am speaking of dry lands, because they are far more important than the wet lands—is a rate of 3 annas or, 18½ per cent on the black soil and 12½ per cent on the red soil. That means to say, that the calculated rate at which assessment is made has risen from Rs. 135 to Rs. 151 or Rs. 159 as the case may be against the estimated value of Rs. 219. The rate at which the prices have been fixed is a long way below the maximum rate at which the figures of commutation prices work out."

"But that is not all. A series of calculations have been made by the settlement officer. Omitting all those years about which, from the ordinary point of view, there might be any doubt, the rise in the value of the crop amounts to something more than 50 per cent. Taking the utmost possible favourable attitude, that which Mr. Ranganatha Mudaliyar took, omitting all those years to which he referred, the rise comes to 26 per cent. I do not propose to admit that his judgment was correct when he said that those years should be omitted in the calculation. But even then the rise in the value of the crop would be so much as that."

"But that is not all. I have a comparison made of the actual rates now in force in the Cuddapah district and rates which will be in force in the black soil taluks of the Bellary and Anantapur districts as a result of the resettlement. Surely, Sir, this at least must appeal to every one. Taking two districts, two areas, rate by rate and outturn by outturn, and comparing fields where the outturns are similar, the rates in Bellary and Anantapur compare favourably with the rates in Cuddapah although the basis of calculation is the rate of 14 years later. That is to say that the actual result of the

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resettlement at the date of 1919-20 will be almost identical with the results of the settlements of the three taluks of the Cuddapah district 14 years earlier."

Mr. A. RANGANATHA MUDALIYAR:—"Sir, I do not know whether the hon. Member can refer to the Cuddapah district so much in detail."

The hon. the PRESIDENT:—"I think the hon. Member himself referred to the Cuddapah settlement."

Mr. A. RANGANATHA MUDALIYAR:—"I referred to Cuddapah to show that certain fasls were excluded either because they were famine years or years of abnormal prices. But the hon. Member now refers to them to tell us about the classification of lands, the mechanical composition and economical position and so many other things, which the House do not require."

The hon. the PRESIDENT:—"If one hon. Member refers to Cuddapah for one purpose another hon. Member can refer to it for another purpose. He need not refer to it for the same purpose. Presumably Cuddapah is somewhere near Bellary and Anantapur (laughter)."

Rai Bahadur T. M. NARASIMHACHARLU:—"Sir, Mr. Legh has kindly informed us that Cuddapah is over-assessed."

The hon. the PRESIDENT:—"We can consider that later on."

Mr. E. W. LEGH:—"Sir, my object in referring to the Cuddapah district is to try to remove from the minds of the House the idea that the particular districts we are dealing with, have been dealt with unfairly or on a different basis from that of the neighbouring districts. And it was in fact the hon. Member Mr. Ranganatha Mudaliyar himself who referred to that district and he referred with approval to the resettlement there. And if I can convince this House that the rates which are to be introduced into these particular taluks of Bellary and Anantapur districts will not be substantially higher than the rates which were introduced 14 years ago in a neighbouring district, then, Sir, I think I am entitled to claim that the districts have not been dealt with unfairly. It may be that gentlemen in this House, such of them as come from that part think that they are over-assessed. That is a point which we may not agree on or which we may dispute. I think that if we go to any ryot in any district, he will say that he is over-assessed."

"Well, Sir, there are one or two other points which I should like to refer to, because they are matters of considerable importance. Reference has been made to the decrease in the population of this particular area during the last decade preceding the resettlement. Now, Sir, that is a very big point indeed. It is, I admit *prima facie* a fair presumption that if the population of a district is not increasing or is not showing signs of increase, something is wrong, and the hon. Mover of the Motion drew from that fact the conclusion that the district was over-taxed, and that therefore the population was not increasing, and in fact it was the over-taxation in the district that was preventing the rise of population. Now, I must draw the attention of this House to some figures in connexion with this matter. The area has a very curious history. During the years of the great famine from 1871 to 1881, there was a fall in the population of these districts, and in those particular years the fall was 24 per cent. We can readily understand why there was

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a fall in the population in the district. It need not necessarily be only that the death-rate is very much higher than the birth-rate. It may be also that some people left the district."

Diwan Bahadur P. KESAVA PILLAI:—"Many died. Nearly a million people died in the Ceded districts."

Mr. E. W. LEGH:—"It may not only be that the death-rate is greater than the birth-rate, but there may be some other causes operating; it may be that some persons left the district. In that period the population decreased by 24 per cent. But during the following ten years there was a rise of 25 per cent. Now, Sir, if the district was suffering from over-taxation, could it have recovered so quickly? In fact there was a power of recovery in the district, and in spite of what is alleged about over-taxation, the people were able to recover their former position. If we follow the next ten years we find again that there was a rise of 8 per cent and during the succeeding ten years there was a rise of 4 per cent. That is to say, until the year 1911, that is until the period nine years before the resettlement, the population was on the rise. Now, Sir, I think I am justified in saying that it is not fair, that it is not correct to urge that the fall in the population during the last ten years preceding the resettlement was due to over-taxation. If it had been so, the same cause should have been operating throughout the whole period of thirty years, and it should have affected each of those decades preceding the resettlement. But it has not done so. It has affected only the last ten years. Therefore I say we are justified in saying that in the last ten years which are admitted by every one to have been bad years, as a result of plague and influenza in that particular period, the fall was due to special causes."

"Now, I do not think that I ought to detain the House much further, but there are a number of other points."

Diwan Bahadur P. KESAVA PILLAI:—"He has taken thirty minutes, Sir, and even more than that."

Mr. E. W. LEGH:—"I fear I have exceeded my time-limit, Sir. But it does take some time to discuss all these points, and I am afraid I may be boring the House. But I do feel it is an injustice to the Members representing those districts and this House itself, if they are not told and they do not hear what the plain facts are about the resettlement and the facts on which it was decided that the assessment might be raised."

"Now, one of the arguments urged against any rise in the rates of assessment in the district is that the total amount which has been borrowed by the ryots, so far as it is ascertainable, for it is difficult to ascertain exactly what it is, has risen. It is a fact that, so far as the settlement officer has been able to ascertain, the total amount of such borrowings is much larger than it was before. It has risen during the period under discussion, but there are several factors which have to be taken into account in considering the causes, etc., in relation thereto. Supposing that a man with a property worth, say, a thousand rupees borrows Rs. 500, he will have only the margin of the other Rs. 500. But supposing that the value of that property rises to Rs. 3,000 and he borrows Rs. 1,500, he would still have a margin of Rs. 1,500. Now what I would like to point out is that the total of the indebtedness has not risen comparatively with the total of the value of the land. If any gentleman takes the trouble of referring to the

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figures in respect of the valuation of the land in those districts and compares them with the figures in other districts, he will see that the ryot, even supposing that he has borrowed more money, is now substantially better off than he was 30 years previously. Again, there is another fact which has to be taken into consideration. From whom do all these ryots borrow? Now, it is said that when the ryot is hard-pressed he would go to the merchant and would borrow from him and thus get into his clutches. But if you look up the figures, you will see that out of the total amount borrowed so far as has been ascertained by the settlement officer, about four-fifths was borrowed by ryots from other ryots. And I think we may take it that these ryots will not be so hard on one another that they would treat the borrowing ryots as the merchants are admitted to do. This borrowing of money by ryots from other ryots does not mean or does not show that extreme poverty in which the ryot is said to be living. But it does mean that they borrow for not only the manure or seed for their land but for festivals, marriages and so on. They borrow because they have got credit in the open market, and I think it is within the common knowledge of this House that the ryot likes to borrow when he has credit at his command, and that he does not look upon it as a disgrace or as an uncommon thing to be done. He has credit and he likes to borrow . . .

Diwan Bahadur P. KESAVA PILLAI :—“This is a piece of information for which the hon. non-official Members of this House will feel very grateful to the hon. Member.”

The hon. the PRESIDENT :—“Considering that we are near lunch time, it is a matter for the Deputy President to consider whether we may not forego all these courtesies and allow the debate to go on.” (Laughter.)

Mr. E. W. LEGH :—“The matter I am speaking about is within the knowledge of the Members of this House and I do not claim any private knowledge of it which is not known to other Members. If they do not agree with me, they need not vote with me.

“There is one last point, Sir, which I would like to put forward, and that is the increase in the extent of land cultivated. Now, it is argued that it has nothing to do with the case at all. It is said that the fact that a larger area of land within the district is cultivated does not indicate any increase of prosperity or anything else. I do not see how that argument can be supported. There has actually been within the last 25 years previous to the resettlement an increase of cultivation of something like 200,000 acres. There has been a decrease in the unoccupied area of a similar extent, and there is only left in fasli 1227 something like 97,000 acres of uncultivated land, that is to say, assessed waste, as against 298,000 at the beginning of the resettlement period. If it is claimed, as it might be claimed, that these lands are merely occupied and not cultivated, then I must refer hon. Members to another table in regard to these districts. I am afraid I have to trouble the House with some figures, but we are dealing with facts and figures, and I would just mention a few. If they refer to the figures they would find that between the years 1823 and 1827 of the occupied area in the district over 97 per cent was actually cultivated. In no taluk the cultivated area was less than 92 per cent. That is to say, there is very good evidence that the ryots have not only been occupying unoccupied land, but that they have also been cultivating it.”

Diwan Bahadur P. KESAVA PILLAI :—“It is already lunch time, Sir.”

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Mr. E. W. LEGH :—“Does the hon. Member want me to finish off, Sir?”

The hon. the PRESIDENT :—“The hon. Member Mr. Legh can go on.” (Laughter.)

Mr. E. W. LEGH :—“Well, Sir, if the districts were, as it has been suggested, in a hopeless state of indebtedness and loss of credit, I do not think we could expect to see an increase in the cultivation and the cultivated area.

“Now, Sir, one last point before I close. If the hon. Member Mr. Ranganatha Mudaliyar is claiming for his districts the sympathy of the House on account of bad seasons which they have had in recent years and is asking for special consideration on that ground for a series of years to come, then he is entitled to that sympathy, and should there be such circumstances, I have no doubt he will get that consideration. But, Sir, if he asks that because there have been in his district three or four bad years, therefore for the next thirty years there should be no increase, I would ask the House to remember that it is for thirty years that a settlement is made, and therefore within that period there can be no further rise in the assessment. I think that he is not entitled to claim that there should be no increase for thirty years because of three bad years. I have already pointed out that the population of the district recovered itself within one decade of the great famine, the greatest famine probably we have ever had in India, and that it has in fact a great power of recovery. Sir, I do not want any gentleman to judge unfairly or unjustly of that district, nor do I want the House to withdraw in any way the sympathy they may have for that area. Any sympathy they may feel may be extended to the area, but I do ask them that before they say that an unfair assessment has been imposed, they should consider the facts and figures which I have put before them and judge the matter on that basis.”

The hon. Mr. A. R. KNAPP :—“Sir, with due regard to the physical feeling in the House, I shall try to be as brief as I possibly can.”

1-30 p.m. After the very minute examination of the points raised by my hon. Friend, Mr. Ranganatha Mudaliyar, which has been made by Mr. Legh, I have no intention of going into details. There is only one matter in respect of which I would like to make a slight correction. I think Mr. Legh mentioned that if we adopt the basis which Mr. Ranganatha Mudaliyar himself wished to adopt for arriving at the commutation rate, we should be still left with an increase of 25 per cent. My calculations are that if we take exactly the ground on which Mr. Ranganatha Mudaliyar himself stands and accept his years without reservation, then we shall be entitled to take 40 per cent increase over our present assessments. He himself told us that anything up to 20 per cent we must leave to the ryot for the purpose of improving his economic condition. There still remains 20 per cent, and we are only taking 18½. On the general question I feel at present that I am rather on shifting ground. I am not quite sure whether I am discussing the question whether on principle we should legislate before we introduce the Bellary system, or whether I am discussing the state of the district of Bellary. We are asked by this Resolution to say that we are not going to introduce a new settlement into Bellary until we legislate. Mr. Ranganatha Mudaliyar has told us that Bellary has been in a bad way and is in a bad way. Does he suggest that if we legislate, the conditions will be altered? Is legislation going to bring down rain from heaven? I find it difficult to follow the exact position which he takes up.

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"Well, Sir, the main question which I think the House would like to put and which has already been answered by Mr. Legh is this: why do we want to postpone resettlement? The answer is, Sir, that all our machinery has been working as Sir Habib-ul-lah said it would work; we have now got practically the whole of our arrangements complete; adangals have been prepared; everything is ready, and if we are now going to postpone, we shall have to scrap many of these arrangements. Occupation of land will alter during the next year or two and there will be no kind of finality about the matter. That is the reason, Sir, why we still claim that we are entitled to allow the settlement to proceed in the ordinary course with this assurance that if the state of the ryots in the Bellary district requires it, we will make whatever remissions may be needed. That ought, in my humble opinion, to be enough to satisfy the House on this particular point.

"I will only refer briefly to one or two remarks made by my hon. Friend, Mr. Satyamurti, on the general question. He castigated me severely for saying that I was not prepared to accept the dictation of the committee which we had appointed, and he laid down the extraordinary proposition that if you appoint a committee, then you are bound to accept its recommendations."

Mr. S. SATYAMURTI:—"I did not say that, Sir. My point is that no committee should be appointed whose conclusions are rejected, not on their merits, but because certain people who are subordinate officers of the Government have been appointed and therefore their opinion ought not to be accepted."

The hon. Mr. A. R. KNAPP:—"I do not care, Sir, whether it is a committee of Government officers or outsiders. I still stick to my position that in appointing a committee you do not commit yourself to an undertaking that you will accept their advice. If I consult the hon. Member for the University on any matter, that does not mean a promise that I am going to accept his advice.

"Then, Mr. Satyamurti laid great stress on the proceedings of the Joint Committee. He read out portions of their report to us and asked us to note exactly what they stated. Well, Sir, what they did say is in no way inconsistent with the position that I have taken up. They said that legislation would be required for the purpose of laying down the main principles. I entirely agree with that. But what I objected to was that every single detail of the settlement, according to the Bill prepared by the committee, was to come before this Council and receive their final order."

Mr. P. SIVA RAO:—"I did not want every single detail to be so placed, but I wanted that the main proposals of the Executive Government should be placed before the legislature."

The hon. Mr. A. R. KNAPP:—"Mr. Siva Rao's knowledge of the committee is no doubt great. But my impression is that the whole scheme report, containing innumerable details, was to be laid before the Legislative Council which was to pass orders on all the proposals contained in it. I maintain that there is nothing in the position that I have taken up which is in the least inconsistent with the injunctions of the Select Committee.

"There is one other point, Sir. Mr. Satyamurti rather ridiculed the idea—which he called the hoary idea—that there was a kind of contract (a thirty years' contract) between the Government and the ryot. Well, Sir, I would

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like to ask him whether he would apply it the other way. Is he prepared to tell us now that there is nothing to prevent us from resettling all the districts this year and that we are not in the least prevented by the thirty years' contract? I should like to have that information from him."

Mr. S. SATYAMURTI:—"May I explain that I was enunciating an important principle that permanent settlement was contemplated when the ryotwari settlement was first introduced into this Presidency? Certainly I never meant to suggest, when I attacked the theory of the hon. the Home Member regarding a supposed contract between the ryot and the Government, that he can have it both ways, namely, attack me when I ask for a permanent settlement on the ground of a thirty years' contract and again speak of increasing the assessment at any time when it is urged that there is no such contract."

The hon. Mr. A. R. KNAPP:—"I am obliged to the hon. Member. Therefore, it means that there is a contract on the part of the Government which is binding on them not to resettle within thirty-years, but that there is no contract on the part of the ryots. Is that the position? (After a pause.) Well, Sir, I am prepared to leave it at that. But I will remember my hon. Friend's reflections on the subject.

"My hon. Friend read to us some observations made by the late Commander-in-Chief of India, Sir O'Moore Creagh. He painted a rather pathetic picture of the devastating effect of settlements generally on the unfortunate agriculturists in this country. I see no reason, and the hon. Member gave us no reasons, to believe that the observations in any way related to Madras. My own private recollection is that Sir O'Moore Creagh, when he once came to Madura in 1910, told me that he knew little or nothing of India south of Poona. So I am entitled to that extent to discount the effect which my hon. Friend would like to give to the opinions of a man, distinguished greatly in his own sphere, but I am afraid not to be accepted as an authority on revenue settlement in the Madras Presidency."

Mr. S. SATYAMURTI:—"Sir O'Moore Creagh wrote that after 1910."

The hon. Mr. A. R. KNAPP:—"If that is so, then we may hold that he was qualified by a couple of days spent in seeing the temples in Madura to give an opinion on revenue settlements in this Presidency.

"I do not think, Sir, that I need detain the House any longer. I would only ask the House to bear in mind what I have all along impressed on them, that this Resolution is not a question of coming to the immediate relief of the Bellary district with reference to the unfortunate series of bad years from which it has suffered. It is a matter of principle and it is on principle that I would ask the House to deal with it."

Mr. J. A. SALDANHA:—"May I ask the hon. Member one question, Sir?"

The hon. the PRESIDENT:—"No. I would remind the House that what we are voting on is the Motion on the paper and not on the speeches and sentiments expressed in the House. As there are new Members in the House, I have felt bound to give that caution. I will now put the Motion to vote."

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1-45 p.m. A poll was taken with the following result:—

Ayes.

1. Mr. D. Appavu Chettiyar.
2. " Ari Gowder.
3. " S. Arpudaswami Udayar.
4. " P. K. S. Arumuga Nadar.
5. " A. V. Bhanoji Rao.
6. " N. Jeyvandrudu.
7. Rao Sahib S. Ellappa Chettiyar.
8. Rao Bahadur P. C. Ettirajulu Nayudu.
9. " Cruz Fernandez.
10. Mr. P. Gopalan.
11. " B. Mahabala Hegde.
12. Diwan Bahadur M. Krishnan Nayar.
13. Rao Bahadur K. Krishnaaswami Nayudu.
14. The Zamindar of Kurupam.
15. Mr. V. Madhava Raja.
16. Honorary Lt. Madurai.
17. Mr. T. Mallesappa.
18. " P. N. Marthandam Pillai.
19. " B. Muniswami Nayudu.
20. Rao Bahadur A. M. Murugappa Chettiyar.
21. Mr. C. Muttayya Mudaliyar.
22. " B. Obalesappa.
23. " K. S. Ponnaswami Pillai.
24. " K. Prabhakaran Tampun.
25. " B. Ramaiah Reddi.
26. " A. Ramaswami Mudaliyar.
27. " P. Sagaram.
28. " J. D. Samuel.
29. " K. Sarabha Reddi.
30. " K. Sarvarayudu.
31. " K. Sitarama Reddi.
32. " Chavadi K. Subramania Pillai.
33. Diwan Bahadur P. Kesava Pillai.
34. Rao Bahadur C. Natesa Mudaliyar.
35. " T. A. Ramalinga Chettiyar.
36. Mr. C. Ramalinga Reddi.
37. Rao Bahadur A. S. Krishna Rao Pantulu.
38. " C. V. S. Narasimha Raja.
39. Mr. P. Siva Rao.
40. " A. Chidambara Nadar.
41. " K. Koti Reddi.
42. " J. Kuppaswami.
43. " P. Anjaneyulu.

44. Sriman Biswanath Das Mahasayo.
45. Mr. S. Muttayya Mudaliyar.
46. Diwan Bahadur S. Rm. Ct. Pethachi Chettiyar.
47. Dr. P. Subbarayan.
48. Rai Bahadur T. M. Narasimhaachari.
49. Mr. P. Peddiraju.
50. " A. Ranganatha Mudaliyar.
51. " J. A. Saldanha.
52. " M. Sitayya.
53. " M. R. Seturatnam Ayyar.
54. " R. Srinivasa Ayyangar.
55. " C. V. Venkataraman Ayyangar.
56. Diwan Bahadur K. Suryanarayana Murthi Nayudu.
57. Mr. K. Venkatachala Padayachi.
58. Rao Bahadur C. Venkataranga Reddi.
59. Mr. M. Ratnaswami.
60. " W. Vijayaraghava Mudaliyar.
61. " R. Veerian.
62. " S. Satyamurti.
63. " T. Adinarayana Chettiyar.
64. " C. Maruthavananam Pillai.
65. Rao Sahib U. Rama Rao.
66. Mr. G. Rameswara Rao.
67. " P. C. Venkatapathi Raju.
68. " Venkataraman Ayyar alias V. Pantulu Ayyar.
69. " B. Venkataratnam.
70. " Abbas Ali Khan.
71. " G. Abdulla Ghatala Sahib.
72. " Abdul Hye Sahib.
73. " V. Hamid Sultan Marakkayar.
74. Khan Bahadur P. Khalif-ul-lah Sahib.
75. Mr. T. M. Moidu Sahib.
76. " Muhammad Moosa Sait Sahib.
77. " T. N. Bava Ravuttar Muhammad Sahib.
78. Khan Sahib Saiyid Diwan Abdul Basak Sahib.
79. Mr. K. Uppi Sahib.
80. " Munshi Abdul Wahab Sahib.
81. " Janab Muhammad Yahya Ali Sahib.

Noes.

1. The hon. Sir Charles Todhunter.
2. " Mr. A. B. Knapp.
3. " " O. P. Ramaswami Ayyar.
4. " the Raja of Panagul.
5. " Rao Bahadur A. P. Patro.
6. " Diwan Bahadur T. N. Sivagunnam Pillai.
7. Mr. R. W. Davies.
8. " E. W. Leigh.
9. " P. L. Moore.
10. " G. F. Paddison.
11. " H. Tireman.
12. " J. A. Davis.
13. " A. E. Renoutra.
14. The Raja of Ramnad.

The Motion was declared carried, 81 hon. Members voting for the Motion and 14 against it.

MR. A. RANGANATHA MUDALIYAR:—" May I, with your permission, Sir, thank the House for passing this Resolution?" (Cries of 'Order, order').

The hon. the PRESIDENT:—" Order, order. The House will now adjourn for lunch and meet again at 3 p.m."

The House then adjourned for lunch at 1-45 p.m.

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The House re-assembled after lunch at 3 o'clock with the hon. the Deputy President in the Chair.

ELECTION OF PRESIDENTS OF DISTRICT BOARDS.

MR. A. RANGANATHA MUDALIYAR:—" Sir, I beg to move—

11. That this Council recommends to the Government that all district boards should be given the right to elect their own presidents unless, for reasons to be notified in the "Fort St. George Gazette," the Government decide to the contrary."

MR. P. PEDDIRAZU:—" I rise to second the Resolution. And in rising to do so, I may say I have tabled a similar Resolution (No. 28 on the agenda) and I have no objection to accept the Motion that has been moved by my hon. Friend Mr. Ranganatha Mudaliyar."

The hon. the RAJA OF PANAGAL:—" Mr. President, I may say, Sir, that opinions have been recently expressed that the Government have been delaying to introduce the principle of giving district boards the right of electing their presidents. I admit, Sir, that the Government have been moving rather slowly and with caution in this direction. But if they have done so, they had their own reasons. In the first place, Sir, the district boards have been reconstituted and have been in a transition stage after the passing of the Local Boards Act of 1920. Secondly, the financial position of most of these boards was not satisfactory. For these reasons, the Government thought they could move only slowly in the matter. At present there are six boards enjoying this privilege. They are the district boards of Nellore, Madura, South Kanara, Kurnool and recently we have given the privilege of electing its president to each of the district boards of Tinnevely and Tanjore. Thus, Sir, out of 25 district boards, six enjoy this privilege. Sir, in this connexion, I should, with your permission, like to read from the report of the select committee in connexion with the passing of the Local Boards Act in 1920. The committee says:

'Under the original Bill, the president of a district board or taluk board and the chairman of a panchayat might be appointed by the Government or elected by the local board or panchayat if so authorised by the Government. And the president of a taluk board and the chairman of a panchayat might be an outsider. We think it essential that the president of a local board should be chosen from among its members. We discussed at some length the question whether presidents of local boards should not ordinarily be elected. In the case of district boards the interests involved are so large and important that for some time to come we would have the president carefully selected. We have therefore permitted the existing arrangements to continue and the Government will continue to have the power to appoint presidents of district boards and to permit their election. We think that the presidents of taluk boards should be elected unless the Government direct otherwise and that a union board president should always be elected. The vice-president of a district or taluk board should, in our opinion, be also always elected.'

"This, Sir, was the opinion of the select committee which consisted of a majority of non-officials. And it is therefore that the Government went on slowly in giving the boards the right to elect their presidents. As I have already stated, there was also the difficulty experienced on account of the financial embarrassments of the boards. Now that the financial position has become better and most of the district boards have had their representatives from the reconstituted taluk boards those difficulties do not stand in the way of the Government moving more rapidly in this direction. And my hon. Friend has worded his Resolution allowing room for retaining the nominated presidents where reasons existed for their retention. Sir, I have no objection

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to allow a board to elect its president, provided two-thirds of the members ask for election. I must also inform the House that there are boards where the Government may, for special reasons, have to appoint presidents from particular communities. I understand the hon. Mover's Resolution admits of such consideration. With these remarks I shall be glad to accept the Resolution."

Mr. S. SATYAMURTI:—"May I ask one question of the hon. the Chief Minister? I understood him, Sir, to say that he was willing to allow the privilege of election in the case of those district boards where two-thirds of the members ask for it. The House will see that the Resolution does not contemplate that condition. Does the hon. the Chief Minister move an Amendment to the Resolution now moved?"

The hon. the RAJA OF PANAGAL:—"I said that the Resolution as it is worded admits of such consideration."

Mr. YAHYA ALI SAHIB:—"May I now rise to oppose the Motion, Sir? If I rise to do so, it is because, as a representative of the Muhammadan community, I feel that the Resolution as at present worded does not furnish sufficient scope for the representatives of Muhammadans to become presidents of district boards. If I have the assurance that under the proviso that has been added to the Resolution by the hon. the Chief Minister the case of adequate representation of the Muhammadans has also been included, I mean if express provision is made with regard to that, I will withdraw my opposition. But as it is, I am absolutely sure that if the door of election is thrown open the opportunities of the Muhammadan community at any rate, so far as holding the posts of presidents of district boards is concerned, will not be sufficiently safeguarded. I therefore submit, Sir, that if a system of separate representation for the Muhammadans is provided in connexion with the principles of direct election to the district boards, it is not contemplated in the Local Boards Act Amendment Bill. The time has not yet come for us to consider the question of the extension of the principle of election so far as the office of the president of the district board is concerned. I wish therefore that this question may be deferred till the Local Boards Act Amendment Bill is brought forward. And unless proper safeguards are provided in the interests of the Muhammadan community I have to oppose the Motion. In the Motion as it is worded, I do not find any express provision for the representation of the Muhammadan community. I do not know, Sir, if I will be in order if I move an amendment to the Resolution at this stage. If I will be, I shall move it; if I am ruled out, I wish to be content with opposing the Motion. I pause for your permission, Sir."

The hon. the DEPUTY PRESIDENT (in the Chair):—"Will you kindly send round the Amendment so that I may see if it fits in with the Resolution?"
3-15 p.m.

Mr. YAHYA ALI SAHIB:—"Sir, my Amendment is just to safeguard representation of Muhammadans and other minority communities in the local bodies. I am sending it up, Sir."

Mr. P. L. MOORE:—"Sir, may I know if you are suspending the operation of the Standing Order for notice?"

The hon. the DEPUTY PRESIDENT:—"No, I am not doing anything. I am waiting to see what the Amendment is."

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The Amendment of Mr. Yahya Ali Sahib was handed to the Deputy President who after scrutinizing it said:—

"I think the object of your Amendment could be obtained in some other way. This Amendment does not fit into the Resolution. I am afraid I cannot allow you to bring forward the Amendment and I must rule you out of order. The Resolution is about the right of electing its own president and how does the question of representation of Muhammadans or other minority interests in the local bodies arise here?"

Mr. YAHYA ALI SAHIB:—"May I explain?"

The hon. the DEPUTY PRESIDENT:—"I am sorry the matter is settled."

At this stage the hon. the President arrived and took the Chair.

Mr. YAHYA ALI SAHIB:—"I was submitting, Sir, before you arrived, that the Resolution as it stands does not provide sufficient safeguard for the adequate representation of my Muhammadan community and that therefore unless a particular Amendment is allowed the attitude of the Muhammadans will have only to be one to oppose the Motion. I request that permission may be given to suspend the rules regarding notice and to move an Amendment. If that is granted, I shall be very much obliged."

Diwan Bahadur P. KESAVA PILLAI:—"The matter has been settled."

The hon. the PRESIDENT:—"I understand that the Deputy President has refused to waive the Standing Order. Why has not the hon. Member sent his Amendment in time? I see there are other Amendments by other hon. Members and surely there was time for the hon. Member, Mr. Yahya Ali Sahib, to have sent his Amendment in time."

Mr. YAHYA ALI SAHIB:—"Sir, I was somehow or other under the impression that the Resolution would not come up for discussion so soon and that it would have advanced to this state of discussion. I request your permission to move the Amendment."

Mr. C. RAMALINGA REDDI:—"He is a new Member, Sir, and he may be shown some indulgence in the matter, if you please."

The hon. the PRESIDENT:—"I do not think it should be allowed now; but the hon. Member had better wait till we make some progress with the Motion and watch the trend of the debate and if he finds that the trend of the debate is such that it is necessary to put forward his Amendment, he may then do so."

Diwan Bahadur P. KESAVA PILLAI:—"The original proposition has already been accepted. It has been moved and seconded and the hon. the Raja of Panagal has accepted the Motion."

The hon. the PRESIDENT:—"Has the Amendment by the hon. Mr. Siva Rao been disposed of?"

Mr. C. RAMALINGA REDDI:—"No, Sir."

The hon. the PRESIDENT:—"I am very sorry I have come in to interrupt you in the middle of what appears to be a very interesting matter; it would have been far better if I had remained outside just a while more. However, the acceptance of a Motion by the Government does not end the discussion. It may be that a friendly Member may bring a Motion and the Government may accept it. But that cannot put an end to any further discussion. If in

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the course of further discussion it is found necessary to bring in an Amendment, then it will be time to consider whether I should suspend the Standing Orders with respect to the notice. I think it is rather better to allow the discussion to go on now."

Mr. C. V. VENKATARAMANA AYYANGAR:—"I cannot understand the proposition as it is worded. It is rather vague and requires definite Amendments. For instance, the latter portion practically nullifies the effect of the former portion. The only thing the Government has to do is to notify in the gazette that a particular district does not deserve election and that therefore there will be nomination and that settles the matter. Much has been said at the time when the 'No-confidence' Motion was discussed and much has been said about the way in which nominations have been made in the past. Now, the Government have got the right under the Act to declare any presidentship open to election. Therefore to give them some power qualifying it by saying whenever they exercise the power they should publish it in the gazette is something which is not worth the trouble. If we do really attempt to satisfy the aspirations of the people, I think some attempt should be made to restrict the power of the Government under this Act.

"If it is clearly specified in the Resolution itself that it is for any particular purpose such as the safeguarding of minorities or some such other thing the position would have been different. Unless we do something to curtail the power of the Government as regards these nominations this Resolution will practically become a dead letter. If we really want to modify the present Act or rather to give effect to the provision of this Act regarding elections materially and to curtail the power that has been now exercised by Government it is very desirable that some more qualifications are put in there, giving the power to Government only in exceptional cases where the interests of the minorities are to be satisfied and so on. Therefore, Sir, I do not like the present wording of the Resolution. Though many of us would like to have some such Resolution as this we would give our full and whole-hearted support if the power of the Government is a little more curtailed restricting the nomination only to cases where the interests of the minorities such as Muhammadans are to be safeguarded. There is a strong opinion that the proposition as it is does not advance the popular cause very much beyond what it is in the present Act. If really we want to restrict the powers of the Government under the present Act, we should have some such powers clearly indicated as to the few cases in which such powers can be exercised. I appeal to the House and to the Mover also to clearly state the circumstances under which Government can exercise this power. If that is done the proposition will have more whole-hearted support from us than it is at present."

Mr. C. RAMALINGA REDDI:—"I never expected to be here this afternoon and I had no idea of intervening in this debate. But in view of the importance of the Resolution tabled I thought I should contribute my little share in the clearing of all the issues involved by this recommendation. Our object is ultimately to try and throw open all the district board presidentships to election. I advisedly use the word 'ultimately' for two reasons, or rather three. At present as things are now, there is no direct election to the district boards. Any gentleman who wants to serve his district as a member of the district board has either to

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get elected first as a member of the taluk board and then by the taluk board to the district board—a process of double distillation—or he has to depend upon nomination whether on the recommendation of the president of the district board or on the hon. the Minister for Local Self-Government. More than once the opinion has been expressed in this House that that state of affairs was very unsatisfactory. Consider, for instance, especially the case of a small minority community like that of the Muhammadans—when I say that I am not pleading for the Muhammadans, but for all minority communities—who have to run the gauntlet of taluk board elections. If they survive, they have to depend upon the Hindu majority to get elected for the district board. Then there is the good grace of the hon. the Minister to fall back upon. But whether that grace has been employed either directly by him or through his agency of the district board president in order to achieve the real object, that it is a debatable matter on which I do not wish to enlarge on the present occasion. So the minority communities are at a terrible disadvantage in respect of the chances they have to serve in the boards. And there is the further difficulty. At present I understand that about one-fourth of the members of the district board may be nominated. We know how these nominations are done. The matter was discussed at a meeting of the advisory board last year on a proposition introduced by my hon. Friend, the then Secretary of that department, who is not unfortunately here. He recommended that in future these nominations may be made by the district collectors and not by the district board presidents."

The hon. the PRESIDENT:—"We are discussing about the presidents of district boards. The hon. Member is discussing the question of nominations."

Mr. C. RAMALINGA REDDI:—"Sir, I will not pursue that. For my purpose it is enough if I say that one-fourth of the members are nominated in which nomination the presidents of the district boards play a large part and that therefore when the presidentship is thrown open to election the presidents will practically secure one-fourth of the votes and that will not meet the ends of justice."

The hon. the RAJA OF PANAGAL:—"Am I to understand, Sir, that the hon. Member is opposed to the Resolution itself?"

The hon. the PRESIDENT:—"The hon. Member will know it later on."

Mr. C. RAMALINGA REDDI:—"Precisely you have anticipated my reply, Sir. Therefore, those of us who were anxious that these seats should be thrown open for election were anxious not as an item in itself but as an item in a comprehensive reform of the present local board system. Mr. Yahya Ali who in one branch of that system has considerable experience, I believe, pointed out the general lines on which such comprehensive reforms should take place, namely, firstly direct elections to district boards and secondly reservation of seats for the minority communities either by means of special electorates or in some other manner, and then the abolition or minimisation of the nominations. If by these reforms you throw open the presidentships of district boards to election then my Christian friends cannot ask any kind of reservation without which they will have no chance whatsoever under the existing circumstances. I mention this because as it stands this may be democratisation. As a matter of fact even that is not as I shall presently show. The only possible goal for India is some kind of ethnic federalism,

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As the Resolution stands at present it seems to give away with one hand what it receives with the other (hear, hear). For there is this proviso, 'unless for reasons to be notified the Government decide to the contrary.' The suggestion thrown out by my hon. Friend Mr. Yahya Ali, if accepted, would make this Resolution more specific. It would show that as far as possible except for the purpose of securing the district board presidents for minority communities such as the Muhammadans, Indian Christians and depressed classes this power of nomination shall not be employed. The reform shall be that everything shall be thrown open to election unless fighting in the election under the existing circumstances does not mete justice to these minority communities and the benign Government, acting through the hon. the Chief Minister who is responsible to this House, decides to nominate these people. If such nomination is made it shall be to the people of the minorities only and not to others (hear, hear). Therefore I hope I can appeal to the feeling of democracy in this House. If Mr. Yahya Ali's Amendment is moved and accepted the whole difficulty will disappear. I therefore would urge that you should be so good as to permit my hon. Friend to move that Amendment."

The hon. the PRESIDENT:—"The Deputy President has disallowed it. I think I cannot do anything further."

Mr. S. SATYAMURTI:—"With due deference to your knowledge of Standing Orders, I wish to submit this to you Mr. President. I think that whenever an amendment has to be moved without the two days' notice, the President has to first suspend the Standing Order requiring notice of the amendment and then permit the amendment to be moved. Then the question will arise as to whether the amendment is in order or out of order. As far as I remember the Deputy President seemed more concerned with the relevancy of the point raised in the Amendment as to whether the Amendment was in order or out of order and not the previous question whether the two days' notice required was given. No request was made formally to suspend the Standing Order which ought to have been made. I request you will be so good as to suspend the Standing Order and allow my hon. Friend to move the Amendment."

The hon. the PRESIDENT:—"It will be convenient to hear the Deputy President himself."

Diwan Bahadur P. KESAVA PILLAI:—"I think my Friend's memory is not quite correct. The hon. Muslim Member began by saying, 'with your permission Mr. President I beg to move'. I am pleading here as a guilty person."

The hon. the PRESIDENT:—"Certainly not."

Diwan Bahadur P. KESAVA PILLAI:—"I must state that this gentleman (Mr. Satyamurti) was quite incorrect in the statement of facts. The hon. Muslim Member said, 'if you would permit me, Sir, at this stage'. If he had not said so I would not have opposed. Mr. Narasimha Raju wanted to move some amendment and I told him that the President should be asked about that. I am not doing anything like what the hon. Gentleman said. You will be good enough to see whether the request now made is worth considering. I thought it was not proper to allow the Amendment and so I disallowed it. These gentlemen are now making this appeal to you, and calling my order into question."

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Mr. C. RAMALINGA REDDI:—"The Deputy President has been using the plural number. I do not know how many he has intended to cover."

Diwan Bahadur P. KESAVA PILLAI:—"Including yourself, Sir."

Mr. C. RAMALINGA REDDI:—"It is hardly in keeping with the courtesy usually observed in this House."

The hon. the PRESIDENT:—"I would now insist on everybody getting up in his place if he wants to say anything and he must speak when I call upon him to speak. If any breach of that rule is made it will be visited with some serious consequence."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"You have stated, Sir, the point of order which I desired to raise that it is advisable for hon. Members to get up in their seats when addressing."

The hon. the PRESIDENT:—"I think I have stated that very clearly."

Mr. C. RAMALINGA REDDI:—"I did not question the ruling of the hon. the Deputy President either before or now and I had no intention of doing it. But I was under the impression that after the discussion had proceeded to a certain extent the point might be re-opened. I was not appealing to you against the ruling of the Deputy President who seems to be extremely sensitive."

The hon. the PRESIDENT:—"I have heard the explanation of the hon. Member with great pleasure and I am sure my hon. Friend the Deputy President shares that pleasure."

Diwan Bahadur Mr. P. KESAVA PILLAI:—"Quite so."

Mr. S. ARPUDASWAMI UDAYAR:—"Mr. President, Sir, I am very thankful to the last speaker, the hon. Member Mr. C. Ramalinga Reddi, for the able manner in which he championed the interests of minorities. As representing a minority, I really think a clear assurance should be given that the cause of these minorities would be safeguarded. If in any district it is found that a member of the district board, be he a Muhammadan or an Indian Christian or a member of the depressed classes, possesses special capacity, ability and talents of administration but at the same time he is not sure of being elected a president, he might be nominated, so that the district board might have the advantage of utilizing his talents and abilities and the community also will not be debarred from the privilege of having one of its ablest members as the president of the district board. The Amendment having been disallowed, might I respectfully ask for an assurance that this clause covers also cases of this kind, that is, where Government see that where the office of the president of a district board is to be thrown open to election, there is no possibility of a Muhammadan gentleman or an Indian Christian gentleman or a member of the depressed classes who has shown remarkable powers and capacity of administration but has no chances of being elected a president, being debarred from being nominated to that post after stating such reasons in the *Fort St. George Gazette*? I wish to have information on this point."

Mr. R. VEERIAN:—"Mr. President, Sir, I assure you that this time I will be as steady as possible in making my speech (laughter). My hon. Friends

[Mr. R. Veerian]

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applaud whenever I rise to speak. My hon. Friends listen to me with very great admiration (laughter) because though I am not an orator, to some extent I create a certain amount of enthusiasm and spirit. I have my own impression on this matter and that impression is a sound one as far as my practical knowledge goes. Certainly a good amount of prudence is very essential in this matter. Local conditions should also be taken into consideration. For instance, conditions that are prevailing in the Salem district will be quite different from those in other districts. This House is aware that the district board presidents are vested with executive powers. Therefore, they are bound to utilize their full time in executing their functions in order to satisfy the general public as far as possible. But the results are far from satisfactory. I put it in that strong language, Sir. What I want to suggest is that every District Collector should also be consulted in the matter of either nominating district board presidents or throwing open to election of that office, because the Collectors are the direct agencies of the Government in every district and I am sure they are posted with any amount of information. Even if they are not posted with information, they are able enough to get that information from their daily dealings. That is what I have learnt from my practical knowledge and experience. My hon. Friend Mr. Arpudaswami Udayar has rightly put it, Sir, that the interests of the minority communities will not be protected unless nominations also are made. I quite agree, Sir, that supposing there is a member belonging to the depressed classes and he is an intelligent man possessing great capacity and administrative powers, we cannot ignore his claims. Certainly he is eligible to become president vested with executive powers and I am sure he can do wonders (cheers and laughter). But it is a great pity, Sir, that no such gentleman is appointed up to now. I think that if the office is thrown open to election, nobody belonging to the depressed classes would be elected on account of sentimental objections though not for want of capacity, character or any educational qualification. I am sure there are several energetic men who could do wonders among the members of the depressed classes (hear, hear). I request the hon. the Chief Minister to show his practical sympathy and try his best to nominate members of the depressed classes as district board presidents. He should show this as a practical instance. With this motive, I beg to oppose this Resolution brought forward by my hon. Friend. I think that the present tendency is not much in favour among some hon. Members, that is, of giving powers to the hon. the Chief Minister to nominate persons—, because they think that if that power is given to the Minister, he may nominate a person who is not at all conversant with the conditions of the district. Therefore, they think that it is unnecessary to give such power to the hon. the Minister. But if power is given to the Minister, it helps to some extent the depressed classes. He will try to nominate a member of the depressed classes. When I say this it should not be supposed that I am longing for that post (laughter and cheers), because I think I can do more work outside the Council than inside. If I am given executive functions, all my hands and legs will be tied and I will have to answer numerous persons who will put a lot of interpellations and worry me, and it will be a great bother. Instead of accepting such an office, it is far better not to seek such appointment especially when it has executive functions. But to accept membership in the district board is quite a different thing. With these few remarks, I oppose the Resolution."

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Mr. J. A. SALDANHA :—" Mr. President, Sir, I am afraid that too much and exaggerated importance has been given to the difficulties of minorities. If I can quote instances from South Kanara, I may mention the case of my Friend Khan Bahadur Abdulla Sahib who is the President of the Taluk Board of Udipi. He has been elected as the president and it looks as if his popularity has made him almost a permanent president. To take the analogous instance of municipality, in Mangalore itself, though the Roman Catholics are in a minority, for several years it was a Roman Catholic that was elected the Chairman of the Municipality."

Mr. S. ARPUDASWAMI UDAYAR :—" That is not true, Sir."

Mr. J. A. SALDANHA :—" I speak from my own experience of Mangalore. Then, take the instance of the Bombay city. There, there is a sort of pact, and a well observed pact, that a Muhammadan, a Hindu, a Parsee, an European, etc., has to be elected by rotation as President of the Corporation. We know that very distinguished men like Sir Ibrahim Rahimtulla and other Muhammadan gentlemen who had taken active part in municipal administration were cheerfully elected presidents unanimously by the Corporation. So I think we should not attach too much importance to minorities being placed in a disadvantage. If gentlemen belonging to minorities such as the Muhammadans take active part in municipal affairs or local board affairs, we may rest assured that our friends belonging to the minority communities will with acclamation be elected presidents. Very often it happens that on account of feuds and conflicts, say among the Hindus or among the sub-castes of a main caste, they often prefer to elect a Muhammadan or an Indian Christian to settle their difficulties, as a gentleman who does not belong to that particular clan is preferred. As to the proposition itself which is before the House, I think the principle of it has been accepted by the hon. the Chief Minister. We should accept it subject to the proviso which is there or subject to any other proviso that may be permitted to be moved in the interests of the minorities if that is considered necessary by the House. But I for one, with the assurance given by the hon. the Chief Minister, accept this Motion proposed by the hon. Mover."

Sriman BISWANATH DAS Mahasaya :—" Sir, I am thankful to the previous speaker for having cleared much of the doubts that were entertained by some of the representatives of the minority communities and especially the Muhammadans. I fail to understand how direct election would help in safeguarding the interests of the minorities such as the Muhammadans. If my memory does not fail me, I believe, representatives of Hindus and Muhammadans that met at Lucknow came to the conclusion that the system of communal representation should not be introduced in local boards and local self-government affairs. The system of communal representation in vogue now in India was not referred to by the Southborough Committee and was not very much advocated even in the Joint Committee report. Therefore, I do not find it desirable that we should think of introducing communal representation in the coming Local Self-Government Bill. Even if there is such a representation, I do not know how it would help these minority communities. I think the interests of the minorities will be safeguarded better if they would only trust to the friendship of their brothers of other communities in the district. That seems to be the only guarantee and the only safeguard of their interests. It is only a few months back that we, the District

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Board of Ganjam, unanimously elected a Christian gentleman as Vice-President. If direct representation is given I am sure they cannot have

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more than one representative in the district board either from the point of view of the interests connected with the question or from the point of view of principle, and one representative cannot at any moment think of having either a vice-presidency or a membership in any district board, not to speak of presidency. It is therefore hoping against hope to think that an amending Bill which may not be within sight would be a millennium. However I am sorry that I do not agree very much with the Resolution of my hon. Friend Mr. Ranganatha Mudaliyar inasmuch as it does not go far in the sense that it leaves something in the hands of Government to have their own choice. The idea of nomination is something that is abhorrent to me. When the Local Self-Government Bill was considered before the old Council, some Members of that Council fought very hard to have the power of electing presidents. I think, Sir, you were then the Member in charge of the Bill and gave them an assurance that it would be done as soon as possible. You were kind enough to declare, Sir, a few district board presidencies be thrown open for election. As a matter of fact that experiment was tried and found successful. I am sorry that the hon. the Chief Minister has not shown any progress."

The hon. the RAJA OF PANAGAL:—"May I point out, Sir, that during the last three years as many as six boards have been given the privilege of electing their presidents?"

Sriman BISWANATH DAS MAHASAYO:—"It is only a few days ago, Sir."

The hon. the RAJA OF PANAGAL:—"It was impossible for the Government to allow this privilege earlier because the boards had been in a transition stage. After the introduction of the Local Boards Act of 1920, most of the taluk boards have been re-constituted. When the district boards were not fully representative, the Government thought that it would not be proper to allow the privilege of having their presidents elected."

Sriman BISWANATH DAS MAHASAYO:—"I have taken down what the hon. the Chief Minister said, viz., that the first cause was that the boards were in a transitional stage, the second that the finances were bad, and the third that the boards were reconstituted. I do not know how the reconstitution of boards could delay things of this sort. Some district boards sent their representations to Government last year, and in spite of their repeated requests they have not got the privilege. I know that my Board unanimously, on the motion of non-Brahmans and Mussalman friends of ours, requested the Government more than twice to throw open the presidency for election. This has not been conceded and from the reply that fell from the hon. the Chief Minister, he seems to believe at least it was doubtful. Whether or not those boards that have already asked for franchise of election will have that privilege, he does not make clear. Again, these nominations have not always been welcome, nor were they well received by the people of the district. I have my own impressions about it. Last time when a motion on this very identical subject was moved by my hon. Friend Mr. Siva Rao, the hon. Member for Vizagapatam. (I mean Mr. Narasimha Raju) said that if this privilege were kept very long in the hands of the Ministry they would only bring discredit on the Government or the party in power, and it was therefore desirable that it should be thrown open for election as soon as

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possible. Three years have already passed, and I should like to know what progress we have made. We have done very little and our pace is very slow.

"Then, Sir, if you will look into the newspapers you will see that most of the presidents of district boards—it may be in their private capacity—acted as agents to the parties, and some of them acted as agents to the Ministry here that stood as candidates in their respective districts."

Diwan Bahadur P. KESAVA PILLAI:—"I rise to a point of order. Nearly a dozen Members have spoken like this. I for one deny that I ever acted as agent to the Ministry. It is rather a vilification."

Sriman BISWANATH DAS MAHASAYO:—"I know that. I say that from personal knowledge. I speak of my district, and I apologize if he takes it amiss. I say I have got everything on record. I do not speak anything which I cannot prove."

"This being so, Sir, I think the Resolution does not go very far. The presidencies of district boards should be absolutely left open for election. If my Mussalman friends do think that they do not find places in them, I think as private individuals we shall appeal to the gentlemen belonging to other castes in those districts whether they cannot help the former. I think that would be the best guarantee that they can ever have, or if they want to press any Amendment I for one have no objection. I do not think there will be many in this House who will take objection to that course. Anyway our belief is very strong on the point that we do not go further. With these few words, I support the Resolution."

Mr. T. ADINARAYANA CHETTIYAR:—"Sir, every Member of this House knows that things are not satisfactory in this department. In the first place, we heard that only 6 out of 25 district boards at present enjoy the privilege of electing their presidents. If the hon. the Chief Minister does not seem to be proud of this state of affairs, I need not offer any remarks about it. That the hon. the Chief Minister has conceded that wherever two-thirds of the members of a district board ask for the election of president the elective franchise will be given, is not encouraging. Whether two-thirds of the members ask for it or not, we must insist upon the franchise being given. We know that the concession which he yields is nothing, because it is common knowledge that during the last three years in which he has been in charge of the Local Self-Government portfolio, the composition of the district board, especially the nominated portion, does not represent the views of the majority of the people."

"Mr. President, one of the reasons, not convincing, but all the same adduced by the hon. the Chief Minister, as to why he could not throw open district board presidencies for election was that their finances were bad. Sir, may I ask, what guarantee is there that this financial stringency will not be perpetual and that nominations will not be allowed to go on? I wish also to point out to the hon. the Chief Minister that the aim of all good administration must be not only good, but such as will convince the world that it is good. My previous speaker said that there is a good deal of suspicion regarding nominations. It is true to say, if I am not mistaken, that the gift of nomination has been misused in this particular department, and that suspicion appears to be not altogether groundless when inefficient people were nominated while really better and capable men were available. This

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evil was at no other time so visible as at the time of the last election. My hon. Friend, the previous speaker, has given specific instances. I can add, with the permission of the House, my own experiences, and owing to an evil system, as my hon. Friend, Mr. Saldanha, pointed out instances of what may be called 'perpetual' presidents. The district which I have honour to represent, viz., North Arcot, is groaning under the inequity of such a 'permanent' president. I am speaking from my knowledge of the people of my district and of what people feel there, and I would appeal therefore to the House to insist on the full right of election because it is too late now to delay it, and it does not do well that in these days of reforms we have got only six places to be filled by election out of 25. As regards the minorities, I assure my Mussalman friends and also my hon. Friend, Mr. Veerian, that election will certainly give them better chances of being elected because the world has improved very much, and there is so much of good feeling between the various communities that if district board presidentships are thrown open for election, the minorities are sure to be safeguarded. Of course, I have no objection to any Amendment that may be brought forward to suit minority or special interests.

"As regards the Collector having the power of recommending names, though I am against it on principle, I certainly agree with my hon. Friend, Mr. Veerian, that even that would be better than what is going on at present. I am told that Collectors are afraid to make their own recommendations, because they know that the Ministry would not accept them."

The hon. the RAJA OF PANAGAL:—"May I point out, Sir, that in most of the cases, except where re-nominations were made, the Collectors were consulted and it was on the recommendations of the Collectors that nominations were made."

Sriman BISWANATH DAS Mahasaya:—"To my recollection, in my district, no such thing was done."

The hon. the PRESIDENT:—"Do I understand the hon. Member, Mr. Das, to say that he is aware of all the correspondence that is going on between the Collector and the Government?"

Sriman BISWANATH DAS Mahasaya:—"I have heard that in my district board where nomination was made to the Collector, that nomination was thrown down by the Government, and in his place a man not belonging to the district was nominated. There are glaring instances to show how popular opinion has been set at naught."

Mr. T. ADINARAYANA CHETTIYAR:—"I do not wish to speak on the subject further and I shall conclude by requesting the hon. Members of this House to vote unanimously for the Resolution and not to be deceived by the plausible concession that wherever two-thirds of the members apply for election it will be granted. As the strength of nominated members in the district boards now stands, we cannot easily get two-thirds of the members for sending such a representation to the Government. I, therefore, vote for the original proposition of the hon. Member, Mr. A. Ranganatha Mudaliyar."

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"May I request you, Sir, 4-15 p.m. Mr. President, to kindly suspend the standing order requiring notice for moving an Amendment as I very much desire to move an Amendment to the proposition which has been moved by my hon. Friend, Mr. Ranganatha Mudaliyar?"

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The permission having been granted, Khan Bahadur P. KHALIF-UL-LAH SAHIB continued:—

"Mr. President, Sir, whilst thanking you for the kind permission which you granted me to move my Amendment, I will at once place it before the House for its unanimous approval of the same. My Amendment runs as follows:

'From the original Resolution, *delete* the words "unless, for reasons to be notified in the Fort St. George Gazette, the Government decide to the contrary" and *substitute* the words "subject to the reservation that nominations may be resorted to for the purpose of securing adequate representation to Mussalman and other minority communities."

"This hon. House has already heard many of my previous speakers, especially the hon. Members, Mr. Saldanha, Mr. S. Arpudaswami Udayar, and Mr. Veerian, speaking more or less on the lines of the Amendment which I have now placed before the House for approval. I do not deny the force of the argument which has been so ably put forward by the hon. Mover of this proposition and my Friend, Mr. Adinarayana Chettiyar, with regard to the utility and the advantage of having a clear rule for elections to the district board presidentship throughout the province. While conceding that principle, I must also point out that there are other points to be considered and other circumstances to be taken note of, which are peculiar to India, viz., India does not contain only one community. It is made up of several communities, some of which command a great majority, while others happen to occupy a position of extreme minority. Of these minority communities, there is not one or two, but a good large number consisting mainly of Muhammadan, Christian and a host of other communities whose interests cannot reasonably be expected to be taken care of by the majority community. By this I do not mean to blame the members that belong to the majority community at all. It is only reasonable on their part to grant that the members of these minority communities know better the wishes of their community than members of the majority communities. Of course my hon. Friend, Mr. Saldanha, referred to what is happening in the Bombay Presidency where there is a sort of convention that the place goes automatically year after year, once to a Muhammadan, another time to a Hindu, and the third time to a Christian and so on by way of rotation. But I beg to draw his attention to the fact that, so far as the Madras Presidency is concerned, we are not yet educated to that high standard of recognizing the real claims of other communities and since a convention has not yet sprung up in this province, I beg to submit that my Amendment must find approval until such a convention gets established in this province also."

Mr. J. A. SALDANHA:—"I referred also to Udipi which is part of this province."

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"Of course, I thank my hon. Friend for having drawn my attention to what he said with reference to South Kanara. I beg to point out to my hon. Friend that that is a case of exception to the rule and not the rule. What I want to propose now is that the rule itself should be so altered as to give room for the minority communities, not by way of exception to the rule, but under the rule itself. Of course, the claims of the minorities and the only way of their claims being recognized have been just put forward ably by my hon. Friend from Trichinopoly, Mr. Arpudaswami Udayar, and Mr. Veerian. Therefore I have not

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much to say on that behalf. I only wish to draw attention to what happened quite recently in one of the first-class district boards of this province. My hon. Friend Mr Saldanha just now said that the minority community may not generally suffer under the rules as at present or under the rules that may be framed if the present Motion is carried by this House. I would only point out to him a recent case in which there were two candidates put up for a certain place in a district board and everybody admitted that the candidate from the minority community was certainly preferable on all hands to the other candidate who came from the majority community, I mean from the non-Brahman community. Though every one, at any rate, most of the members were of opinion that the minority candidate was preferable to the other candidate, still, when the voting was taken, it was clearly found that it was the other candidate that had the majority and the candidate that was best fitted for the place had to get defeated. I need not add so many other similar instances which have occurred through the Presidency."

The hon. Rao Bahadur A. P. PATRO:—"May I know if the hon. Member is referring to the Trichinopoly municipality?"

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"I have already said that it is not with reference to a municipality, but it is with reference to a district board."

The hon. Rao Bahadur A. P. PATRO:—"Which district board?"

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"Trichinopoly District Board."

The hon. the RAJA OF PANAGAL:—"The President of the Trichinopoly District Board is a nominated president. There is no question of election to that office."

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"I did not refer to the presidentship at all. I meant the election to the office of the vice-president. It is only by way of example that I draw the attention of the House to what happened with reference not to the presidentship of the district board, but to the vice-presidentship of a very important district board. If that is the case with the office of vice-presidentship, I think it will be much more so in the case of election to the presidentship. That is why I have come forward, as representing a minority community, and as realizing the actual difficulties of a minority community, whether it is Muhammadan or Christian or any other, with this general Amendment including all the minority communities together. I hope it will find the unanimous approval of the House."

Mr. S. SATYAMURTI:—"Mr. President, I rise to second this Amendment moved by my hon. Friend Mr. Khalif-ul-lah with very great delight. It may seem at first sight somewhat strange that one who by conviction and training, is pledged to democratic institutions, election all through and election all round, is found to support an Amendment which may seem reactionary. But I may explain, Sir, that the Resolution which the Chief Minister said he accepted, although this House is much obliged to him, I may respectfully point out, means nothing so far as it concerns the Government. The Resolution as it stands says: 'Unless, for reasons to be notified in the *Fort St. George Gazette*, the Government decide to the contrary.' Therefore, the right of nomination is still conceded by the original Resolution as it stands. But this Amendment says that nomination can be

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made only for certain specific purposes, viz., the representation of minority communities. Much as I hate and loathe nomination, I would rather have nomination for the purpose of promoting the larger interests and the solidarity of this great nation, than for pleasing the whims and caprices of the Minister for Local Self-Government. I would therefore suggest that the Amendment now proposed is much more progressive than the Resolution, although the wording of it may seem somewhat reactionary."

Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, I am very glad to find that my hon. Friends, the Muhammadan Members, are taking care of themselves. They want to safeguard their communal claims. I am glad also to find my hon. Friend, the Swarajists' Leader, Mr. Satyamurti, recognizes the communal claims at least as far as our Presidency is concerned. (Laughter.) Sir, I have nothing more to do than to stand here and express my joy at that. Sir, I have been for the last three years struggling hard to safeguard communal claims. I am very glad that I find support in all these groups (Opposition benches).

"Sir, the hon. Member, Mr. Saldanha, was speaking of special cases. He was speaking of taluk boards and municipalities. He never spoke of district boards. Taluk boards and municipalities have got only limited electorates. There is not a single Muhammadan president (district board) in the whole of this Presidency. This fact I brought to the notice of the hon. the Chief Minister, when I was occupying a seat on the Ministerialist benches. Of course I do not know how it escaped his notice."

The RAJA OF RAMNAD:—"May I just say that Sir Muhammad Habib-ul-lah was a district board president?"

Rao Bahadur C. NATESA MUDALIYAR:—"I am not now speaking of the pre-Reform days, but I am speaking of the Ministry days."

"The hon. Member, Mr. Saldanha, was speaking about the Bombay Corporation having one Muhammadan, one Parsi and one Hindu by rotation. It is that rotation we want here. Moreover, speaking on the Resolution itself, it was tabled because the hon. Member, Mr. Ranganatha Mudaliyar, was dissatisfied with the nominations. I do not know whether this Resolution will serve his purpose. I think the hon. the Minister's assurance was more hopeful than the Resolution itself, and unless this Amendment is carried on with the Resolution, deleting certain words and substituting some other words as the hon. Member, Mr. Khalif-ul-lah's Amendment suggested, I do not think that this Motion itself will be of any use. I hope the hon. the Minister himself will accept the amended Resolution."

Mr. A. RAMASWAMI MUDALIYAR:—"Mr. President, I would like to say a few words on the amendment proposed by my hon. Friend Mr. Khalif-ul-lah. I may say at the very outset, Sir, that having pleaded for communal representation on the floor of this Legislative Council time after time it would not come with good grace if I were to oppose it, nor do my inclinations carry me that way. I have been suggesting, as has been pointed out by my hon. Friend, that every community ought to be properly represented in these local bodies and therefore if I were to suggest a solution to this difficulty of my hon. Friend it would be in this wise.

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"Sir, the Resolution as it stands in the name of Mr. Ranganatha Mudaliyar gives a little wider discretion to the Government, and that wider discretion, I submit, is absolutely necessary. There are tracts like the Agency tracts over which the district board president rules. It is possible that this wide power of election may not fit in with the conditions that exist in the Agency tracts. There is the Nilgiris District Board. It may not be possible for the district board to be given immediately the right of election—I do not say anything on the merits of the question—but it is just possible that here and there, there must be some districts to which, on grounds of public policy, the hon. Minister may not be able to give the right of election. For such cases there ought to be power inherent in him—the power of nomination. Therefore I would suggest, that besides giving effect to the idea of my Muhammadan brethren, the Amendment that I am going to suggest would be in keeping with the spirit of both the Resolution and the idea of the hon. the Mover. I do not formally move my Amendment. Neither have I the power to do so. If I may suggest an Amendment like this and if we might come to an understanding I would request my hon. Friend to withdraw his Amendment and let me put forward mine. What I would propose is this:—

That this Council recommends to the Government that all district boards should be given the right to elect their own presidents unless for securing adequate representation of the Muhammadans and other minority communities or for other reasons to be notified in the Fort St. George Gazette, the Government decide to the contrary.

"My hon. Friend appealed for a unanimous Resolution on this subject. I am perfectly willing to co-operate with him to get that unanimous Resolution. I suggest, and I appeal to him that for the sake of unanimity and for the sake of giving expression to the principle which I profess in common with him, he should withdraw his Amendment and let me, with the permission of the hon. the President and of this House, put forward this Amendment which embodies all the vital principles for which he stands."

The hon. the PRESIDENT:—"Order, order. Will the hon. Member Mr. Khalif-ul-lah Sahib say whether he wishes to withdraw his Amendment on that assurance?"

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"I take it that the amendment proposed by the hon. Member Mr. Ramaswami Mudaliyar adds another clause which is already found in the original Resolution itself and as such I have no objection to adopt the Amendment proposed."

The hon. the PRESIDENT:—"Will the hon. Member withdraw his own Amendment? The hon. Member Mr. Ramaswami Mudaliyar has asked Mr. Khalif-ul-lah to withdraw his Amendment and promised to put forward his. Honourable Members may decide matters among themselves."

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—"Sir, I request you to allow me two minutes to consult privately the nature of the Amendment with Mr. Ramaswami Mudaliyar."

The hon. the PRESIDENT:—"I have no objection to do so provided it is done outside the Chamber. We will meantime go on with the discussion of the amendment of Mr. Khalif-ul-lah."

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Diwan Bahadur P. KESAVA PILLAI:—"I have been connected with taluk boards and district boards for 40 years. Having been president of a taluk board and of a district board, I know how nominations are generally made. At the time when you, Mr. President, presided over the administration of Local Self-Government and before, nominations were made on the recommendations of Tahsildars and Divisional officers in the case of taluk boards and of the Collectors in the case of district boards. After the Ministry came into power, I do not think there was any abuse as has been suggested by several Members. Particular care was taken to see that minorities were always represented by nominations if they did not get through election. You, Sir, were very anxious to get untouchables into the boards. The Ministers have also been anxious to get Members appointed from among the untouchables and minorities. District board members have been nominated by the Ministers on the recommendations of non-official presidents as a general rule. We, as presidents, have done our best for minorities. I might at once say that, so far as my district is concerned, the charge against the Minister is absolutely groundless. The Ministers must have the discretion in the choosing. You do not expect them to be merely recording machines of whatever comes from other people. I am very much surprised to see that gentlemen of the standing of Mr. Satyamurti and Mr. Ramalinga Reddi should say at one time that Ministers would abuse their power of nomination, and at another time that such power should be given to the Ministers in order to safeguard the interests of minorities. If their contention is allowed, it will be necessary to select some districts over which a Mussalman will preside, some others over which a Christian will preside, and some others over which a depressed class man will preside, and so on. I do not know how it can possibly be worked. You will be going against the democratic principle. It is amazing how a person who cannot be supported by a majority of the members of a district board could be appointed as its president. It is incomprehensible. If a majority of the members elect a president of their own choice, they will be right. I do not think that any Government will be justified in imposing anybody over a body of people who would not like to have him. I am for election; let election come; let us leave it to the majority; let them make mistakes and suffer for them and learn. Apart from that, I have entire sympathy with the desire of my Muhammadan friends. So far as we are concerned we have done our best for the Muhammadans. We have found the best qualified men among them and nominated them to the taluk and district boards. But on the other hand, if some of the districts are earmarked for Muhammadans, some for Christians and some perhaps for Roman Catholics and Protestants, it will be nothing short of tyranny and it will be antagonistic to all principles of democracy, for which my Friend Mr. Satyamurti and my Friend Mr. O. R. Reddy are the declared champions. I therefore oppose this motion."

Mr. ABBAS ALI KHAN:—"Mr. President, Sir, the reason why we Muhammadans seceded from the Justice Party was that the party did not take care of the interests of the Muhammadans. Sir, personally I have no quarrel with the hon. the Chief Minister. He is an excellent man; he is noble; but I am sorry to point out to this House that he has allowed himself to be duped by the party. He was not able to control the party and hold the reins in his hands and put pressure upon them. His Excellency the Governor the other day said that we should advance the cause of reform

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in our country in these boards in order to reach full self-government. It is not our policy to clog the progress of any community. What we object to is that the Justice Party has by appointing the stormy patrols of their party forced the Ministry into a policy of negation and drift. The result is that the taluk boards and the district boards are now full of their proteges.

“They allowed the administration of the district boards and taluk boards to go absolutely into disrepair and disuse, and the huge machinery of Local Self-Government became nothing but a party machine. Now, Sir, I may say that I admire the Englishman with all his faults for this thing. Supposing that I personally request a favour from an Englishman, however friendly I may be with him, he will consider and say, yes or no, irrespective of that friendship. If he says ‘yes’, it is final and if he says the opposite, that also is final. But the Ministers, when the requests proceed from men belonging to the Justice Party, have not got the courage to say ‘no’ to them because it is a party matter. And the result has been that they have allowed the taluk boards and district boards to go out of their groove. Even now, if the Minister would make up his mind and take the matter into his own hands and not allow himself to be carried away by the party men, I am sure every Member of this House will co-operate with him very loyally and also co-operate with his party, if it pursues its object of the elevation of backward and minority communities. Sir, it has been tom-tomed or, to use a Parliamentary expression, it has been widely advertised that we Muhammadans are a set of non-co-operators who have come into this Council with the object of giving a set back to the Reforms by joining the Swarajists. Nothing is further from our minds, and nothing is more distasteful to us than that. I may, Sir, speaking on behalf of my community, make a clear statement of the policy animating the Muhammadans. We do not want to embarrass the bureaucracy or the Government. We are ready to co-operate with the Government if we find that the Justice Party will so act up to their principles and policy as to advance their future and our future alike. I am sorry I have had to make such an open attack upon the Ministers for their inaction regarding Muhammadans for the last three years. We have come to this House to serve and not to rule, and if any party will come forward with an undertaking that they have come to rule and advance the interests of the country and our community, we will join that party, whether it be the Swaraj Party, the Brahman Party or any other party (hear, hear). Therefore, Sir, without taking up any more time of the House, I may repeat that the hon. the Ministers have allowed themselves to be influenced by the satellites of the Justice Party, they have played into the hands of an undesirable set of people who I am afraid, if this continues long, may ruin the interests of the country, and the sooner they are removed from their places the better. We know personally many facts and a lot of unpleasant things have come to our notice. Therefore I would appeal to the Ministers and the Justice Party to have their eyes wide open even in their future actions and see that their aim of elevating all communities is pursued.”

The hon. the PRESIDENT:—“Is the hon. Member Mr. Khalif-ul-lah prepared to make any statement with regard to his amendment?”

Khan Bahadur P. KHALIF-UL-LAH SAHIB:—“Mr. President, Sir, in view of the amendment which is proposed to be moved by Mr. Ramaswami

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Mudaliyar, I beg leave to withdraw my amendment, with the permission of the House.”

The amendment was by leave withdrawn.

Mr. A. RAMASWAMI MUDALIYAR:—“Mr. President, Sir, I request that the Standing Orders be suspended so as to permit me to move another amendment to the Resolution moved by Mr. Ranganatha Mudaliyar.”

The hon. the President then suspended the Standing Order as requested.

Mr. A. RAMASWAMI MUDALIYAR:—“Sir, I beg to move the following amendment to the Resolution under discussion:—

Delete all the words after the word ‘unless’, and *substitute* therefor the following:—

‘for securing the adequate representation of Muhammadans and other minority communities or for other reasons to be notified in the *Fort St. George Gazette*, the Government decide to the contrary.’”

MUHAMMAD YAHYA ALI SAHIB seconded the motion.

Mr. A. RANGANATHA MUDALIYAR:—“Sir, I accept the amendment proposed by Mr. Ramaswami Mudaliyar.”

Mr. P. ANJANEYULU:—“May I know, Sir, if the word ‘minorities’ includes Brahmans?”

The hon. the PRESIDENT:—“I do not know if they are in a minority. The hon. Member must look up the census reports to find out if Brahmans are in a minority.”

The hon. the President then put Mr. Ramaswami Mudaliyar’s amendment to the vote, and it was carried.

The original resolution, as amended, was then put to the House and carried.

The House then adjourned at 4-50 p.m. to meet again at 11 a.m. the next day.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

THE MADRAS LEGISLATIVE COUNCIL.

Friday, 14th December 1923.

The House met at 11 o'clock, the hon. the Deputy President (Diwan Bahadur P. KESAVA PILLAI) 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.]

ELECTIONS.

Ganjām bye-election.

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

(a) whether the Government have taken legal opinion on the question of the effect of the death of a candidate after the date on which polling began but before the date when it was completed, and on the question as to the power of the Government to fix different dates for polling; and

(b) the grounds on which the Government have decided to order a bye-election in Ganjām for only one of the seats, instead of a fresh election for all the three seats?

A.—(a) No.

(b) His Excellency the Governor has decided that, on a true interpretation of the rules, a bye-election should be ordered in the Non-Muhammadan Rural constituency of Ganjām only for the single seat in which a vacancy occurred by the death of Mr. P. Venkateswarulu Pantulu and under Rule 48 of the Madras Electoral Rules his decision is final.

Mr. S. SATYAMURTI:—"Sir, may I ask the hon. the Law Member to say whether, before His Excellency the Governor gave a decision on the question, he was consulted by him, or whether he gave him any advice in the matter as the Law Member of the Government?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Though it is not usual to ask questions relating to what may be called the internal machinery of the Government, the answer in this case is 'yes'."

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EMPIRE EXHIBITION.*Nautch-girls to Empire Exhibition.*

40. Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

- (a) whether any proposal was placed before him at any time for sending nautch-girls to the British Empire Exhibition, and, if so, by whom;
- (b) what his attitude towards this proposal was at the beginning; and
- (c) whether any money was advanced to nautch-girls, or spent on this account, and, if so, how much?

A.—(a) The answer is in the negative.
 (b) The question does not arise.
 (c) The answer is in the negative.

IRRIGATION.*Penalty levied for using channel water in certain taluks in Bellary.*

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

(1) the total number of cases and the amount of penalty levied in the Desanur and Siruguppa villages of Bellary taluk, and Kampli and Ramasagaram villages of Hospet taluk, Bellary district, for alleged unauthorized use, without previous permission, of the channel water for double crop on single crop wet lands;

(2) whether in every case an application is made for water and sanctioned by the Government, the latter guaranteeing to the ryot concerned, the necessary quantity of water reasonably required for him for his crop to grow and mature; and

(3) whether during any of the five years preceding the introduction of the rule requiring an application for water in all cases where double crop are grown on single crop wet lands, the crops on any field or fields suffered damage owing to a larger extent than was reasonable being cultivated with double crops instead of a single crop and, if so, the number of such cases and the amount of charge for water for the second crops remitted in each year?

A.—(1) Government have not the information asked for.
 (2) The system of water applications was introduced in 1922. The acceptance of a water application does not guarantee the supply of any definite supply of water since this would be dependant on the season.
 (3) The trouble, which led to the introduction of water application arose in connexion with the cultivation of sugarcane, which resulted in shortage of water during the last period of the crop. The Government have no information as to the number of cases of damage to crops or the amount of the remission granted during the period in question.

Mr. P. PEDDIRAJU:—“May I ask the hon. the Law Member if he will inquire into the number of cases referred to in question 41 (1), and call for a report?”

The hon. Mr. C. P. RAMASWAMI AYYAR:—“Yes.”

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Report of Mr. Clegg's Committee on irrigation.

42. Q.—Rai Bahadur Sir K. VENKATAREDDI NAYUDU: Will the hon. the Law Member be pleased to state—

- (a) whether there is a complaint against the adequacy of the four-inch pipe in the Gōdāvari delta;
- (b) whether any attempt has hitherto been made in this connexion to meet the demands of the ryots of the area and whether the recommendations of Mr. Clegg's Committee have been given effect to in full;
- (c) whether any further action has been taken in the matter; and
- (d) whether the Government will be pleased to place on the table of this Council copies of the report of Mr. Clegg's Committee and of the orders passed by Government thereon and of subsequent orders, if any?

A.—(a), (b) & (c) The Government are aware that there is a complaint against the adequacy of the four-inch pipes in the Gōdāvari delta. To satisfy the requirements of the ryots, the Clegg Committee's recommendations have been given effect to as far as practicable. It has been considered that the re-piping should be done together with remodelling, and the matter is receiving the attention of the local officers. The Member's attention is invited to the Press Communiqué issued in February 1916.

(d) The Government consider that no useful purpose will be served by placing the Clegg Committee's report on the table now.

Irrigation of lands situated at the tail-end of long channels.

43. Q.—Rai Bahadur Sir K. VENKATAREDDI NAYUDU: Will the hon. the Law Member be pleased to state—

(a) whether the Government are aware of the difficulty experienced by ryots in irrigating their lands which are situated at the tail-ends of long channels, which take off from the lower reaches of the main canals in the Gōdāvari delta;

(b) whether the Government have taken any action towards alleviating the distress complained of in this connexion; and

(c) whether any grant has been made to improve the supply in the channels so situated during the last five years?

A.—(a) Yes.

(b) The difficulties referred to are experienced in many of the longer channels, elsewhere as well as in the Gōdāvari delta. The cause is invariably the fact that more water than is actually required is drawn off to lands more favourably situated nearer the head of the channel. The remedy is the remodelling and re-piping of the channel, to improve the duty at which the upper part of the channel works, and thus to ensure more equitable distribution. This is usually objected to by the owners of lands under the upper part of the channel. A certain amount of work has been done and is in progress in the Gōdāvari delta in the direction indicated.

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- (c) During the last five years capital expenditure amounting to Rs. 77,940 has been incurred on the remodelling of channels, and additional expenditure from revenue on re-piping, the details of which are not available.

LOCAL SELF-GOVERNMENT.

Construction of General Hospital at Mangalore.

44 Q.—Rao Sahib U. RAMA RAO: Will the hon. the Minister for Local Self-Government be pleased to state—

(i) when the construction of the new General Hospital in Mangalore is likely to commence; and

(ii) whether the Government will consider the advisability of erecting a separate hospital for women and children at Mangalore and providing the necessary funds therefor in the next Budget?

A.—(i) The Government are not in a position to state definitely when work on the new combined hospital at Mangalore is likely to be commenced. A comprehensive programme of new works required in the medical department has been prepared and the works have, after careful consideration, been arranged in the order of urgency under four different classes:—

- (1) Very emergent.
- (2) Emergent.
- (3) Ordinary.
- (4) Desirable, but which can be delayed.

The Mangalore hospital is included in class (3) Ordinary. In view of the present financial stringency, the Government are not in a position to provide money for any works included in classes (3) and (4).

(ii) On the recommendation of the Surgeon-General, the Government have decided that the new hospital to be constructed at Mangalore should be a combined institution the female half of which will be separated from the male half by a wall and be in charge of a lady-doctor. The Government do not consider it necessary to erect a separate hospital for women and children.

Filling up of the Tanjore District Board Presidentship.

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

(a) why the Presidentship of the District Board of Tanjore that fell vacant in June last remains unfilled by nomination or election, while those of Chittoor, Godavari, Coimbatore and Chingleput where vacancies arose either contemporaneously or subsequently have been promptly filled up;

(b) whether it is intended to fill up the Presidentship of the Tanjore District Board shortly; and

(c) whether in the matter of filling up these vacancies any principle or policy is involved?

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A.—(a) Four of the eight taluk boards in the Tanjore district were re-constituted on an elective basis with effect from 15th August 1923 and the election of members from all the taluk boards took some time after that date.

(b) The Government have decided to authorize the members of the Tanjore District Board to elect their President. The requisite notification will be published in the *Fort St. George Gazette* of the 8th January 1924; and

(c) the answer is in the affirmative.

NON-BRAHMANS.

The Nellore Non-Brahman Conference.

46 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Home Member be pleased to state—

(a) whether they have received a copy of the resolutions passed at the First Nellore District Non-Brahman Conference;

(b) whether it is a fact that one of the resolutions passed in that Conference was to the effect that the constructive programme of the Congress should be given effect to; and

(c) whether the Government has any intention of giving effect to any extent whatever to the abovementioned resolution?

A.—(a) The Government have not received a copy of the resolutions referred to.

(b) & (c) The questions do not arise.

REVENUE DIVISIONS.

Re-adjustment of revenue divisions and taluks in the Nellore district.

47 Q.—Rao Bahadur A. S. KRISHNA RAO PANTULU: Will the hon. the Law Member be pleased to lay on the table the proposals submitted by the Collector of Nellore for the re-adjustment of the revenue divisions and taluks in the Nellore district and the orders passed thereon?

A.—The proposals made by the Collector of Nellore are under the consideration of Government. When they have considered the proposals, any changes contemplated will be published in the District Gazette for public criticism. The Government do not therefore consider it necessary to lay on the table the proposals made by the Collector.

REVENUE ESTABLISHMENT.

Abolition of four Deputy Tahsildars in the Coimbatore district.

48 Q.—Mr. C. V. VENKATARAMANA AYYANGAR: Will the hon. the Law Member be pleased to state—

(a) whether the Government have authorized the Collector of Coimbatore (1) to publish their intention to abolish four Deputy Tahsildars' offices in the Coimbatore district and (2) to call for objections regarding the same;

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(b) whether the Government have any objection to publish the Collector's report on the matter referred to in clause (a) above for public criticism before arriving at a final decision in the matter;

(c) what was the number of criminal cases on the file of each of the four Deputy Tahsildars above referred to in 1921 and 1922 both as regards Calendar and Register cases;

(d) whether objections have been received against the proposal regarding all or any of these offices;

(e) whether the Bench Courts having jurisdiction to try petty cases from the villages are now under the jurisdiction of those Deputy Tahsildars; and, if so, the headquarters where the Bench Courts are located;

(f) whether any objection has been received against these Bench Courts trying cases from such villages; and if so, whether the Government have passed final orders, or whether the matter is still under consideration;

(g) if final orders have already been passed on the matter referred to in (f) above, whether the Government have any intention to reconsider the matter; and

(h) whether there is any proposal to constitute Bench Courts at the present headquarters of these Deputy Tahsildars if their offices are removed?

A.—(a) Yes.

(b) The proposal having been published for the information of the public and their criticisms invited and duly considered, the Government do not think it necessary to publish the Collector's report.

(c) The number of criminal cases on the file of each of the four Deputy Tahsildars in 1921 is given below. The figures for 1922 are not available—

					Calendar cases and register cases.
(1)	Perundurai	...	...	...	554
(2)	Kangayam	...	...	...	287
(3)	Satyamangalam	...	...	...	396
(4)	Mettupalayam	...	...	...	289

(d) Yes, in respect of all the four offices.

(e) No.

(f) & (g) Does not arise.

(h) The proposal cannot obviously be considered until orders are passed on the abolition of the offices referred to.

SETTLEMENT.

Resettlement proposals in the Tanjore district.

49 Q.—MR. S. SATYAMURTI: Will the hon. the Home Member be pleased to state whether the resettlement proposals of Tanjore district will be stayed pending legislation on general settlement of revenue in the Presidency?

A.—The Government see no reason to adopt the course suggested.

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TAXATION.

Fresh taxation.

50 Q.—MR. S. SATYAMURTI: Will the hon. Member for Finance be pleased to state whether the Government have any proposals of fresh taxation for the next financial year?

A.—As at present advised, the Government hope that it will not be necessary to introduce fresh taxation next year.

II

MOTIONS FOR REAPPROPRIATION FOR 1923-24.

MR. S. SATYAMURTI:—"I would like to raise a point of order, Sir, if I may, or rather two points of order, if you will kindly allow me to do so."

The hon. the DEPUTY PRESIDENT:—"Yes."

MR. S. SATYAMURTI:—"My first point of order, Sir, is this: that no Motion for a grant of money by this House can be made except on a Message from His Excellency the Governor, which Message, according to the terms of the Government of India Act, should be communicated to this Council under section 72-D (2) (c) which runs thus:

'No proposal for the appropriation of any such revenues or other moneys for any purpose shall be made except on the recommendation of the Governor, communicated to the Council.'

"Now, I would respectfully invite you, Sir, to turn to Standing Order No. 69 under which communications from the Governor to the Council are made. Standing Order No. 69 says:

'Communications from the Governor to the Council are made—

(1) by a speech; and

(2) by a written message.'

"As far as I see at present, Sir, subject to correction by the Treasury Bench, I see no communication from the Governor, either by a speech, or by a written message. I may invite your attention, Sir, to the Message remitting the Religious Endowments Bill back to us when a Message was read to this Council by the hon. the President signed by His Excellency Lord Willingdon. I, therefore, put it to you, Sir, as a point of order that this Motion, which my hon. Friend the Law Member wants to make, is out of order in the absence of a communication from the Governor which, if I may say so respectfully, according to the terms of the Government of India Act, must be communicated to this Council, and that communication can be only by a speech, or by a written message; and I have no doubt, Sir, that it does not require any stretch of interpretation of language to say that the speech can be made only by His Excellency the Governor, or that a written message can only be written or signed by him. I do not think that Parliament contemplated the idea, when they gave this power to the Governor, that His Excellency should be allowed to delegate it to the Members of his Cabinet. I, therefore, suggest, Sir, that it is a very important matter which will have to be very carefully considered—as I have no doubt it will be—and a ruling given. I suggest, therefore, that this Motion is wholly out of order."

The hon. MR. C. P. RAMASWAMI AYYAR:—"Mr. Deputy President, though it is a point of order and the decision of this question is entirely vested in you, I take it that you will permit me to offer a few remarks,"

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The hon. the DEPUTY PRESIDENT :—" Yes."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Mr. Deputy President, under section 72 D (2) (c) at page 53 of that volume to which advertence is made—

'no proposal for the appropriation of any such revenues shall be made except on the recommendation of the Governor, communicated to the Council.'

"What is, therefore, needed is a recommendation. There is a distinction made and that distinction has been observed during the whole series of grants in the lifetime of the last Council between a 'communication' in the technical sense of the word used in the Standing Orders and a 'recommendation.' It is true that under Standing Order 69, at page 80 of Volume II communications from the Governor to the Council are made either by a speech, or by a written message. The word 'communicated' in the Government of India Act is used not as necessarily involving, or implying, any such communication under Standing Order 69. The distinction, I take it, Mr. Deputy President, is that in the case of financial business, there is a recommendation by the Governor. That recommendation is conveyed by Members of the Reserved or the Transferred half of the Government to the Council. That recommendation is not stated to have as an obligatory feature of it any special message or speech from His Excellency the Governor. All that the Government of India Act requires is that it should be communicated to the Council and that it should be a recommendation from the Governor. From my place here I assure the Council that there has been a recommendation of the Governor; it has been communicated through me to the Council. The verb 'communicated' is not necessarily to be read as involving or amounting to what have been termed 'communications' under the Standing Order which applies to the formal 'communications' which His Excellency the Governor desires to make as head of the Province to the Council. It is that kind of communications that is referred to there in saying that communications are made by a speech or by a written message. Quite apart from that, if we have to follow precedents, undoubtedly you will allow this circumstance, to weigh with you, Mr. Deputy President, that during the lifetime of the last Council, these recommendations have been made in this way, and I would ask you, Sir, to give a ruling on that basis. That is my submission."

Mr. S. SATYAMURTI :—" I know I cannot speak except with your indulgence, Sir. But if you will be so good as to give me another chance of saying just two or three words in answer to the hon. the Law Member, I shall be much obliged."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" With great respect, if I may intervene at this stage, Sir, I may say that these points of order are entirely at your disposal and discretion."

The hon. the DEPUTY PRESIDENT :—" It is a point of order, no doubt. But such communications were made hitherto in the last Council through the Members of Government; and if precedents would sanctify proceedings, then I would consider the procedure now followed by the hon. the Law Member to be in order. The precedents are all in his favour. The rules have been interpreted as he interprets them to-day. So, I will decide the matter in his favour and ask him to proceed."

Mr. S. SATYAMURTI :—" I bow to your ruling, Sir; but may I ask one question just to make the position clear?"

The hon. the DEPUTY PRESIDENT :—" I am afraid I have given my ruling, right or wrong, and no further questions should be put."

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Mr. S. SATYAMURTI :—" May I raise another point of order, Sir?"

The hon. the DEPUTY PRESIDENT :—" Yes; if you like."

Mr. S. SATYAMURTI :—" My next point of order is this, Sir. Section 72 D(2) of the Government of India Act contemplates that—

'the proposals of the local Government for the appropriation of provincial revenues and other moneys in any year shall be submitted to the Vote of the Council in the form of demands for grants.'

"That is the governing section there. Now, if you will be so good as to turn to the Legislative Council Rules, Sir, Rule 26 deals with Demands for Grants (*vide* page 164 of Volume I). Then, Rule 32 deals with what are known as Supplementary or Additional Grants. I shall read to you, Sir, Rule 32, which runs thus :—

'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 purpose 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.'

"These are the only two Rules, Sir, under which the Government can come to this House, either for Grants at Budget time, or for what are known as Supplementary or Additional Grants. If you will be so good, Sir, as to turn to the Order of the Day, you will find that these things come under 'Motions for Reappropriation'. My first submission to you, Sir, is this, that there is no provision, either in the Act, or under the Rules, for these Motions for Reappropriation. If you will permit me, Sir, to refer to the Explanatory Memorandum of the hon. the Finance Member submitted to this House two days ago, I believe he refers there to Rule 34, clause (2), in which the provision reads thus :—

'34 (2) It shall be the duty of the Committee to bring to the notice of the Council—

(i) every reappropriation from one grant to another grant.'

"I therefore, submit, Sir, that this Grant must come merely as a Supplementary Grant under one or other of the two clauses, of Rule 32 as a supplementary or additional grant. There is no power for the Government to move for a reappropriation in this Council, and there is no power in this Council under the Act or under the Rules to sanction a reappropriation from one grant to another at this stage. Of course, if you will permit the hon. Members of the Government to modify the Grants now as merely Additional Grants, it is perfectly open to you, Sir, but so long as they are not modified, and so long as they stand merely as Reappropriations, I submit most respectfully that neither the Act nor the Rules contemplate such Demands or Reappropriations, as they are called, being made. I, therefore, Sir, request you to give a ruling on that matter."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The words 'to be provided from savings under Grant VIII. General Administration' refer to the grant from which the reappropriation is made. Those words were inserted mainly for the purpose of enabling the House to know what the hon. the Finance Member intended to do and how he proposed to provide for it. It was so to say for the purpose of imparting certain information to the Council. There is a great deal of point in what has fallen from the hon. Member for the University in regard to the technical procedure

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that these are extra, supplemental or additional grants. It is because they are extra, supplemental or additional grants and we are seeking to provide for the payment of those grants, that the expression 'Reappropriation' has been used, and the explanation 'to be provided for under Grant' has been added. These may be treated as surplusage, and all these grants may be taken as additional or supplemental grants. With your leave, Mr. Deputy President, I would like to say a few words."

The hon. the DEPUTY PRESIDENT :—" Yes."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" The same point was raised by the hon. Member for Kistna, Mr. M. Ramachandra Rao, in the last Council, and I think—I am, of course, speaking subject to correction—I think a ruling was given on this matter. The same question arose whether the word 'Reappropriation' may be used, and according to that decision the words 'to be provided under,' etc., were used."

" The point is that we do not want to exaggerate our total expenditure. Supposing we ask for a Supplementary Grant, the Council will be under the impression that in addition to the original budget allotment, we are asking for extra expenditure. All those explanatory words were added in order to show that we are able to provide funds for the purpose out of the savings in the Grant mentioned. It was with that object that those words were used. But I have no reason to object to the exclusion of those words."

The hon. the DEPUTY PRESIDENT :—" The hon. the Law Member will proceed."

Mr. S. SATYAMURTI :—" May I take it, Sir, that that is the ruling on my point of order ?"

The hon. the DEPUTY PRESIDENT :—" Yes, in the light of the explanation given by the hon. the Law Member."

Grant VI.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Sir, on the recommendation of His Excellency the Governor, I now move—

That the Government be granted an additional sum of Rs. 14,300 under 'Irrigation—Civil Officers—Reserved' to be provided from savings under Grant VIII—General Administration—Reserved.

" If hon. Members will turn to page 5 of the Memorandum of the hon. the Finance Member, which has been placed on the table of the Council, they will see that there were certain urgent repairs in regard to certain minor irrigation works which had to be undertaken in order that the neglect of those necessary repairs may not result in damage. I see that no Amendment has been tabled, and I therefore move that the Government be granted that sum."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" Sir, this is a Motion made for the additional allotment of Rs. 14,300 for what are known as minor irrigation works in charge of civil officers. If I like at this stage to make a few remarks on this Motion, it is because there has been a feeling expressed in this House for some time past that the expenditure under the head 'Minor Irrigation Works' has been very unsatisfactory. I wish to draw the attention of this House . . ."

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The hon. Mr. C. P. RAMASWAMI AYYAR :—" May I ask the hon. Member whether he means insufficient or unsatisfactory ?"

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" The expenditure is unsatisfactory for important reasons, the amount provided is insufficient, and the way in which it is distributed is also open to grave objections. I shall make the point clear as I proceed. I will draw the attention of the House to the fact that at the time when the hon. Member for Revenue asked for a grant of Rs. 8.18 lakhs under this head, I raised this question about the expenditure on minor irrigation works by a Motion for reduction of the total allotment by Rs. 100. It would be clear from the discussion which took place on that occasion that, whereas out of that amount of Rs. 8 lakhs and odd, over two lakhs was taken up for establishment charges, the amount provided for works alone was less than six lakhs. We wanted to ascertain as to whether explanation was given about the various minor irrigation works scattered over the several districts in the province, whether statements were made as to how many of them were out of repair and whether there was a regular programme for setting them in order, and as to whether the Council would be furnished with more information. In the course of the discussion, the hon. the Member for Revenue was able to state thus :

' Nobody would be gladder than myself if the financial position of the province would permit larger sums being spent on minor irrigation works. That will certainly conduce to the welfare and happiness of the ryot, but we have to cut our coat according to the cloth.'

" Having stated that, he could not, owing to the exigencies of finance, provide for minor irrigation works to the extent to which he would desire. He stated that he could not give a correct idea as to the principles upon which provision was made. This is what he stated :

' However, some time ago the Government took pains to find out what the average expenditure on minor irrigation works should be. It was impossible, of course, to decide by any rule of thumb how much money should be spent in a particular district and how much money should not be spent. However, the Government laid down a certain formula. Every Collector before budgeting for the amount of money required for minor irrigation works was to observe this formula. That formula was that in the case of the wet lands the expenditure should be at the rate of 12 annas per acre and in the case of the single crop land it should be 6 annas per acre. Although this formula was laid down, the Collectors were at the same time authorized to budget for more or less, indicating the reason for the departure from the formula.'

" Now, I wish to raise this question as to the expenditure on minor irrigation works whether they have been observing the formula suggested, whether it is the one that has to be applied, or whether it meets the requirements of minor irrigation in each of the districts and whether the necessary provision has been made. If I now wish to object to this Grant, it is because, after the discussion which took place on this subject, the Resolution was finally lost, it is necessary for us to have an account as to whether minor irrigation works have been looked after adequately during this year. When the attention of the hon. Member for Revenue has already been drawn to the unsatisfactory way in which proper account was not taken of the various small minor irrigation repairs, it is now due to the House that when coming for additional grants for minor irrigation you should convince us that necessary enquiries have been made and action has been taken with regard to wells and all other minor irrigation tanks, and that due provision has been made for the repair of those works which have been out of repair, and if it is for the purpose of carrying out that object that additional money is now required, I think, Sir, that the information placed before us is very meagre that Collectors have asked for these grants as you find on page 5 of the Memorandum."

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I think we are entitled to know what the Government has done during the year when objection has already been taken against the insufficient expenditure of money, and till we know it, we cannot be called upon to support this proposal."

Mr. S. SATYAMURTI:—"I rise to oppose this Motion, not so much upon the merits of the particular Grant asked for, as upon the haphazard, unbusiness-like way in which the budget of this Government seems to be drafted and the way in which supplementary demands are made. Because there is a provision in the Government of India Act and in the Devolution Rules regulating the procedure, they cannot, without taking any precautions at the time of the framing of the budget, simply come to this Council at the last moment and say 'I want this Grant'. I think this is against all considerations of public finance in all Responsible Governments. I want hon. Members to look into the Note prepared by the hon. the Finance Member in explanation of this Motion, wrongly called by a new term 'Reappropriation'. Sir, hon. Members will find that except for Madura, where a paltry sum of Rs. 800 is wanted for repairs to breaches caused by the monsoon, all other incidents could have been, and ought to have been, foreseen. For Guntur the budget allotment has been found to be insufficient and the Collector spent in the first half-year 84 per cent of the allotment sanctioned for the district. If you ask 'Why do you want more money?', the answer is, 'Because I have spent it'. It is like a schoolboy answering when he is asked why he came late, 'Sir, I came late.' Certainly it is not an answer to be expected from a Responsible Government Executive. Why did not the Government know that so much money would be wanted? To say suddenly 'I spent the money and I want more money,' is ridiculous. It seems to me that unless they give certain definite reasons why they could not have been able to foresee this, this House ought not to convert itself into a House for registering the decrees of the Executive. Again, for Hamnad, it is said in a delightfully vague way that 'the amount is required for repairs to some urgent small works.'

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The Executive may have been responsible for many iniquities, but it is not responsible for the breaching of tanks."

Mr. S. SATYAMURTI:—"I appreciate the joke. If really tanks were breached, I take it the hon. Member is bound to tell this House why they allowed the tanks to be breached. I cannot understand the hon. Member, when he is challenged, answering by a joke. Here they have not told us that the tanks have breached."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I thought the hon. Member's complaint was that we did not give those particulars."

Mr. S. SATYAMURTI:—"I cannot catch the hon. Member. Then we come to Chingleput where it is said:

'the budget allotment has been found insufficient, as much as 69 per cent of the allotment having been spent during the first half of the year'

"Here again the stereotyped answer. Why did you not foresee those things? You have got a whole staff of experienced officers, you have got a whole staff of experts. I therefore think that Government ought to have been more careful in framing its budget before coming to this House for these Supplementary Grants and treating them as a normal procedure. I am most

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Executive that this House is not going to let these things go so easily and merely register their whims whenever they wanted money. Rule 32 of the Legislative Council Rules clearly says:

'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.'

"I therefore submit that the hon. the Law Member is bound to tell this House what are the new circumstances which were not taken into account, and which could not be taken into account, at the time of the framing of the Budget, but which have since happened. Therefore, I think, Sir, that we cannot blindfold tell the Executive that they can live as in the old days. And though we have not now that financial control we ought to have, and although those powers are truncated, still this House has some power and is going to assert it."

Mr. A. RAMASWAMI MUDALIYAR:—"Mr. Deputy President, Sir, if there were any justification for the statement made by the bureaucracy that educated Indians hardly know of practical administration and are not responsible for the wild statements made about the Financial and other Departments, I think the speech of my hon. and learned Friend for the University affords ample justification. His speech is one which reveals his colossal ignorance, both of the elementary principles of financial working and the principles of detailed administrative knowledge. Sir, the hon. Member said that in no civilized Government will the administration come forward for a supplementary demand."

Mr. S. SATYAMURTI:—"I never said anything of the kind. The hon. Member has been carried away by his eloquence and forgot what I said. I said that there is no Government in the world which will come forward with a supplementary demand without stating that there were new circumstances which they could not have foreseen."

Mr. A. RAMASWAMI MUDALIYAR:—"I do not see much difference. I leave my hon. Friend representing the cultured electorate of the University there. He is not a humble Member of a mass electorate like mine."

Mr. S. SATYAMURTI:—"Mine also is."

Mr. A. RAMASWAMI MUDALIYAR:—"I must say that if the hon. Member had known something more of how financial matters are being carried on in other civilized Governments, he would not have come forward with the theories he propounded. Sir, in England the financial business of the country is done in a very different state from what is done here. There are motions introduced by responsible Ministers of Government. For instance, when the air service was newly started in 1920, the hon. Minister introduced a token motion that the Government be granted £100. On that being granted, he spent several millions and later on came with a supplementary demand. This is the thing that is done in all civilized Governments. The Budget is prepared months before for the coming months. The Budget is prepared by heads of departments for the next current year. If it is remembered how the Budget is got up, it will be remembered how difficult it is to foresee things many months beforehand. The particular item which the hon. Member for the University has taken hold of is a very unfortunate item. It is one of the many items

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which is impossible for any Collector to foresee either the tenth or one hundredth part of the real cost because the items are several in number and spread over the whole district area. Moreover, these supplementary grants are intended to satisfy the unforeseen expenditure that may arise in the course of the year. So there is absolutely nothing wrong in the Government coming forward for a supplementary grant for an item which could not have been foreseen. It is all very well to say that business capacity requires that these things should have been foreseen. But anyone who has known what it is to prepare a Budget estimate for the coming eighteen months will really know the difficulty in estimating the cost of maintaining a particular department. That the forecast which the head of an administration makes in October of this year ought to come to the exact pic in April of 1925 is what he means. Therefore, I do not see any point which the hon. Member has made and therefore this grant should be passed without any division."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I must say that I was somewhat surprised at the tenor of the remarks which fell from the hon. Member for the University. I realize to the full the implications of what he said that this Council will no longer be silent. So far as that is concerned, there can be no two opinions on that point. (Laughter). Then there was something about schoolboys coming late. While the bureaucracy of which I happen to be a temporary Member has been accused of many enormities, it has never been accused of funk and it is not in a spirit of cowardice that this Motion for a supplementary demand has been made. Therefore, there is no particular reason for our giving excuses or evasive answers even from questions arising from the non-silent Member for the University. Then there was an eloquent discourse on public finance as conducted in other countries and the great shortcomings in the Madras way of administration. I am indebted to my hon. Colleague, the Finance Member, for what takes place in the mother of Parliaments. It has been said with reference to England :

'The unforeseen does happen; emergencies arise, and it is seldom that the original estimates are found to meet all the needs of the year for which they were intended to provide. It would be strange if they did, because they are prepared in October and November to meet the needs of a year which begins in the following April and so does not end until some fifteen months later than the time at which the estimates were settled. Some fresh need for expenditure, unforeseen and unprovided for in the estimates, may be expected to occur in the course of the fifteen months. When it does, to provide for it one or more Supplementary Estimates are introduced towards the end of the financial year, in February or March.'

" Mr. Deputy President, I plead guilty to the charge of following the example of the House of Commons. If that is a sin,—well I am sinning. Then it was stated, why were not all these included in the regular programme? Cyclones are not pertinently speaking in the regular programme of this Presidency. The breaching and demolition of bunds are things over which we have no normal control in this Presidency. There is one other point I wish to lay much stress upon, because the hon. and eloquent Member for the University being a new Member may not be aware that there has always been a kind of struggle between the various departments for getting money. The Irrigation Department, the portfolio of which I have been in charge, has been waging ceaseless conflicts with my hon. Colleague, the Finance Member. It does succeed often, though partially, and I am glad to say has succeeded. It may be little. But none will get all that one wants. The fact of the matter is that irrigation demands more money than they get and that is why we are not able to distribute grants as equitably as all of us are anxious to do.

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Speaking for myself, I should like to see the grants doubled. But then we have to see that the financial needs of the Province and the many demands that are made by the progressive departments administered by my colleagues to the right have to be satisfied. It is because of this circumstance that minor irrigation works have not got an allotment which they are entitled to get in my opinion and which they may get in some prosperous year. In the meanwhile, unforeseen contingencies occur and certain tanks on which we had not spent money to attend to the maintenance and improvement now breach. Some of these might not have occurred if money had been spent already. It is that circumstance of financial stringency or crisis that has been at the bottom of this unforeseen expenditure.

" I now proceed to another point and I am glad to clear the points raised by the hon. Member from Nellore. He stated that there was a controversy raised as to the overmanning of some of these establishments and he wanted to know what has been done in this matter. That question will come in the Public Accounts Committee. As a matter of fact, it has been felt that in some respects the minor irrigation establishments have been overstaffed and certain retrenchments have been suggested. When my hon. Friend from Nellore sees those particulars, he will be satisfied that no stone has been left unturned in respect of the overstaffing question. Then, Sir, I was invited to give particulars. It is easy to have given the particulars; but it was taken that when responsible Collectors ask for sums like Rs. 9,000, 800 and 1,500 spread over their respective districts, they ought to be well known to the Members of this House and there will be no reason for giving full particulars. But inasmuch as the question has been asked, I proceed to give the answers. In Guntur Rs. 9,620 was required for repairs. It was not for anything else but for urgently required repairs. The major portion of the urgent works have been allotted and damages will result if they are not carried on. The Collector spent in the first half-year 84 per cent of the allotment sanctioned for the district. It means that he nearly requires twice as much in order to carry on the works undertaken by the department. He says unless you give something more, you cannot have the tanks and wells repaired. So we come to the Council. Can we turn round and ask which tank are you going to repair? Those particulars cannot be demanded now. At a later stage, when hon. Members wanted to bombard the Treasury Bench, which they are certainly entitled to do, the particulars will be given. A sum of Rs. 7,300 was given to Madura for repairs of breaches caused by the monsoon. Rupees 6,520 have already been given. Still Rs. 800 is required for breaches caused by the monsoon. The Collector, in the first half of the year, has spent 69 per cent of the allotment. Ramnad wants Rs. 1,500 for repairs of small works. The Collector has demanded it after surrendering it at one time on the ground that he would not require it. After surrendering Rs. 2,500 on account of the monsoon, he wanted more money. So he wants Rs. 1,500 out of the surrendered money. Mr. Galletti applied for Rs. 25,000 for new works. We cannot give even half of that. Subsequently he asked for Rs. 3,000. Honourable Members will see that in the case of these works Government, on account of their financial position, gave much less than the amount actually needed for these repairs. It is because of the past stringent financial policy that we have to ask for money now, and I take it that there will be no objection even on the part of the eloquent Member for the University."

The Motion was put and carried and the Grant was made.

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Grant VII.

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Sir, on the recommendation 11-45 a.m. of His Excellency the Governor, I move—

That the Government be granted an additional sum of Rs. 28,755 under "Irrigation—Public Works Officers—Reserved" to be provided from savings under Grant VIII—General Administration—Reserved.

" Hon. Members may require some particulars on this matter. In reply to a question which emanated from an hon. Member, I stated that the Cauvery-Mettur project is well on its way towards settlement. The technical advisers of the Madras and Mysore Governments have met and have agreed upon certain terms. The matter itself is under consideration by the two Governments. If and as soon as the agreement between the two Governments is ratified, we shall push on that scheme. The result of the scheme will be that Pattukkottai taluk in the Tanjore districts will be one of the gardens of India. Incidentally some other tracts will also be greatly benefited. Above all, the present uncertainty with regard to the irrigation of the existing deltaic area in the Tanjore district will disappear; because we shall have a reservoir which will meet all unforeseen contingencies. In order to explore that and in order to revise the estimates which were originally made so that they may be ready to go to the Government of India, we had to employ a special officer. Some hon. Members may put the question, 'why was not this foreseen?' It was not foreseen for these reasons: It was at one time apprehended that the difficulties in the way of the Madras and Mysore Governments agreeing to this scheme were well nigh insuperable and before May or June it looked as if we might have to resort to arbitration which would have taken years and years. But thanks to the cordial co-operation of the Mysore Darbar represented by its Diwan and the indefatigable efforts of this Government, some way was found out of the difficulty. The scheme got to the stage of maturity and we had to prepare revised estimates so that they may be sent to the Government for sanction. It is with reference to that that we had to incur expenditure in regard to the Special Engineer. Having entertained the Special Engineer, the Madras Government came to the conclusion that one of the great projects which had been held in abeyance and portions of which had been dealt with by successive Chief Engineers and also in Morgan's report, might be carried on and the various parts co-ordinated so as to make a great project. What has been styled the Sangameswaram project in the Kurnool district is done by practically bringing the Kistna and the Tungabhadra waters right across the Presidency down to the Coom and it is probably going to be the greatest of the irrigation works in India, if not the world. As a necessary preliminary to it we have to obtain the sanction of His Exalted Highness the Nizam's Government in order to conduct some operations in his territory. Also the Government of India Expert is coming down in December or January to look into the scheme and advise this Government as to the feasibility and the expediency of embarking on that great project. It is technically not necessary to get his previous sanction but as we are going to spend something like 25 crores of rupees on that project—it may be even more, this is only a rough estimate—we thought it would be well beforehand to get the consent of the Irrigation Expert of the Government of India, so that there might not be any difficulty afterwards. It is for these reasons that this money is asked for."

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The RAJA OF RAMNAD :—" May I ask for an information, Sir? What necessity was there to engage a retired official as the Special Engineer for three months at a cost of Rs. 3,000 a month, if it was merely for the purpose of revising an estimate according to current rates? I can well understand going in for a senior officer like that for the purpose of investigation or for framing original estimates. When investigations have been completed and estimates have been prepared, merely for the purpose of revising those estimates according to the current rates, one will expect that even an Assistant Engineer would have been sufficient. But here a retired Chief Engineer has been engaged for the purpose and I think this requires some explanation."

Mr. C. V. VENKATARAMANA AYYANGAR :—" May I ask, Sir, for further information as to why the Government should not have extended the term of the retiring Chief Engineer instead of appointing a new Chief Engineer and employing the retiring Engineer as a Special Engineer? One salary would have been sufficient if the term of the previous Engineer was extended."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I shall first answer my hon. Friend Mr. Venkataramana Ayyangar. We are not entitled to extend the term of the office of the Chief Engineer beyond a certain period without the sanction of the Secretary of State. That was why we had to appoint him as a special officer."

" I shall now turn to the question propounded by my hon. Friend, the Raja of Ramnad. The Sangameswaram project had to be investigated by Mr. Ramalinga Ayyar as he was thoroughly acquainted with the previous history of this project and had made a special study of it. He has been specialising on that for months before he retired. It was a pity he had to retire when that project had to be finally pushed through and it was in order to enable him to complete that particular investigation and also for another purpose which I will presently mention, that he was appointed as special officer. The original estimate for the Mettur project was found to be totally insufficient having regard to the recent increase in prices and having regard also to newer ideas. Hon. Members will see that there is a difference of about a crore of rupees between the original estimate and the present estimate as revised. Having regard to the conditions prevailing at the time when the original estimate was prepared and to the conditions when the final estimates are got ready for scrutiny by the Government, it practically became a new estimate. It was not without hesitation that this course was adopted; but it was felt that the experience of an officer who had specialised in this project should not be missed. As a matter of fact, Mr. Morgan thought that the Sangameswaram project would not be a success. But Mr. Ramalinga Ayyar dared to differ from Mr. Morgan. Therefore, on account of the difference of opinion between two eminent engineers, we had to invite the opinion of the Government of India expert. It is to satisfy ourselves and because this gentleman who was about to retire had pushed the work to a certain point and convinced us of the utility and feasibility of this great scheme, having differed from his predecessors who did not think that the scheme was feasible, it is to achieve this purpose that we engaged his services for a further period, i.e., merely and solely to allow him to complete his investigation and to leave on record the results of his investigation."

The RAJA OF RAMNAD :—" It was stated before that he was appointed for the purpose of revising the estimates according to the current rates. I therefore said that for such a work the ordinary officer of the Public Works

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Department would be enough. But now from what the hon. the Law Member has stated, we find that practically the whole work is being revised, which may include also alteration in the various structures connected with the scheme. If that were so, it will be an original investigation and this statement cannot be correct."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"There is no question of altering the structures. This is a revised estimate having regard to the progress of time between the date of original estimates and the present time and having regard to the newer ideas."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Sir, I understand from the hon. the Law Member's remarks that to extend the time of the tenure of office of the Chief Engineer, the sanction of the Secretary of State for India is necessary. May I know, Sir, what prevented the hon. the Law Member from getting such a sanction?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"By the time that we get the sanction his term would be up and we came to the conclusion that we could appoint him as special officer for three months."

Mr. SAMI VENKATACHALAM CHETTIYAR:—"Even by cable, Mr. Deputy President?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Even telegrams on such important topics cannot be answered for months."

Mr. S. SATYAMURTI:—"Sir, I am absolutely unrepentant even after the castigation by the hon. Member from Chingleput who seemed to think that he combined in himself all the virtues an educated Indian should have for responsible Government."

Mr. A. RAMASWAMI MUDALIYAR:—"I deny that charge, Sir."

Mr. S. SATYAMURTI:—"Apart from that, I still ask my hon. Friend the hon. the Law Member why he should take this extraordinary step of coming to this House for supplementary estimates unless there is some compelling cause of urgency which cannot wait till March next. If hon. Members will kindly turn to the note prepared by the hon. the Finance Member, at page 6, they will find, as the Raja of Ramnad has already pointed out, the only work under the Cauvery-Mettur project is to have the 'project estimates revised in accordance with current rates'."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Unless we send the estimates for sanction by January, the work cannot be started soon. I want to start the work, if possible, by February or March. Unless we send the project to the Government of India at once, it will take long time to start the work. If I wait till March, that means that one other year is gone."

Mr. S. SATYAMURTI:—"I congratulate the hon. the Law Member on the great expedition with which he wants to carry out this project. But even he must know that these projects do take some time."

The RAJA OF RAMNAD:—"May I just say that in answer to a supplementary question, the hon. the Law Member said that to push on this Mettur project, the contemplated Irrigation Law would be necessary? Am I to understand that the hon. the Law Member expects the Irrigation Law to be passed and to be in perfect working order before February next?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am in full confidence that

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Mr. S. SATYAMURTI:—"I now see that difficulties are increasing. If hon. Members look at paragraph 2 of the Memorandum they will find that—
'the project has hitherto been held up owing to certain points of dispute between the Madras Government and the Mysore State; a final settlement is now in sight.'

A very delightful and diplomatic statement. What he says is this: Between the Mysore State and the Madras Government there has been a dispute which has gone on for years and has taxed the patience of eminent men."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I do wish that discussions of this kind which may hinder these negotiations are not inaugurated."

Mr. S. SATYAMURTI:—"It is not a point of order, Sir."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I submit that I only appeal to the good sense of hon. Members not to enter into discussions of this sort. I also appeal to the good sense of the hon. Member for the University and I hope my appeal will be responded to."

Mr. S. SATYAMURTI:—"I do not understand this, Sir. I do not want that the Madras Government should get anything by favour from any other Government. I stand here representing the people of this Presidency just as much as any other Member in this House and to say that we ought not to discuss about certain things lest something might happen is a thing which I cannot understand. But I only want to ask this question, whether the hon. Member can give confident assurance to this House that before January or February next he is going to have the scheme put into operation."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"It might happen to-day."

Mr. S. SATYAMURTI:—"It might not happen for another year."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"If speeches of this kind are made, it might not."

The hon. the DEPUTY PRESIDENT:—"The hon. Member (Mr. Satyamurti) may take the assurance of the hon. Member in charge of the Department. He might be able to do it with an amount of expedition. Why should the hon. Member question the capacity or the willingness of the hon. the Law Member?"

Mr. S. SATYAMURTI:—"I have never taken assurances from the Madras Government and I do not propose to begin now. I was asking this House to consider whether it accepts that this money should be spent now and should not be sanctioned in March or April next when the budget time comes."

"I then come to Sangameswaram project. There we are told that—

'The Consulting Engineer to the Government of India, whose opinion was invited on the above proposal, has advised that the detailed investigation should not be taken up before the nature and extent of the rock across the river at Sangameswaram as well as the extent of land submerged at the full reservoir level in the Hyderabad State have been investigated in the first instance. With this end in view, the permission of His Exalted Highness the Nizam to carry out the necessary surveys in the Hyderabad State has been applied for.'

Therefore, the preliminary investigations cost all this. Thus it seems to me that here again we have got an element of uncertainty and I do not think anything will be lost by the hon. the Law Member waiting till the next budget time comes and putting forward these estimates as part of the usual grants made at that time of the year, instead of trying to rush these grants

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through just now by using extraordinary provisions which, he is no doubt entitled to, but I do not think, are consistent with the development of the full financial control of this House."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" May I rise to a point of order, Sir? Mr. Sriman Biswanath Das and myself have given notice of Motions with regard to this grant and it has been the practice of this House to take up such Motions first and then go on with the general discussion. But a general discussion is going on now and the Motions have not been taken up. I think that, according to the practice already adopted by this House, these Motions, notice of which has been given, should be taken up first."

The hon. the DEPUTY PRESIDENT :—" They will be taken up soon. We are now having discussion on the main question."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" I want to know, Mr. Deputy President, whether you have overruled my point."

The hon. the DEPUTY PRESIDENT :—" I have overruled you and I am asking the other hon. Member to proceed."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I regret that in dealing with a Motion of this description, I have to take a different course of action than that of the hon. the Member for the University. I believe it is a long-standing complaint that the Government have not been pushing through the various irrigation projects which are under their contemplation with that promptitude and care which we would desire. And when now this proposal has been made for the purpose of pushing through the Irrigation projects, I think it is our duty rather to further the rapid investigation and execution of these projects than to place any obstacles on the way of pushing those schemes. It is from this standpoint that I approach this question. Though the Cauvery-Mettur project has hitherto been held up owing to a dispute between the Madras Government and the Mysore Government, the hon. the Law Member has been good enough to tell us that an amicable settlement will be made as early as possible, and may we hope that it will not be long delayed? We find an account that, in the case of the prosecution of the Sangameswaram project, it is necessary to carry on the investigations with the help of His Exalted Highness the Nizam's Government, and let us hope that attempts made in that direction will also be successful. Sir, if I have risen to offer some remarks on this Motion, it is because I feel that further information is necessary regarding the possibilities of the Sangameswaram project which is one of the items which have been referred to by the hon. the Law Member. Mr. Morgan's report does not give any detailed information regarding the Sangameswaram project. Having carefully gone through that project I find the scheme suggested by him . . ."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I desire to make a statement. I realize that it is to a certain extent a new project, and I propose to place on the table of the House a full account of the project. It will serve one or two more districts than those that are found here."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I am glad to hear from the hon. the Law Member that he will shortly place before us further information regarding this. But before we are called upon to vote for this Motion, may I not expect him to give us more information than the meagre one furnished in this note? For, we believe from the remarks made by him that all points within those proposals are embodied in certain other schemes

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referred to by Mr. Morgan. We find from Mr. Morgan's report that the Tungabhadra project, which is intended to serve a number of districts, has been shelved. I wish to know whether the Sangameswaram project is intended to cover the scope of the portions of the scheme of the Tungabhadra project which has been investigated by the Irrigation Commission regarding the construction of a reservoir in the river Kistna, and whether it embodies in its scope portions of these two schemes. I am not in a position to understand this. Though the hon. the Law Member may take some time to have all these proposals matured so as to place them before this House, may I not ask him on this point, when asking for a grant, of investigation of a scheme to give us what further information he has at his disposal regarding the Sangameswaram project? The details given are so meagre that I am constrained to ask for this information."

The hon. the Deputy President then called upon Mr. Biswanath Das to move his Amendment.

Sriman BISWANATH DAS Mahasayo :—" Sir, I beg to move—

That the sum, Rs. 28,755, be reduced by Rs. 100.

" Sir, I do not mean to join in the discussion that has been going on regarding the Grant. I only want some information regarding the Ganosala project that is to be started in the Ganjam district. I request the hon. Member for Irrigation just to inform us the stage in which this project stands. At the time of the last Budget, the hon. Member for Irrigation was pleased to inform us that he awaited the sanction of the Government and as soon as he got it, it would be put into execution. I therefore request him to make a statement on the subject, so that we shall be in a position to know when we are to have that work started."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" In the Appendix to the Demands we find a short description of the Sangameswaram project. From this it is clear that about 17 lakhs of acres are to be irrigated when this scheme matures. According to the description given in Mr. Morgan's report on page 12 regarding the Kistna Reservoir project, we understand it is to irrigate about 7 lakhs and odd acres. First of all, I wish to know whether both these schemes will be executed separately, or whether the execution of the Sangameswaram project will make it unnecessary to construct the Kistna Reservoir project. If we are to go into the details of the areas that are to be benefited, as far as the Kistna district is concerned, I do not think that the Sangameswaram project will be very beneficial. We know that under the Kistna Anicut system there are 8 lakhs and odd acres being irrigated, besides the Divi project which irrigates more than 60,000 acres. By constructing a reservoir higher up at Sangameswaram, what would be its effect upon the irrigation of the Kistna Anicut system as well as the Divi pumping system is a matter which should be made well known to the public. In this case, as in the case of the Mettur project, I suspect there is some difficulty because of their being situated in the Indian States. I know when the Mettur project was begun to be investigated and when so long ago as 1910 the Madras Government was getting estimates prepared and revised, the Mysore Darbar had finished its Kannambadi project and set the whole scheme in working order; and just like that, even in the case of useful and prosperous projects like the Sangameswaram project, there may be every possibility of the advantage being reaped by the Indian States. I do not agree with the hon. Members, Mr. Satyamurti and others, who say that this

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expenditure is unnecessary because, having had the experience of the Metur project, one would be anxious to push through every scheme, more especially those projects connected with Indian States. We want every scheme to be completed. After all, it is only continuing the services of an Engineer who has great experience in irrigation. I had a few hours conversation with Mr. Ramalinga Ayyar and I am sure that that gentleman will make any one understand the various technicalities of these projects, and the lucidity with which he is able to explain matters will make even a lay man appreciate the usefulness of the continuance of his services to the State."

Rai Bahadur T. M. NARASIMHACHARLU :—" Mr. President, Sir, if the hon. Member, Mr. Satyamurti, will not take an assurance from 12-15 p.m. Government Members, I hope he will have no objection to take an assurance from me, a Member like himself on this side of the House. On this question of the Metur project, I have had occasion to converse not only with Mr. Ramalinga Ayyar, but also with the hon. Member for Irrigation when this question came up for consideration in the Finance Committee. I was at first somewhat sceptic as to the usefulness or necessity for the provision now asked for. But on going through every detail, the Finance Committee was satisfied that it was a very useful and necessary provision, and an urgent one too. In the first place, the Metur project has been so far advanced that it only requires revision in some essential particulars and technical details which only an experienced officer will be able to make at the present moment; and, secondly, as the Government assured us that there will be a settlement of the dispute between this Government and the Government of Mysore at a very early date, we, the Members of the Finance Committee, thought that in the interests of the people of this Presidency, an irrigation project like this should be pushed on with as much speed as possible. It is with this object in view that we thought it necessary that Mr. Ramalinga Ayyar's services should be requisitioned for the purpose.

"Similarly, with reference to the Sangameswaram project, it is necessary to find out whether the bed of the river is able to bear the foundation necessary for the contemplated big reservoir. For that, I think, Sir, an ordinary officer like an Executive Engineer or an Assistant Engineer will not do. We want an efficient, experienced and expert officer like Mr. Ramalinga Ayyar for the purpose. That was one of the chief points put before us and, in addition to that, the question was how much land was necessary to be submerged in the Nizam's State in order to have a good reservoir. The soil had to be tested and it was also necessary to ascertain the amount that would be required for acquiring lands for the purpose. These two things cannot be done by an ordinary engineer. These were the points that were specially brought to our notice by the hon. Mr. Ramaswami Ayyar and we were satisfied that this appointment was necessary and that this Grant ought to be moved. I therefore think that under these circumstances my hon. Friend for the University will kindly take the assurance from me and vote for this Grant."

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" Mr. President, I rise to associate myself with the views expressed by the three last speakers and congratulate the hon. Member for Irrigation for the expedition with which he has pushed forward two of the schemes that have been waiting for years and years in this Presidency. It seems to be a matter of happy augury that just as we are discussing the matter a despatch has been received from the Govern-

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ment of Mysore. I hope the matter has been more or less settled by means of this despatch. Sir, we did not expect that the Metur project would come to the stage of being started so soon as this. We in the Coimbatore district expect that an opportunity will be given to raise the question whether at least some of the water that will be stored in the Metur reservoir will not be made available for the Coimbatore district. I believe, Sir, at one time there was a proposal to run a channel from the right bank of the reservoir into the Coimbatore district and irrigate some of the lands there. I believe the possibility of doing it has not been completely investigated or decided in any way finally. Now that the matter has come to a head, I request the hon. Member for Irrigation to consider this question also and see whether a portion of the water that is going to be stored at Metur cannot be made available for Coimbatore. By doing that there will be a double advantage. The Coimbatore district is a dry district and its inhabitants are sometimes very near famine. For instance, in the current year there has been no rain and in several portions of the district, the condition is very grave indeed. Cattle are being sold for a third of their purchase value. If a portion of the Coimbatore district can be irrigated with the water stored in the Metur reservoir, this state of things can be improved. If water is taken to Coimbatore, the same water can be utilized for half the acreage below the district, that is to say, the water that will be available for irrigating 50,000 acres in the Tanjore district can be made available for irrigating 50,000 acres in Coimbatore district and another 25,000 acres in Tanjore. So, in that way there will be a double advantage. The only thing we have to consider in this case is whether it will be possible to run a channel from the right bank of the Metur reservoir. So far as I have been able to make out, and so far as I have been able to consult the engineering opinion that was available, I understand that it is possible. So I earnestly request the hon. the Member for Irrigation to bear this in mind and have an investigation made as to the feasibility of this scheme. As I said already, these two schemes are big schemes and the sooner we bring them to a head and start them, the better for our Presidency. Therefore, we have really to be thankful to the hon. the Irrigation Member and not find fault with him for having come to a decision and started the schemes. With these words I very gladly support the main Motion."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" Sir, in replying to the observations which fell from some of my hon Friends, will they permit me to thank them for their very helpful remarks, which will certainly be carefully borne in mind? Let me, in the first place, tell the hon. Member from Ganjam something with regard to the Girisola project. Sir, with regard to this the survey is complete. Earth-work has been ordered to be started and by the time we meet for the Budget, a very great deal of progress will, I am confident, have been made with regard to it.

"I shall next turn to Coimbatore. With regard to that, it is doubtless possible that by a system of channels that district may perhaps be benefited by the Metur reservoir. But it is too soon to say what exactly is going to happen. It will depend very much upon the amount of money we are able to get from the Government of India and the way in which we are able to fashion our reservoir and our channels. If our estimates are sanctioned in their entirety, I believe the reservoir may have enough storage to permit of that. I do not desire to give this as an assurance, but I am only mentioning it as a possibility.

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"Next, with regard to the Kistna reservoir, I would ask the indulgence of the House for a few minutes. The Sangameswaram project, as now designed by the special officer, differs in certain respects from any of the projects dealt with by Mr. Morgan. What is now attempted is to collaborate and bring together as many of the schemes as possible so as to benefit Kistna district as much as possible consistently with having the paramount object in view of relieving the distress in certain parts of the Ceded districts which have called for relief for a long series of years past. To the extent to which it is possible to make the Kistna project come within that scheme, an attempt will be made. But Mr. Morgan thought otherwise. As I said in the course of my earlier remarks on the subject, the present special engineer does not entirely share Mr. Morgan's view. Here, again, it is impossible for me to give this as an assurance. The Government of India special expert, Mr. Gebbie, is coming down here in the last week of this month or some time early next month for the purpose of going over the locality to explore the nature of the land and to see how far these projects may be brought together. If he agrees with our special engineer, the work will be undertaken. The only question that now stands in our way is the great engineering difficulty and the negotiation with Hyderabad. When I put the proposition thus, that the attempt is to get the Kistna and the Tungabhadra down to the Coom, the magnitude of the problem can be easily imagined. To the extent to which our engineers and the Government of India engineers are able to surmount the difficulties that beset this scheme, efforts will be made to have the whole thing systematized and put into a great scheme."

Sriman BISWANATH DAS Mahasaya:—"Sir, I am thankful to the hon. the Member for Irrigation for the information which he has furnished us. With the fervent hope that he will very soon complete the project on hand, I beg permission to withdraw my Amendment."

The Amendment was by leave withdrawn.

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I beg permission of the House to withdraw my Amendment."

This Amendment also was by leave withdrawn.

The Motion was then put to the House and carried and the Grant was made.

Grant VIII.

Mr. SATYAMURTI:—"If I have your leave, Sir, I wish to rise to a point of order with regard to the Motion which my hon. Friend, Mr. C. P. Ramaswami Ayyar, is just going to make."

The hon. the PRESIDENT:—"I think the hon. Mr. C. P. Ramaswami Ayyar had better make the Motion, and not make a speech, and then we shall consider the point of order."

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

That the Government be granted an additional sum of Rs. 1 lakh under '47. Miscellaneous—Miscellaneous and unforeseen charges—Reserved' to be provided from savings under 'Grant XXVIII—Civil Works—Transferred.'

for the relief of the districts of Ganjam and Vizagapatam which have suffered on account of the recent cyclone."

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The hon. the PRESIDENT:—"Where are the words 'for the relief of' etc.?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, the Grant is for the relief of the sufferers in Ganjam and Vizagapatam districts. In the explanatory Memorandum which is given by the hon. the Finance Member at page 7, these words occur."

Mr. S. SATYAMURTI:—"Sir, my point of order is this, and I crave your ruling on it. Under section 72-D of the Government of India Act, sub-clause (2) (c)—

'No proposal for the appropriation of any such revenues or moneys for any purpose shall be made except on the recommendation of the Governor, communicated to the Council.'

"Sir, my submission is that no recommendation of the Governor in regard to this grant has been communicated to the Council as provided for by Standing Order No. 69."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, exactly the same objection was raised on another Grant before you, Mr. President, came and took your seat."

Mr. S. SATYAMURTI:—"I do not want to answer that. Standing Order 12-30 p.m. No. 69 reads 'Communications from the Governor to the Council are made—

(1) by a speech; and (2) by a written message'.

"You will notice, Sir, that the word 'communication' is used both in the Government of India Act and in the Standing Orders providing that the only two ways by which communications could be made by the Governor to the Council are either by a speech or a written message. I submit, Sir, with some confidence and in all humility that that speech or that message could be only by His Excellency Lord Willingdon and not by anybody on his behalf, not by any officer designated in his name and in his official capacity. The statutory provisions or the Standing Orders of this House provide the manner in which that communication should take place. I submit that in the absence of that speech or written message it must be presumed that there is no message which this Council, as a Council, can take cognisance of. The hon. the Law Member, in answer to my objection earlier to-day, said:—'I from my place in this House give you this message from the Governor that he has recommended'."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I did not."

Mr. S. SATYAMURTI:—"I stand corrected. Therefore the position is much easier. I rose on a point of order on an earlier Motion and I submit that this is a fresh Motion on which I am entitled to raise a fresh point of order. I crave your decision on the Act and on the Standing Orders as they stand."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I am not entitled to address the Chair, but with your permission, Sir, I hope to be allowed to make a few remarks. There is a somewhat familiar doctrine of law known as *res judicata* by which if a case has been decided on certain issues, the same issues are not allowed to be raised again in another case."

The hon. the PRESIDENT:—"I take it that it is in another case and between the same parties."

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The hon. Mr. O. P. RAMASWAMI AYYAR:—"I stand corrected by the hon. the President and the analogy is complete. The case, such as it was, was this point of order. It rose on another ground and the parties were the same. The learned and the eloquent Member for the University, fresh from the study of the Standing Orders, was the plaintiff. I was the defendant, and the issue was decided by the hon. the Deputy President, who gave his ruling on that matter. I submit that that principle is one of wide and indeed of universal application. I do not rest content with that. I shall, with your leave, address myself to the particular subject."

"Turning now to the Government of India Act, it says that—

No proposal for the appropriation of any such revenues or other moneys for any purpose shall be made except on the recommendation of the Governor, communicated to the Council.

"The recommendation is communicated through the hon. Member in charge of this Motion whether he is Minister or Member. The recommendation is now before the House. It is well known to a President like you, Sir, versed in precedents, that during the lifetime of the last Council, this recommendation has been conveyed by the responsible Member or Minister in charge. I desire to indicate just now that it is such a recommendation that is before the House. The word 'communicated' in the Government of India Act (page 53) is used not in the sense of the word 'communication' used in the Standing Orders, but in the sense of things passing from one to another, just as I communicate my words to you. It is the recommendation to be communicated. So long as there is no rule laying down that the communication under this section shall be in one way or the other, it may be done in any of the recognized ways. Turning now to the Standing Orders the word 'communication' is used in a general manner. It is a technical expression and has no special advertence to the word 'communicated' in section 72-D as having reference to certain types of communication from the Governor to the Council and *vice versa*. I submit therefore we should reconcile these two enactments, and it ought to be done especially having regard to the precedent in the matter. I say there is nothing of substance in this point of order apart from the contention that I venture to urge, that the principle which I have been enunciating is one of wide and important application."

The hon. the PRESIDENT:—"The words used are 'except with the recommendation of the Governor communicated to the Council'. Your contention is that the Governor can make no communication except in writing or by a message sent to the President. Is that not so?"

Mr. S. SATYAMURTI:—"My contention is that communications can take place either by a speech or by a written message. And if I may add, on the question of precedent, it was only the other day we had the pleasure of listening to a message from His Excellency the Governor regarding the Religious Endowments Bill which you read to this House, and I believe it was signed by His Excellency Lord Willingdon. I therefore submit that the word 'communication' is a well-known English word used in the Act and in the Standing Orders and the framers of the Standing Orders must have had the Government of India Act in their minds. And after all, the question of *res judicata* does not arise, because I am not a party to this dispute at a private dispute. I am only speaking of the privileges of this

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House. It is by mere accident that I am raising this point of order. Therefore I submit that it is up to this House that such important communications or recommendations should not be taken unless there is something to show that it has been recommended. At present there is only the statement made *ex cathedra* by the hon. the Mover of the Motion. And I submit therefore that the point of order does arise."

The hon. the PRESIDENT:—"For the last three years we have been passing a number of supplementary grants. Even the Budget, I think, never came with such a formal communication. The point now raised is very interesting. I will reserve it for careful consideration; in the meantime we will proceed with this grant."

Mr. S. SATYAMURTI:—"Sir, may I make one suggestion? I suggest that this Motion might be allowed to lie over, till the point is considered."

The hon. the PRESIDENT:—"I would like to consider the question in all its bearings, but it must be noted that for the last three years, before we had the pleasure of having Mr. Satyamurti in our midst, we have been allowing a number of grants which have come down to us, generally taking the hon. the Finance Member's statement as equal to the communication from the Governor. That has been the practice of this House. Of course the hon. Member is not bound by it. But the other hon. Members who sat in the last Council with me are expected to understand that practice. They cannot easily go back upon it. That being so, before I begin to express an opinion upon it, as it were casting a doubt upon everything we have done for the past three years, I will consider the matter very carefully. Probably, in all these cases the Governor might have permitted those things."

The hon. Sir CHARLES TODHUNTER:—"Most certainly, Sir."

The hon. the PRESIDENT:—"It may not be difficult for us to get a few lines in writing from the Governor saying that all those Grants which have been put forward have been allowed by him to go forward. I do not think we will be justified in stopping the work from going on."

The hon. Sir CHARLES TODHUNTER:—"This paper has been forwarded, as it is stated at the top of the schedule, on the recommendation of His Excellency the Governor. The paper was submitted to him before it is laid on the table of the House."

The hon. the PRESIDENT:—"What Mr. Satyamurti contends is that it is an unsigned document and that he would not be content with it. He wants something signed by the Governor. That is the point which I wish to consider carefully."

Mr. S. SATYAMURTI:—"The Standing Order wants it, Sir. Another point of order, Sir, on which I want your ruling, which according to the hon. the Law Member is *res judicata*, is this: Under the Government of India Act there is only one provision under which proposals for Grants can come before this House. According to section 72-D, clause (2), proposals of the Local Government for the appropriation of provincial revenues and other moneys in any year shall be submitted to the vote of the House in the form of demands for grants. That provision alone governs the procedure for proposals for grants being placed before the House. Turning now to the Legislative Council Rules, Rule 32 says:

"That an estimate shall be presented to the Council for a supplementary or additional grant (1) when the amount voted in the budget of a grant is found to be insufficient for the purposes

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of current year, or (2) 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.'

"Only under these two contingencies the Rules contemplate a supplementary or additional grant. You will find Order of the day No. II reading thus:—'Motions for reappropriation for 1923-24'. If you will read the Motion before the House 'that the Government be granted an additional sum of Rs. 1 lakh to be provided from savings under Civil Works—Transferred' it does not purport to be a demand for additional or supplementary grant as it has been described. But it is a motion for reappropriation from one head to another. The amount has been sanctioned for another purpose. On that matter Rule 34 of the Legislative Council Rules defines the functions of the Public Accounts Committee.

'It shall be the duty of the Committee to bring to the notice of the Council every reappropriation from one grant to another grant.'

"It contemplates the previous reappropriation by some agency, certainly not this Council, from one grant to another grant, being reported to this Council by the Committee of Public Accounts. If you will kindly turn to the paper the hon. the Finance Member very kindly circulated to this House a few days ago explaining the procedure underlying this motion, it says:

'It seems to be preferable to reappropriate from the savings that have been made to cover the new expenditure that is now necessary. Consequently the motions that are now tabled are motions to meet new demands by reappropriation from sums resumed under existing heads of the budget.'

"Towards the close of the first paragraph of the Memorandum he says:

12-45 p.m. 'Under the rule 34 (2) (i) of the Legislative Council Rules, the Legislative Council can transfer funds from one grant to another'. I submit, Sir, there is no such power vested in this Council. We can only discuss either a proposal for a grant for the first time coming at the budget time, or a proposal for a supplementary or additional grant. Although the Government benches may give reasons for incurring this expenditure under the Transferred head, it cannot be put as part of the Motion, the Motion itself being converted from a motion for an additional or supplementary grant to a motion for reappropriation from one grant to another. It is not a mere technical point, Mr. President, for I think it goes against the fundamental principles of finance, viz., that lapsed grants must be taken over to next year and not reappropriated in this haphazard fashion at the end of the financial year. That is why, Sir, I am raising this point of order. I request you, Mr. President, not to treat it as a merely technical matter, which I am sure you would not, but as one raising an issue of some financial importance in regard to our Budget and the supplementary grants."

The hon. the PRESIDENT:—"Do I understand the hon. Member to say that the Government could go on spending the money without our sanction? That is what it comes to. The point of order is that this Motion of the hon. the Law Member is out of order because the Government do not ask for money for the first time, for a fresh grant, but only ask for lapsed money from savings effected."

MR. S. SATYAMURTI:—"Not at all, Sir. The point that I raised was that the Motion up to the third line that is now being discussed, is entirely in order because this House has got the right to discuss it. But, Sir, the point is, the words 'to be provided from savings under 'Grant

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XXVIII. Civil Works—Transferred' appearing at the end of the Motion on which the hon. Member has said that it is a mere surplusage, are not to occur, for the proposition with these words would be out of order. This House ought not to be committed by such a demand to a reappropriation of one grant to another, the responsibility for which the executive must take. According to the Act, the Public Accounts Committee must scrutinize and report to this House of such cases. I am not suggesting that they can spend money without our control. Nothing is farther from my mind, for I am anxious to increase the control of this House. I am only suggesting that while asking for a supplementary grant, they ought not to get our implied or express sanction for reappropriation of one grant to another which ought to be discussed on its own merits as to whether that expenditure has been properly effected and has resulted in a saving or whether the saving is just or has been arrived at by starving some items of the grant. That discussion would come before the Public Accounts Committee and not before us."

The hon. the PRESIDENT:—"This question, I am afraid, affects the procedure which we have been regularly following for three years."

MR. S. SATYAMURTI:—"I am very sorry for it."

The hon. the PRESIDENT:—"I know that Mr. Satyamurti is very sorry."

MR. S. SATYAMURTI:—"I beg your pardon, Sir. I did not mean any bitterness or contempt. I was sorry for raising it for the first time now."

The hon. the PRESIDENT:—"I do not think any hon. Member has reason to feel sorry for raising a point of order, for it is by such points of order being raised that our procedure can be regularized. But I should mention that this point really affects the course which we have been following for some time. I would rather adjourn this also for further consideration and allow all these Motions to be disposed of. If I think that the procedure should be in any way altered, I shall tell the Government to do so. I am much obliged to the hon. Member for raising it."

MR. S. SATYAMURTI:—"I thank you, Sir."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, I take it now that I am not asked to say anything with regard to the point of order now raised. I shall reserve my remarks till the occasion comes."

"This Motion, as hon. Members will perceive, is one necessitated by the recent and devastating cyclone in the districts of Ganjam and Vizagapatam and it is for the relief of the sufferers. It is impossible now, owing to the paucity of information available from the areas affected, to find out under what heading the relief should be given. I am not going to say more about it in detail at present, because I notice on the agenda paper an amendment very legitimately inserted at the instance of Mr. Narasimharaju, raising a discussion regarding the scope of relief to be afforded. No one will be more glad than the Government to get suggestions from hon. Members as to the proper and legitimate scope of the relief. But all that I have to say by way of prefatory remarks is this, namely, that at the present stage it is not possible to say that one lakh of rupees would be utilized in one form or another, in building houses or repairing irrigation works, or in affording money doles to sufferers. But as the pressure is urgent, and the

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relief has to be extended almost immediately, it is feared that this one lakh is but the beginning of a series of Grants which the Government will have to ask for in order to adequately and properly relieve the distress which is unprecedented and distressing beyond measure. At the present moment we come before the Council asking for a lakh of rupees and trust that, after the Council has made its views perfectly apparent as to the direction which the relief measures should take, they will grant us further sums."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"Mr. President, Sir, the very fact that His Excellency has referred to the distress in Ganjam and Vizagapatam districts in his opening address to this Council does place the people of these two districts under obligation to the Government for the sympathy that is expressed in this distress. We know that early steps are being taken by the Government to afford relief to the distressed in these districts. When I tabled this motion for knowing the scope of the relief to be afforded to the poor sufferers, my main object was to induce the Government to widen the scope more than what it may be under the short note published as an appendix to the demand. It has been suggested that bamboo and timber will be given freely to the sufferers. As far as the town of Vizagapatam is concerned, it is not only the mud or thatched houses that suffered, but there are some quarters in the town which are inhabited by very poor people who once occupied a very rich position. For instance, the so-called Fort of Vizagapatam which is occupied by Muhammadan population, once very prosperous but now under adverse circumstances, is reduced to utter poverty. They live in tiled houses. From my personal experience, I can say that every one of these houses did suffer serious loss and unless relief is afforded to the poor inhabitants in that portion of the town, I am afraid that their houses cannot be rebuilt. Even now, some of the inhabitants are living in portions of public buildings such as the Kurupam market, and other places. That is one of the reasons that I urge in support of this motion.

"Then, Sir, we know that the first monsoon has completely failed in the Vizagapatam district and on account of the early rains in September, some crops were sowed throughout the district. But the two heavy rains, one about the 30th of October and the other, the cyclonic weather about the 17th of November, did great havoc to the district. All the standing crops are expected to yield very poor returns, and the distress in the district on this ground is very great.

"Sir, I want to make one other appeal to the hon. the Revenue Member in this connexion. The kists are to be collected in the months of January and later. As far as the wet lands are concerned, I mean the irrigated wet lands, there is no question about the collection of kists. I do not think that it will give any trouble. But the real difficulty is about the assessment on dry lands. The existing practice and the Standing Orders of the Board of Revenue do allow the grant of remission on dry lands in cases of distress like this. This is a matter for special consideration by the Revenue authorities. In this connexion, I wish also to state that whenever the first monsoon fails it is a matter of practice that even the irrigated lands are cultivated with dry crops, and whether they yield a crop or not, generally dry assessment is levied on them. But this year this must require a careful examination and in all cases where even the dry crops failed on account of the heavy rain, the Government should

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see their way to grant remission. I may bring to your notice, Sir, that the irrigated lands are generally cultivated with cholam when the first monsoon fails. In this year, most of these lands were cultivated with cholam as a dry crop in the irrigated lands. But on account of the two heavy rains which I have already mentioned, the crops did fail and the ryots do deserve remission of dry assessment even on the wet lands that were cultivated with dry crops. I have, then, Sir, to bring to the notice of the hon. the Chief Minister, the Minister for Local Self-Government, that he should show some sympathy towards the municipalities. I cannot now mention the extent of the damage that is done to the roads of the district board. As a matter of fact, it is the duty of the Government, as far as the trunk roads are concerned, to restore them to a good condition. As far as the district board is concerned, the Government are not justified in expecting the district board to spend a single pie of its own in restoring the trunk roads. As far as the second-class roads are concerned, they are also breached in many places and the breaches are such that it is necessary that the district board should take up the construction of culverts for the passage of surplus water in future. The abnormal rainfall of this year may be taken as the standard for the future and the excess rainfall over the normal should be provided for and necessary culverts should be constructed. Even in this case the hon. the Chief Minister may examine the question and induce the Government to afford extra contribution towards the second-class roads. I do not think that that claim is an extravagant one and I believe the Local Self-Government Ministry will find its way to lay down certain principles of relief in this line. I only invoke the precedent of Malabar and I believe the Government have established some precedents as to the nature of reliefs that ought to be afforded in special cases like this. They may adopt the same lines of relief in the case of this district board also."

(At this stage the hon. the Deputy President took the chair.)

Sriman BISWANATH Das Mahasaya:—"Mr. Deputy President, Sir, we are sorry we have approached the House with Motions for reduction when we ought to ask for more. It is a pity that under the Government of India Act, the Council has not got the power to enhance the grant. It is therefore our bounden duty to impress on the Government the necessity of more grants in view of the history of woes and sufferings of the people of Ganjam and Vizagapatam, sufferings and woes which they have never seen for probably 50 or even 100 years before."

Mr. YAHYA ALI SAHIB Bahadur:—"May I ask, Sir, if the House will not be adjourned as usual at 1 O'clock to enable the Muhammadan members to attend to their prayers?"

The hon. the DEPUTY PRESIDENT:—"Let this be finished."

Sriman BISWANATH Das Mahasaya:—"Sir, without engaging the time of the Council any more, I may request the hon. the Law Member just to allow me to make some personal representations. I am also told that the hon. the Minister for Education is going to visit these tracts."

Mr. A. V. BHANOJI RAO:—"Mr. Deputy President, Sir, I do not want to take up the time of the House very long, and I shall finish in a few minutes. In supporting this motion, I wish to thank the Government for the relief that was given to Vizagapatam. I represent the Vizagapatam

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urban constituency, and as you all know what the cyclone has done for the Vizagapatam city, I need not say much to you on that matter. The cyclone is quite unprecedented in the annals of at least the Vizagapatam district. I thank the Government for the relief they have so far given, but at the same time I do not think it is adequate, if that represents the whole grant that is going to be made by Government. In this connexion I must also say that the District Collector and all the officials of the municipality of Vizagapatam have done their best to relieve the sufferings of the people. I would request, at least on behalf of Vizagapatam city, that the hon. the Chief Minister would kindly take the trouble of coming over to Vizagapatam to see the damage done to the municipality itself. Once more thanking the Government for the relief already given, I support this motion, with the hope that another adequate sum may be allotted for the relief of Vizagapatam city."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. Deputy President, Sir, I do not want to prolong the discussion. I have heard with very great interest the remarks that fell from my hon. Friends. As to the suggestions that have been made by my hon. Friend, Mr. Narasimharaju, I may say that Mr. Macmichael is touring in the locality just now, and his observations will at once be communicated to him for such action as he may take which he will report to us.

"With regard to the amount, it is recognized by the Government that one lakh will not be sufficient, and in all probability we shall have to come before the Council for larger sums and I take it that the Council will be as ready to vote for larger sums in this cause as they have been in regard to this Motion."

Mr. A. RANGANATHA MUDALIYAR:—"May I respectfully suggest to you, Sir, that the debate may be put off until after lunch, as all the Muhammadan Members have gone out of their seats?"

The hon. the DEPUTY PRESIDENT:—"I wanted to know if it is the practice to adjourn for lunch at 1 O'clock on Fridays, but I find it is not. This is what the hon. the President said on the subject on 2nd September 1921:

"Before we proceed to the other items of business, I should like to inform the House that the House will adjourn for lunch to-day (Friday), and on all subsequent Fridays when the Council is sitting at 1-30 p.m., and re-assemble at 2-30 p.m., the additional half an hour being given to suit the convenience of our Muhammadan Colleagues of this House, and I am sure I carry the House with me in deciding to this effect."

"This was put before the House and the House consented to this arrangement. In those days the House used to adjourn at 2 and re-assemble at 2-30 p.m. As we are now adjourning at 1-30 p.m., I do not think the request for adjournment at 1 O'clock ought to be persisted in. So the House will now proceed with the discussion."

Mr. G. RAMESWARA RAO:—"May I, with your permission, Sir, put one question to the hon. the Law Member? It is whether he proposes not to forget the claims of Bellary and Anantapur districts for remission, as they are famine-affected districts."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I think, Sir, it does not really arise out of this Motion. As soon as the Government finds the relief necessary, it will certainly give it."

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Rai Bahadur T. M. NARASIMHACHARLU:—"Are there recent floods in Bellary and Anantapur, Sir? For, he is asking for relief under this grant which is only for relief from floods."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"He asks for relief on the ground that Bellary and Anantapur are famine affected."

Sriman BISWANATH DAS Mahasayo:—"May I ask one question, Sir? It is whether the hon. the Law Member will be pleased to furnish the reports submitted by the various officers of Government to the Members of this House for their information."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"In all probability all those reports will be placed on the table of the House, but I cannot give any definite information. I may say that a number of reports have been published already."

The Amendment of Mr. Biswanath Das was, with the leave of the House, withdrawn, as also the Amendment of Mr. Narasimharaju.

The Motion was then put to the House and carried and the Grant was made.

Grant X.

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

That the Government be granted an additional sum of Rs. 7,750 under "General Administration—Reserved"—to be provided from savings under Grant VIII—General Administration—Reserved.

"Sir, as will be observed from the explanatory Memorandum furnished by the hon. the Finance Member, this represents the travelling expenses incurred by the Members of the Irrigation Committee, and the Memorandum itself gives in fairly full detail the circumstances under which this Committee has been appointed. There is only one word which I wish to add. In the course of the labours of this Committee it has been discovered that it is possible to meet many objections to the Bill. It differs in many points from the old Bill, and differs, if I may say so at this premature stage, in the direction of easing the situation and rendering more clear the rights of the various proprietors, zamindars and the ryots. Those departures have been initiated, and many of the suggestions have been accepted. On receipt of the Government of India's sanction, the Bill is expected to be introduced in January. But for the labours of this Committee, the atmosphere which prevailed at the introduction of the original Irrigation Bill—for there was a certain amount of distrust and suspicion—would not have been dissipated, as I think it has been. I think there can be no two opinions as to the usefulness of this Committee, or the necessity for its formation."

Mr. S. SATYAMURTI:—"Sir, I rise to oppose this Motion not on any merits of the Irrigation Bill, past, present or future, and I do not want to be understood to say anything with regard to the merits of the Bill as it may come before this House. I have very strong opinions on that and probably it may be that the Bill meets many of the points which I have in my mind. But what I want to draw the attention of this House to is the very extraordinary procedure which the Government seem to have adopted in this matter. Here is a Bill introduced before this House; this

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House summarily rejects it. Without therefore taking upon themselves the responsibility of reconsidering the Bill in the light of the criticisms offered in this Council or elsewhere, they go and appoint a Committee and ask this Council to sanction expenditure incurred for the further consideration of a Bill which they did not want and thereby limit the scope of its discussion in this Council. I dare say there are some Members of the Council here who sat on that Committee, and I have no doubt in my mind that they will bring a fresh mind to bear on the question when it comes before this House again. But I think it is somewhat of a handicap that before the main principles of the Bill have been discussed on the floor of the House and before the House has either accepted or rejected them, Members of this House should have been placed in the false position of having committed themselves more or less to the main provisions of the Bill, thereby truncating the freedom they would otherwise have in taking part in the discussion. And it seems to me somewhat wanting in the courtesy and the respect due to this Council that it should be asked to vote money for a Committee to consider a Bill which it did not want. I am not considering the basic principles of the Bill. It may be that the Bill is most beneficial. It may be that the acres which are now dry may become wet, or where one blade now grows two may grow hereafter. But all these facts, good facts, cannot materially alter the situation as I see. Here is a Bill which comes before the House, and the House says 'We do not want it'. And the Government calls some of us and appoints a Committee and pays travelling allowance. They discuss the Bill, and they may come and say here 'Here is a Bill which some of your Members have considered' and throw it at your face. I do not think that it is a proper procedure to sanction. To raise that constitutional point, Sir, I formally object to this grant and, in doing so, I do not want to be understood as committing myself to any opinion with regard to the merits or demerits of the Irrigation Bill or the labours of this Committee. But I only raise this constitutional issue."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Sir, I frankly own to a feeling of intense surprise that an aspersion has been cast upon the Members of this House, which, I take it, they will resent as they ought to. It is suggested that because Members of this House took part in the discussion of another Irrigation Bill, and they have been called upon to perform their function of advising the Government and have been called upon to help in the solution of a very difficult and tangled problem and to make suggestions to the Government for fashioning a new Irrigation Bill, they will not bring a fresh mind to bear upon it, and they are lost to their sense of responsibility, that they will forget, because there is this travelling allowance of Rs. 7,750, the elementary right which they have and the duty they owe to themselves and to their constituencies"

Mr. S. SATYAMURTI:—"On a point of personal explanation, Sir, may I respectfully suggest to the hon. the Law Member that next time he wants to answer me, he listens to my speech before he answers? I did not suggest that they would not bring a fresh mind to bear on the Bill. I said they would bring a fresh mind to bear upon the question, and secondly I only said this: that it is placing them in a false position to get them committed to the provisions of the Bill and then come to this House and so on. And I stand by that statement."

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The hon. Mr. C. P. RAMASWAMI AYYAR:—"Well, Sir, that statement having been made, I will repeat what I have already said. 1-15 p.m. What is it that has been done? Some of the Members of the last Council were appointed as Members to serve on this Committee. Is it the fault of the constituencies, I ask, that some of those Members have been returned to this new Council?"

Mr. S. SATYAMURTI:—"May I ask one question, Sir, whether the voters knew anything about this?"

The hon. the DEPUTY PRESIDENT:—"Will the hon. Member kindly sit down and allow the hon. the Law Member to proceed?"

The hon. Mr. C. P. RAMASWAMI AYYAR:—"The proceedings of this Committee were published in the press."

(At this stage the hon. the President took the Chair.)

"I take it, Sir, that the constituencies, when they elected these Members to the Council, knew that they were Members of the Irrigation Bill Committee, they knew that they had chosen to serve on the Committee and to help the Government in the situation in which it found itself. And to suggest as my hon. Friend, the Member for the University, suggests, that it is placing men in a false position to appoint them to places as Members of a committee designed to consider problems of real importance, is not only illogical, but is really a reflection upon the impartiality and the sense of justice of the Members of this House and of gentlemen who know their business. That is only by way of prefatory remarks to what I have to say."

"What has the Government done? Here is a Bill which this House threw out on certain points. Endeavours have been made in this Bill to meet those points, and in order to ascertain how far we can succeed in the attempt, a Committee has been brought into existence. Does my hon. Friend, the Member for the University, suggest that if the Member for Irrigation—as he has every right to do—took nobody's counsel but his own, re-wrote that Bill, and brought it forward to the House, that is a proper procedure?"

Mr. S. SATYAMURTI:—"Yes."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I hear 'yes'. These interjections seem to me, Sir, to display a temperament which is lamentable. I make bold to say that people who will say 'yes' when a question of that kind is put, do not evince that sense of responsibility which ought to animate Members of this House. I submit that when a Member of Government appoints a Committee and takes for his assistance other Members from the Council, men who have ripe experience of the subject, to say that to do so is to handicap them on the ground that they cannot be expected to bring to bear a fresh mind on the subject when they become Members of this Council, is a reflection on them which will be resented, and I hope properly resented, by Members of this House. It seems to me that that is a temperament which ought to be deprecated and the House ought to be protected against a frame of mind which makes reflections such as those and assumes an attitude entirely derogatory to the dignity and the good traditions of this House."

Mr. O. V. VENKATARAMANA AYYANGAR:—"I am sorry, Sir, to intervene in this debate, but it is better that we realize our position so far as this

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question is concerned. The question relates to the appointment of some Members of this Council to a committee for the purpose of discussing the Irrigation Bill. On this point I must say that I entirely differ from the hon. Member for the University, Mr. Satyamurti, and I must say that the Government should find opportunities of meeting Members of this Council as often as possible in various committees whenever it is possible to reconcile the different views of the Members of this House. I was myself a Member of this Committee. I may also say that I was not one of those who opposed the original introduction of the Bill in this House. I was one of the minority that supported its introduction. The majority of the House voted against its introduction and therefore it was thrown out. As one who had supported the introduction of the Bill, as one who very much regretted that the Bill should have been fully thrown out, and as one who thought that it would have been better probably to have amended it properly in the Select Committee, I took advantage of this Committee to meet various friends who held different views on this Bill and to talk to them as to what could be done to bring forward a Bill at an early stage in the life of the new Council. I do not understand what the hon. Member for the University means when he says that Members who were on this Committee are likely to find themselves in a difficult position when the Bill again comes up to this House for consideration. I do not know if he means that Members who opposed some measures in the Committee will not repeat their opposition in this House. I do not know if he means that those who supported some provisions of this Bill will not change their views in the Council when they find that sufficient reasons are given against those provisions. The position of such committees is exactly the same as the position of the Select Committees."

Mr. S. SATYAMURTI:—"May I say one word by way of personal explanation, Sir? I have no word to say about Members of the Select Committee. My point was that this was a Committee appointed *ad hoc* by the Executive Government, not as Members of this Council, but as Members in their individual capacity."

Mr. C. V. VENKATARAMANA AYYANGAR:—Knowing that my Friend would not object to the Members of this Council serving on Select Committees, because he was one of the Members of a Select Committee appointed in connexion with one of the Bills, I wanted to compare the position of Members of the Select Committee to that of the Members on this particular Committee. If there is no objection to my Friend and to those who think with him as Members of this Council going to the Select Committee, there can be similarly no objection to Members going into such committees. I will explain myself. Members of the Select Committee may have to express difference of opinion in the Select Committee. The majority may hold a view and the Bill may come up according to the majority of opinion. When the matter comes up before the Council, Members of the Select Committee may have to repeat their opinion which they expressed in the Select Committee, or when sufficient reasons are given in the Council, they may change their views. It is not correct to say that because I was a Member of this particular committee and, as such, gave expression to particular views, I should stick to them in the Council even when sufficient reasons are given against the view I hold in spite of the fact that the majority held a different view. I am one of those who

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think that Members of the Government should try to meet Members of the Council and non-official opinion outside more often than at present. There is no use in their shutting themselves up in camera and doing things as they please, but I would ask them as responsible persons to take Members of this Council and members of the outside public into their confidence when such questions arise. I think that has been the practice as regards several Bills before. We have had a number of committees appointed with the object of bringing in Bills later on. That was the object when an Andhra University Committee was appointed; that was why a Secondary Education Committee was appointed; and that was the reason why the Religious Endowments Bill Committee was appointed; and if only the constitution of the Religious Endowments Bill Committee was different, we might not probably have had so many objectionable features in it. All that I say is that as often as possible and at as many stages as possible, the Government should take Members of this Council and members of the outside public into their confidence before they decide upon any particular course of action. If, therefore, in this particular Bill, the Irrigation Bill, which I have always considered very useful, Government have taken steps to consider public opinion with a view to change some of their views—it is rather difficult that the bureaucracy should do so—if they have taken steps to invite opinion from some non-official members of this Council to come to their aid to enable them to change their views in conformity with public opinion, I think it is very desirable that they should do so always. As a Member of the Committee, I may once more say that I am not bound by any decisions of the Committee. I still retain the liberty of speaking out my own views. I therefore say that such committees are very welcome and so this Grant for the travelling allowance of Members, which is after all not a very important matter, may be sanctioned."

The Motion was put and carried and the Grant was made.

Grant XVIII.

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

That the Government be granted an additional sum of Rs. 19,100 under 'Medical—Transferred' to be provided from savings under Grant VIII—General Administration—Reserved.

"Sir, hon. Members may have been aware that in December last there was a special Grant made of Rs. 27,000 for the purchase of the equipment required for the teaching of bio-chemistry and bio-physics in the Madras Medical College. The equipment was, however, not purchased inasmuch as the equipment was to be selected by the bio-chemist who was only very recently appointed. The amount, therefore, lapsed. Now that orders have been passed for the purchase, out of the amount of Rs. 27,000, we can have as much as Rs. 7,900 to be reappropriated from the savings of the amount allotted for the salary of the bio-chemist, and the balance can be met from the general savings under Grant VIII. In these circumstances, the Grant is necessary."

The hon. the PRESIDENT:—"Before we rise for lunch, I would like to say how I have ruled as follows on the point of order raised the other day in regard to the Motion of Mr. Ranganatha Mudaliyar.

[The President]

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III

RULING BY THE PRESIDENT REGARDING THE PREROGATIVE OF HIS EXCELLENCY THE GOVERNOR IN RESPECT OF APPOINTMENTS.

"On the 11th December the hon. Member, Mr. Ranganatha Mudaliyar, moved :—

That this Council recommends to the Government that one of the Deputy Directors of Agriculture, who is a Graduate in Agriculture and possesses the necessary district experience, be appointed as the Principal of the Agricultural College at Coimbatore.

"After the Motion was duly seconded, the hon. the Law Member raised a point of order in relation to this Motion, his object being to secure that Motions of this kind are regulated by some uniform procedure. The point raised by the hon. the Law Member was that the Principalship of the Agricultural College was one of the appointments which had to be made by the Governor; that though advice might be given to the Governor in regard to the making of the appointment, such advice was after all only advice; the point was whether, having regard to the prerogative of the Governor in the matter, the topic should be allowed for discussion, whether the Council should take upon itself to recommend that the Governor's discretion should be used in a particular way. After a somewhat desultory discussion the Motion was adjourned to this day, so as to enable me to give a considered ruling on the point raised.

"I would first premise that Agriculture is a Transferred Subject, and under section 52 (3) of the Government of India Act the Governor in relation to Transferred Subjects, *shall* be guided by the advice of his Ministers unless he sees sufficient cause to dissent from their opinion, in which case he may require action to be taken otherwise than in accordance with that advice. Under section 134 (4) 'Local Government' means the Governor acting with Ministers in the case of Transferred Subjects. In regard to the Principalship of the Agricultural College the proposal of Mr. Ranganatha Mudaliyar is that the Minister should so advise the Governor that the appointment shall be filled up in a particular way. The recommendation is to the Government, that is, to the Governor acting with his Ministers. And though the Governor is not bound to accept the advice of his Minister in this—or for the matter of that, in any other matter relating to a Transferred Subject—the Council, I take it, is not precluded from offering its advice, which, I presume, is intended primarily for the Minister. I need hardly point out at this stage that under the reformed constitution which has been set up, the Ministers are amenable to the control of the Legislative Council to an extent to which the Members of the Executive Council are not.

"I now pass to Rule 10 of the Devolution Rules regulating the exercise of authority over members of public services, framed under section 45-A of the Government of India Act. Here it is explicitly laid down that the authority vested in the Local Government over officers of the public services shall, in the case of officers serving in a department dealing with Transferred Subjects, be exercised by the Governor acting with the Minister in charge, provided that (a) no order affecting emoluments or pensions, no order of formal censure, and no order on a memorial shall be passed to the disadvantage of an officer of an All-India or Provincial Service without the personal concurrence of the Governor, and (b) no order for the posting of an officer

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of an All-India Service shall be made without the personal concurrence of the Governor. It seems to me that the hon. Member Mr. Ranganatha Mudaliyar's Motion refers to a matter of administration rather than to the posting of an officer of an All-India service. But even if it is construed in the latter sense, it is clear that the Minister should, if the Motion is passed, seek the Governor's concurrence to the posting of an officer of a particular type. I fail to see where the question of His Excellency the Governor's prerogative comes in. To say that the Minister shall not take action of a particular kind without the Governor's personal concurrence is very different from saying that the Governor has a prerogative of action which can be exercised, if he wishes, even without consulting the Minister.

"Further, we have had a number of precedents during the last three years in which this Council passed Motions recommending to the Government of the day to take action of a particular kind in regard to appointments to particular services. A list of these Motions is appended to this ruling. Some of the Motions go back to the pre-Reform days. Only once, throughout this period did the hon. Member, the Leader of the House, mention in this connexion the prerogative of the Governor, but he did not raise it as a point of order. Not only so; but in all the cases the Government took part in the debate and in more than one instance the original Motion was amended on the Motion of a Member of the Government.

"It seems to me, therefore, that the point of order raised should not be allowed. I therefore disallow it."

The House then adjourned for lunch at 1-35 p.m.

The House re-assembled after lunch at 2-30 p.m. with the hon. the Deputy President in the chair.

MOTIONS FOR REAPPROPRIATION FOR 1923-24—cont.

The hon. the DEPUTY PRESIDENT :—"The question before the House is the Motion made by the hon. the Raja of Panagal before the lunch interval, that the Government be granted an additional sum of Rs. 19,100 under 'Medical—Transferred'. (After a pause), I shall put the Motion to the House."

The Motion was put and carried and the Grant was made.

Grant XXXIV.

The hon. Mr. A. R. KNAPP :—"Mr. President, I beg to move—

That the Government be granted an additional sum of Rs. 13,400 under '31. Education—Primary—Reserved—for grants to local bodies for Primary Education (Agency)' to be provided from savings under 'Grant XVII. Education—Transferred'.

"The reasons for making this Motion for a Grant are given in the Memorandum of the hon. the Finance Member placed on the Council table. As I observe that an hon. Member has given notice of a proposition which will raise a discussion on this subject, I shall not say anything more now. While I am perfectly prepared to furnish this House any further information they may require on this particular matter, I think it will be convenient if I postpone what I have to say till after my hon. Friend opposite has raised his points."

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Rao Bahadur C. V. S. NARASIMHA RAJU moved—

To reduce the allotment of Rs. 13,400 under '31. Education—Primary—Reserved—for grants to local bodies for Primary Education (Agency)' by Rs. 100.

In doing so, he said :—" Mr. President, a perusal of the explanatory note briefly indicates that the expenditure under Education—Elementary—Reserved—is proposed to be increased from Rs. 30,300 to Rs. 43,700. My intention is not at all to question the increase of expenditure under elementary education in the Agency. But my object is twofold. First of all, referring to item (i), it is stated that Rs. 12,320 payable in respect of certain elementary schools hitherto under the management of taluk boards in the plains is now to be transferred to taluk boards in the Agency. I cannot clearly understand what it means. Is it the case that this amount was first of all allotted for expenditure in the taluk boards in the plains and it is now proposed to be spent on the elementary schools to be established in the Agency tracts, or is it the case that certain schools that were hitherto managed by the taluk boards in the plains and subsidized from provincial funds are now transferred to the taluk boards in the Agency? In the latter case, it may be a case of transferring the area. As far as my knowledge goes, I do not think there is any transference of area from the plains to the Agency in the current year. The only possibility is regarding the surrender of an intended expenditure in the plains to the Agency. I am sorry the hon. the Minister for Education is not present here. It means that this House has granted over Rs. 17 lakhs and odd to be spent by the hon. the Minister on elementary education in the plains and that he has found there is a surplus left in his hands which he proposes to transfer from his pocket to the pocket of the hon. the Home Member. If that be the case, I have got very serious objection to it. It is not my objection that the expenditure in the plains or the expenditure in the Agency is to be curtailed; but my objection is this: why should the Minister for Education surrender this amount of Rs. 12,320, and why should he find that he is not able to spend this amount in the plains? It was clear that when this amount was demanded from the House by the hon. the Minister for Education, he was going to expand elementary education in taluk boards and municipalities in the plains. Is it the case that he was not able to spend the amount over the local bodies and that he has found a surplus? Even there I have got a serious objection to take. As a matter of fact, under the head of elementary education he has got various items on which he will be able to spend the money; if he was not willing to give the money to the taluk boards and municipalities for expenditure, he could have transferred that to the grant-in-aid for schools in the plains and have more schools established. I am not able to understand the principle on which he surrendered this amount. I am not at all questioning extra expenditure in the Agency tracts on elementary education. My humble opinion is that even if this Rs. 30,000 is multiplied ten or fifteen times, it will not be quite enough for expenditure in the Agency so far as elementary education is concerned. But I want to raise this question as to why should the Minister for Education surrender the amount in his hands, leading to his incapacity to spend the amount on elementary education in the plains, and ask the hon. the Home Member to spend it in the Agency tracts?

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" Regarding the second item, Sir, i.e., a recurring subsidy of Rs. 1,080 sanctioned to the Polavaram Agency Taluk Board towards the close of last year for opening three new elementary schools and strengthening the staff in two other schools, I believe it means that the opening of the schools were sanctioned last year, and perhaps by mistake it was not budgeted last year, but they have found the necessity for the expenditure on these schools now. However, under both these items, I do not question the expenditure, but I question the surrender by the hon. the Minister for Education out of a Grant made to him, and my objection is more serious because a Grant made under a Transferred Subject is now surrendered to a Reserved head under the hon. the Home Member."

The hon. Mr. A. R. KNAPP :—" Sir, I can fully sympathize with my hon. Friend when he says that he has found it difficult to understand this matter. So do I (laughter). I have not once but two or three times called for further information from the Secretariat with a view to be quite satisfied that I had clearly understood it before I came to this Council. Let me first of all refer to the closing words of my hon. Friend's remarks. He summarised his objections by saying that he did not like money being taken from a Transferred head and handed over to a Reserved head. May I call his attention to the Grant immediately preceding to which I do not think he raises any objection, in which an unexpected expenditure required under 32. Medical was made from savings under Grant VIII—General Administration—Reserved?"

Rao Bahadur C. V. S. NARASIMHA RAJU :—" May I submit that the negative will not prove the positive?"

The hon. Mr. A. R. KNAPP :—" I hoped that the hon. Member would be prepared to give a tit for tat. However, I will leave it at that."

" Well, Sir, my hon. Friend was right when he said in regard to these schools that these were not newly opened schools but they were schools which had already existed, the jurisdiction of which had been transferred from the plains taluk boards to the Agency taluk boards. He remarked that he was not aware that any areas had actually been transferred. My information is that certain areas of Vizagapatam did actually go over from the plains jurisdiction to the Agency."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Perhaps this is an old debt that is payable by the Reserved Half to the District Board of Vizagapatam under this head."

The hon. Mr. A. R. KNAPP :—" The position, as I understand it, is that these schools actually were in existence and were subsidized by the Government; a provision for that subsidy was made under the 17 lakhs grant to which my hon. Friend has referred. It is only recently, after that Budget provision was made, that it came to our notice that these schools were actually in the jurisdiction of the Agency taluk boards and that for the subsidy intended for them it had to pass through the Agency Budget. The actual position therefore is that we put the money in the Budget under the 17 lakhs head for the benefit of these schools, but the hon. the Minister could not spend the amount, as it had to be spent by myself. So it is only a case of allowing the money to pass through my hands instead of through those of the hon. the Minister to the very schools for which it was intended."

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"In regard to the other point relating to the small item of Rs. 1,080, I may say that my hon. Friend is entitled to ask why the hon. the Minister could not have spent the amount on his own schools. But in regard to the item of Rs. 12,320, he could not have done so because that was accidentally put in the Budget under a Transferred head instead of in a head of mine."

Rao Bahadur O. V. S. NABASIMHA RAJU :—"In regard to item (i), I am fully satisfied, and I may supplement the remarks of the hon. the Home Member and give some more information to him. In the year 1920-21, when the formation of the Agency was proposed, some portions of the Agency were under the management of the taluk boards and they were asked to run the institutions in those places till the 1st of October 1921, and Government promised to pay the taluk boards that amount later on. That old debt is now proposed to be discharged by the Government to the taluk boards. I now feel that that is justifiable and that it is only a misplacement of figures in the Transferred Half in the Budget, and therefore I do not question it."

"With regard to the second item, the hon. the Home Member was kind enough to state that I am right in questioning the transference, and he left it to be justified by the hon. the Minister for Education, and his silence when that was suggested by the hon. the Home Member merely shows that he pleads guilty to the surrender of the amount."

Mr. R. VEERIAN :—"I was keeping quiet since this morning as I was 2.45 p.m. not feeling well. Now, why should I remain mute especially in matters of this sort? As far as the depressed classes are concerned, education alone will improve them. I do not know if any hon. Member will object to it. Certainly the members of the depressed classes are now being kept in utter ignorance. Therefore, Sir, I hope that the whole House will unanimously support the Motion. Delay, I consider, is very dangerous. Therefore, Sir, I appeal to the hon. Members of this House to give their unanimous support if they are genuine in ameliorating the condition of the depressed classes. I will politely put it like that without wasting much time of the Council. I again appeal to hon. Members of this Council to support the Motion."

The Amendment was by leave withdrawn.

The original Motion was then put and carried and the Grant was made.

IV

MOTIONS ON MATTERS OF GENERAL PUBLIC INTEREST.

APPOINTMENT OF A DEPUTY DIRECTOR OF AGRICULTURE AS PRINCIPAL OF THE AGRICULTURAL COLLEGE.

The Council then resumed discussion on the Resolution of Mr. A. Ranganatha Mudaliyar for the appointment of a Deputy Director of Agriculture as Principal of the Agricultural College.*

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"My hon. Friend Mr. Ranganatha Mudaliyar, moves that in appointing principals selection

* That this Council recommends to the Government that one of the Deputy Directors of Agriculture, who is a Graduate in Agriculture and possesses the necessary district experience be appointed as the Principal of the Agricultural College at Coimbatore.

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should be made from those holding the position of Deputy Directors of Agriculture with the additional qualifications of being a graduate in agriculture and having district experience. So far as the principle of the Motion is concerned, I am one with him. It is highly necessary that a man with district experience should be posted as Principal because he is likely to know the needs of the students who come from the various portions of the Presidency. Of the eleven deputy directors who are now in service, six are now on probation, one is on foreign service, one has poor educational qualification, one is vacant, one other is a Director of Agriculture and the last man is a professor of agriculture and he is very junior in scale. In fact he is very low down in the scale. Other things being equal, we will certainly prefer for the place a graduate having district experience. Such a man not being available, we have gone for the best man although he is a research man. As Principal he has to wield power and sway over his research colleagues also. It is, therefore, necessary that a senior man should always be the Principal. If the deputy directors come up to that level in course of time, their claims will certainly be considered and one of them appointed as Principal."

Mr. P. ANJANEYALU :—"May I know if the professor of agriculture was at any time the Deputy Director of Agriculture also?"

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—"He is borne on the cadre of deputy directors."

Mr. A. RANGANATHA MUDALIYAR :—"Sir, the hon. the Minister for Development has conceded the principle underlying the Motion before the House. If so, I expect it is up to him to carry the principle into operation, especially as it is one which affects the welfare of the students. The Coimbatore College has been established at the expense of a large amount of money and year after year we are incurring a large recurring expenditure also. I asked in the course of my speech to furnish me with the figures of admission each year and I am told that the admission is about six each year. If so there is no justification for incurring so much expenditure on that institution. After all what is the Minister's objection to appoint a competent man as Principal of the college? It is not that the deputy directors are not competent to hold the post, but because they are juniors. Is that a sin on their part and can that be a reason why a senior should be inflicted on the students though not competent? In making these appointments the interests of the students and the country should be borne in mind. There are in this institution a number of officers who are competent and I do not mind who is appointed. There is the mycologist, the lecturing botanist, the lecturing chemist, and the professor of agriculture. The professor of agriculture is intimately connected with the students more than any other professor. He is the man who works with the students every morning in the fields and in the day, in the class rooms and elsewhere. He is one who is more or less in charge of the students and he goes along with them for excursions. That is the kind of man who ought to be in charge of these institutions. The present Principal is one who ought to do his work in seclusion. To inflict on him the administrative work and take away the legitimate work from him is a proposition which I think will not be acceptable to any one in this House.

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Well, the hon. the Minister may at least take the earliest opportunity that offers itself before him and appoint a suitable man for the place in the interests of the students and the country at large."

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI:—"That is the sum and substance of what I said. I shall bear his request in mind."

Mr. A. RANGANATHA MUDALIYAR:—"I suppose the hon. Minister is one who says little and does much. On that supposition I accept his assurance and withdraw the Resolution." (Cheers.)

The Resolution was by leave withdrawn.

SUSPENSION OF THE ENHANCED RATE OF LAND REVENUE IN THE
TANJORE DISTRICT.

Mr. S. MUITAYYA MUDALIYAR:—"Sir, I beg to move—

12. That this Council recommends to the Government that the collection
of land revenue at the enhanced rate in the Tanjore district
from January 1924, be suspended for one year at least till the
principles of land revenue settlement are embodied in legislation.

"Sir, most of the things which I will have to say on this Resolution have already been discussed yesterday and on two or three occasions in the last Council, and the principle underlying this Resolution, that the resettlement coming into force as the result of the resettlement operations ought to be postponed till the principles governing the resettlement are put on a legislative basis, has been accepted by this House by a very large majority yesterday, so that I think it is not necessary for me to dilate again on the question why the principles of settlement ought to be put on a legislative basis. It has been accepted by a very large majority and I now propose to refer to a few facts which may, I submit, influence hon. Members of this House to decide on the very same principle. I will give the House a few further grounds which will make them go to the extent of saying that this principle ought to be applied to every district. There is a general impression, and I do not say it is absolutely unfounded, that Tanjore is one of the most fertile districts of this Presidency. I do not say it is not. It is a fertile district and compared with many other districts it is more fertile than the others. But at the same time we have to consider the rate of taxation we have to pay in the Tanjore district and how it compares with the land-tax paid in other districts. In this connection I should like to go a little further back, that is, to the period of the last resettlement operations, about the year 1891. The total assessment paid by the Tanjore district at that time was about 45 lakhs. The settlement period had come and the correspondence between the Madras Government and the Government of India began from the year 1888 and the Madras Government thought that Tanjore was very highly taxed even then and decided that in any event the tax ought not to be increased in that district. That was the recommendation of the Madras Government; but the Government of India thought otherwise; they thought, perhaps, for the purpose of squeezing out the provincial revenues as contribution to the Indian Exchequer, that settlement should go on and they decided to increase the tax in that district by 18 lakhs. The Madras Government did not approve of the action of the Government of India and said that if there was to be any increase at all, it ought not to go beyond 11 lakhs; and actually the increase came to about

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12 lakhs. In their report, the Madras Government have said that Tanjore was already heavily assessed and considering the prosperity to be assured to the small holders of that district, they would not be justified in increasing the assessment. In spite of the protests of the Madras Government, they were forced to raise the tax by 29 per cent, so much so that even in the year 1891 the tax was raised by 29 per cent, which ought not to have been done. What is now proposed to be done is to raise the tax by another 25 per cent in the case of some lands and by 18½ per cent in the case of the other lands. Now, the question before this House is whether it is justifiable to raise the assessment in that district. To show that Tanjore is already paying a heavy rate of assessment, I wish to draw the attention of the House to a few figures in the report of the settlement operations for the year 1920-21. Hon. Members will find from the report that the total cultivated area of ryotwari land in this Presidency is about 26 million acres and the net revenue, excluding the water-cess and other miscellaneous taxes, is about 55 millions; so much so that in the average for the Presidency, the land tax is about Rs. 2 or Rs. 2-1-0 per acre. For Tanjore district alone the assessment that is now being levied is about 55 lakhs or 5½ millions. The extent of cultivated area both wet and dry is about 1,100,000 acres. This works up to an average of Rs. 5-8-0 per acre, whereas the average for the Presidency is only Rs. 2 or Rs. 2-1-0, that is to say, Tanjore is paying 275 per cent of the tax which other districts are paying. What is proposed to be done now under the present resettlement is to raise the assessment by another 12 lakhs. That is, the total assessment under the new settlement, if it comes into force, will be 67 lakhs, so that the rate of taxation will come to about Rs. 6-12-0 per acre. Is this justifiable? Whatever the fertility of the Tanjore district may be compared with other districts, I submit to the House with some confidence that it will require a very strong case for the Government to make out before they can increase the taxation. A perusal of the report of the Settlement Officer himself—he himself made it with certain hesitation—will enable hon. Members of this House to think that I am justified in making the demand which I am now making. I need not now enter into the details of the various settlement operations. They have been discussed clearly yesterday by Mr. Legh. The first operation in the settlement process is the classification of lands, and as regards the classification of lands, Mr. Jackson, the Settlement Officer, and the Collector of Tanjore, say that the classification of lands is not satisfactory and that the lands in the higher classes have to be reduced to lower classes and that the classification of irrigation sources is not correct. The Settlement Officer says that if ryots apply for the lower classes, then such a classification will have to be gone into. Mr. Dutt, in his report, says that irrespective of any applications from ryots for lower classification or with regard to the irrigation sources, it is the duty of the Settlement Officer to lower or take the necessary action. So that both the Collector and the Settlement Officer feel convinced that in some cases at least the classification ought to be lowered both as regards the nature of the soil and the irrigation sources.

"After the classification of the soil, the standing outturn for each classification of lands is taken to be the basis of the outturn for that land. I may quote an example and make myself clearer. The lands in the Tanjore district are divided into various classes bearing various rates of assessment, ranging

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from Rs. 14 to Rs. 3 an acre. The first-class lands pay Rs. 14 an acre. They are expected to yield a standing outturn of 1,300 Madras measures per acre. And this does not take into account the harvesting charges which are paid in grain on the harvesting field itself. The harvesting charges come to, roughly, about 6 per cent. Adding this, the average yield for a first-class land in the Tanjore district ought to be about 1,400 Madras measures per acre. It makes the mouth of any Tanjore ryot water to be told that 1,400 Madras measures could be got out of one acre. In Tanjore, according to the calculation there, this comes to 59 kalams an acre, or about 19 kalams per mah. I submit this with confidence that no mirasdar has yet actually realized this quantity. These are all calculations for the first-class lands. As regards inferior lands, lands paying Rs. 8, 7, 6 per acre, Mr. Jackson himself shows in page 44 of his report that the standard outturn which is taken as the basis for settlement operations is more than what is ascertained by actual experience. For the Rs. 6 land the standard outturn is 600 measures. The outturn for three blocks which were taken for the purpose of experimenting is 392, 431, 455 measures, so that the actual yield in one case was below two-thirds and in the other below three-fourths than the standard outturn. For the Rs. 7 land the standard outturn is 700 measures per acre. But the real outturn is 471. Thus hon. Members will see that the standard outturn is at least 30 per cent more than the actual outturn. Of course he gives the statement that the lands have not been properly cultivated, and he says that these details are taken from the lands taken by the Manganallur farm for the purpose of experimenting cultivation. I think a reference to these figures alone shows that the standard outturn has been put too high.

"The next question is about the commutation prices. The standard outturn is taken and that is converted into the market value according to the commutation rates. The commutation rate in this case has been calculated on the basis of the prices ranging during the twenty years prior to the settlement. Mr. Jackson himself in his settlement report says that the prices in the year 1918-19 were very high. Considering that during the next year, i.e., 1919-1920, the prices were the same as those in the previous year he had not chosen to decrease the rates. I may submit that if the prices ruling in the year 1918-19 were excluded, the average price would be decreased. The price in 1918-19 was Rs. 4-8-0 or Rs. 4-12-0 per kalam, whereas the average for the previous years was Rs. 3 or Rs. 3-8-0. The year 1918-19 was an abnormal year and one of the reasons that contributed to the rise in prices was the war. In the settlement report Mr. Jackson hopes that the same prices may continue. In this connexion it is necessary for me to refer to the question whether the same prices are likely to continue in future. My opinion is that they do not and will not. My reasons are these. The chief market for the Tanjore paddy and rice was Ceylon. During the war it was considered necessary to prevent export of rice to Ceylon. Thus from 1915-16 there was an embargo on export of rice to Ceylon. Ceylon which was depending on Tanjore paddy and rice had to seek other sources and she went in for Burma rice. The Ceylon Government thought that, instead of depending entirely on foreign countries for its rice, it might extend cultivation. Thus not only is the Burma rice holding the Ceylon market, but cultivation also has been extended in Ceylon. Sir P. Ramanathan when he

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was here told me that the Ceylon Government is giving encouragement to cultivators to cultivate paddy, and in the course of a few years Ceylon will be able to maintain herself without depending upon other countries for its rice. Now, when the chief market for the Tanjore rice has been taken away and when the various causes which contributed to the rise in prices in the Tanjore district during the years 1915 to 1919—the war has ceased and I hope it will not recur again—have disappeared, what guarantee is there, what justification is there, for supposing that the abnormal prices that ruled, during the last four or five years will continue to rule?

3-15 p.m.

I am not raising my arguments merely on what may happen or may not happen. I may say for the information of hon. Members of this House that the prices have gone considerably down. Paddy was selling at this season last year at Rs. 3 or Rs. 3-8-0. What is the price now? Samba paddy sells at Rs. 2-8-0 and kuruvai paddy at Rs. 1-15-0 or Rs. 2 per kalam, so that even during the present year the prices have gone considerably down. I am afraid that prices will not hereafter go up unless for some extraordinary reason. How can you expect the same prices which have been ruling during the last five or six years to continue for ever? The commutation prices which have been taken for the purpose of settlement have been based on an average of these high prices ruling for the last five or six years and it comes to Rs. 1-15-0. If a slight reduction is made in this commutation price, the margin which is supposed to be left to the land-holder will be reduced to a very insignificant figure.

"I think, it is necessary, Sir, to go into some more figures and they are these. Hon. Members will find from page 55 of Mr. Jackson's report that the majority of the wet lands are of ordinary variety and they are classed as Class 5 land and the assessment per acre is fixed as Rs. 8. According to the report of the Settlement Officer, the margin that will be left to the land-holder after paying the assessment as shown in the last column of the report is Rs. 4-15-0. In column 7 a deduction of Rs. 10 has been made as equivalent to the landlord's share of revenue, so that for one acre of land paying Rs. 8 assessment, the landlord will get after paying an enhanced assessment of Rs. 10 a margin of Rs. 14-15-0. After making all the calculations, if his figures are correct, the landlord is left with only Rs. 14-15-0. If there is a slight deduction made in the commutation price to the extent of half or one anna per kalam, this Rs. 14-15-0 will be reduced. His total outturn in Madras measures is about 34 kalams or about 800 Madras measures, and if a deduction of one anna be made in the cost per kalam the profit will be considerably reduced and it will come to about Rs. 12 or Rs. 13.

"There is one other matter which I want this House to consider and that is this: after the value of paddy is commuted at the commutation rate, deductions are made for expenses of cultivation. This question of expenses of cultivation seems to be a very vexed question in the matter of the settlement. The old and the new rates are given by Mr. Jackson in pages 48 to 50 of his report. This old rate is put down at Rs. 14 per acre. He takes the various items and gives one of the items, viz., the cost of bulls as Rs. 1-5-8 per acre. The basis of his calculation seems to be this: a pair of bulls would cost Rs. 40 and this pair will plough about 5 acres and the

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animals will last for about six years; therefore the rate per acre for the landlord would be Rs. 1-5-4. In this connexion I wish to point out that he has entirely forgotten to take into account the allowance for the feeding of the bulls. Can the bulls be fed on straw alone? There is no allowance made for the feeding of the bulls. And now for the purpose of the present calculation he raised it to Rs. 2-11-0 per acre on the basis that the cost of bulls has considerably increased. I respectfully place before this House that this allowance is entirely inadequate and ought to be at least five times of what he has given. Hon. Members will be aware of the fact that a pair of bulls cannot be purchased for Rs. 40 or Rs. 80 now, but it costs Rs. 100 or Rs. 130. There is another fallacy in this calculation, viz., that it does not make allowance for the capital invested by the landlord in the purchase of bulls. Suppose a poor ryotwari landlord invests Rs. 120 or Rs. 130 in the purchase of bulls, is he not expected to get a return on the capital invested by way of interest? If these calculations are made, the rate for bulls per acre will not be so low, and it ought to be Rs. 10 per acre or more."

The hon. Mr. A. R. KNAPP:—"Do I understand the hon. Member to say that the cost of bulls alone is Rs. 10 per acre?"

Mr. S. MUTTAYYA MUDALIYAR:—"Yes; Mr. Jackson in his report says that he has based his calculation for cultivation expenses on the statistics furnished by the various agricultural farms and co-operative societies. There is a co-operative society in Mayavaram which gives an account of cultivation expenses and the cultivation expenses as given by it is considerably more than what is put by him as the basis. Mr. Jackson brushes it aside saying 'if this be the cultivation expenses, I will have to assume that the cultivators of Tanjore district are working the lands at a loss'. So, under these circumstances, I beg to emphasise that the figures given by the Settlement Officers are not correct.

"Beyond what has been taken into account, he says, there are certain lands called Manyams for each cultivator which come to about 20 or 30 cents. It is true Mr. Jackson says that such Manyams exist and they are given to cultivators free, but they are given as a sort of retainer to these cultivators and it is not necessary to take them into account. It is impossible for any landlord to get his servants as and when he requires. A man cultivating 5 acres of land is given 30 cents as Manyam. In calculating the standard outturn of one acre we must calculate in this way, viz., that out of one acre the cultivator takes away 5 or 6 cents and therefore we should take into account only the remaining land. Supposing a tenant cultivates 5 acres of land he is given 20 or 30 cents and the yield from these 20 or 30 cents is given to him besides other payments. Mr. Jackson says that these are unnecessary expenses.

"There is one other thing as regards the expenses and it is this: as I have already said, the cultivation expenses have not been given correctly. Then with regard to the margin which would be left to the landlord, he says for an acre of land after paying Rs. 10 he gets Rs. 14-15-0. He does not take into account the various cesses which the landlord has to pay. He does not take into account the railway-cess, the road-cess, and the education-cess which has been imposed already in certain taluks of the Tanjore district and the latter of which comes to one-fourth anna in the rupee. If

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these charges are deducted, there will be a further reduction from the margin. Supposing the figures given by Mr. Jackson are correct, i.e., the cultivation expenses, the standard of outturn, and all other expenses connected with cultivation, the landlord for one acre of land, after paying Rs. 10 assessment will have a margin of Rs. 13.

"Then Mr. Jackson himself says that the value of land paying Rs. 10 assessment is about Rs. 1,100 per acre. Then it comes to this: if a person invests Rs. 1,100 on one acre of land his profit will be Rs. 13. Will any body that has a knowledge of business methods be willing to take Rs. 13 or Rs. 14 as his return for that investment, not to speak of the personal trouble the landlord himself takes for the cultivation of the land? I submit, not, Sir. If that be so, I do not think any Government with any sense of fairness or care for the prosperity and welfare of the cultivating classes will allow this to go on.

"There is one other matter which I wish to say and that is this: it may be that some of the landlords of the Tanjore district are rich owning 2,000 and 3,000 acres and however high the land tax may be even after paying such an enhanced tax, they may be able to get a fair margin left for their maintenance. But I ask in all seriousness, what is the position of the majority of the landlords? They are people paying less than Rs. 10 assessment, that is to say, people possessing 1 or 1½ acres of land; and what is the margin left to them? It is about Rs. 20 or Rs. 30. Can anybody consider this to

2-30 p.m.

be sufficient for the maintenance of their families? I do not think it is necessary for me to say that this margin of Rs. 25 or Rs. 30 is hardly enough to maintain a family. I may say without any exaggeration that most of the poor ryots are hardly having one meal a day in the district of Tanjore. It may be that people travelling through the district, visit only the towns and consider it prosperous. It requires some trouble to go to the interior of the district and see the huts occupied by the poor ryots and anybody who has seen them will certainly not sanction any proposal for enhancing the rates now levied in spite of the glamour which prevails in the minds of some with regard to the supposed richness of the Tanjore district.

"Sir, there is one argument which may probably be urged against my proposal and which was urged against the Resolution of the hon. Member for Bellary; that, other districts have been resettled and they are paying a higher rate of taxes, and why should Tanjore alone be exempted. I would meet that argument by saying that Tanjore is paying 275 per cent as much as other districts. Further, I do not think that the principle of setting one district against another and creating inter-district jealousies will pay in the long run. The same argument may be applied to the Government of India. In the Legislative Assembly, Members from the other provinces say: 'why should Madras profit? Why should we reduce the Impost from Madras? Why should Allahabad, Calcutta and Bombay vote for a Resolution asking for a reduction of the Madras Impost? It is only a Madras matter.' How do we relish their view? Nobody considers that the other provinces are right in saying that they would not consider the case of Madras. I ask hon. Members to show the same feeling towards Tanjore and tell the Government that they will not be justified in enhancing the assessment in Tanjore, which district, the Government itself said in 1891, was already groaning under heavy

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taxation. My Resolution is very modest and it does not go to the extent of saying 'there ought to be a remission of taxation.' All that I say is that till the principles of land revenue settlement are placed on a legislative basis, the resettlement may be suspended, and if, according to the principles which that legislation may contain, they think it fit that taxation in Tanjore ought to be raised, let them do it."

The hon. Mr. A. R. KNAPP:—"Retrospectively?"

Mr. S. MUTTAYYA MUDALIYAR:—"Retrospectively, if necessary. It is true that the Government may plead financial difficulties. I understand in the last Budget there was a deficit of 30 to 35 lakhs in this Presidency and if my information be correct or if the Retrenchment Committee has been doing any real work in that direction there ought to be a retrenchment of at least 60 or 70 lakhs this year. So that, we will not have a deficit Budget this year. Now, what is it that I have asked for? I ask merely that the increased assessment of 12 lakhs may not be collected this year, and that if after considering all the circumstances in the light of the principles embodied in the Bill—and the hon. the Law Member promises to introduce legislation for this purpose during this Session—this House comes to the conclusion that Tanjore should pay more, this House may take the liberty of asking the Tanjore ryots to pay with retrospective effect. I see no such occasion arising. I am sure if the principles are to be applied to Tanjore, there will be no case made out for increase and my hope will be eventually found to be perfectly right. Therefore I venture to hope that this House will unanimously accept my Resolution in spite of any opposing speeches from the Government benches."

Mr. R. SRINIVASA AYYANGAR:—"Mr. President, if I rise at this stage to second this Resolution, notwithstanding the attitude, by no means sympathetic, on the part of the Government as it appears from the answer which the hon. the Law Member gave us to-day to an interpellation made by the hon. Member for the University touching this identical point, it is because of the strong feeling that I entertain that the cause of the Tanjore ryot is just and reasonable. The support which the House gave almost by a sweeping majority yesterday to Resolution No. 6 moved by my hon. Friend, Mr. Ranganatha Mudaliyar, which endorsed, and not only endorsed, but also reaffirmed, this essential point, viz., the necessity for the land revenue settlement being codified and placed on a legislative basis, also encourages me to give my support to this Motion. If I remember rightly, if I understand these principles correctly, I am reminded on this occasion of an application for stay order which we as lawyers often make before courts of appeal, and I therefore take this Resolution in the light of a regular appeal having been lodged by the Tanjore mirasidars in particular, to this House against an order of the Government which the Government wants to execute at once. This is therefore in the nature of an application for a stay order sought to be supported on two main grounds, the first ground being that practically the grievances of the Tanjore mirasidars have not been redressed and the second being that this House wants to show to the Government their firm resolve and determination that these settlement operations should no longer go on under executive orders, but that they should be subject to the legislative sanction. So far as the second part of my argument is concerned, this House has in no uncertain terms placed its seal of approval. As

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regards the main point, we have made out a sufficiently strong and *prima facie* case such as to warrant the stay of settlement operations for one year only. For, I find the Resolution is a modest one. It only desires that the introduction of the enhanced rates may be kept in abeyance for a period of one year, at least till the principles of land revenue settlement are embodied in legislation. The reason why the hon. the Mover has fixed the period at one year was probably because he conceived that it might take at least a year, if not more, for any legislation being brought to this Council and passed. If I remember aright, just almost a year ago, almost to a day, Sir Habib-ul-lah stated that the introduction and passing of such a measure might take at least one year, and probably it is in the light of that this Resolution has been worded. Now, we have heard the hon. the Law Member telling us the other day, and which the hon. the Home Member also reiterated, that one such Bill is almost ready. That a Land Revenue Bill, whatever its provisions may be, so far as I am concerned, I have not been taken into the confidence. . . ."

The hon. Mr. A. R. KNAPP:—"I do not think that I said 'almost ready'. Mr. Siva Rao said that."

Mr. R. SRINIVASA AYYANGAR:—"In answer to an interpellation that I put, the hon. the Law Member gave us a list of 14 legislative measures that are likely to come up this Session. One of the Bills mentioned therein was dealing with land revenue."

The hon. Mr. A. R. KNAPP:—"It was included in the list of legislative measures Government intend to put forward in this Session."

Mr. R. SRINIVASA AYYANGAR:—"I lay stress on the words 'this Session'. This Session means three months, and I do not think it will be introduced during the Budget sitting. I think it is but fair to pass legislation in this matter to prevent Government going on with settlement operations and enhancing settlement rates and to impress upon the Government the desirability and the necessity of their no longer being permitted to have things all their own and in their own fashion and under executive orders. I think it is to lay stress on that point and by way of protest against the present action of the Government that this Resolution has been brought forward. Moreover, I may say that so far as these resettlements are concerned, there are two different points of view. The ryots view it from one point of view and the Government smelling prosperity all round view it from that point of view. About four or five years ago when my district was under resettlement the Government pursued the extreme procedure of enhancing the rates of a certain class of land under the Coleroon irrigation system by 33½ per cent. The then representative of the district, Mr. A. Subbarayulu Reddiyar, put up in this Council a gallant fight on our behalf, but his fight was of no avail. The same was the case in respect of North Arcot. So far as the districts of North Arcot and South Arcot are concerned, they are groaning under heavy taxation. We found ourselves helpless and impotent to get these resettlements based on a legislative basis. Now that power is given to us there is absolutely no reason why we should not avail ourselves of that power and compel the Government to fix the basis of that legislation. Otherwise, if we go on in this fashion permitting district after district to be resettled, then there will be no relief to us. So far as we are concerned we have suffered. The hon. Mover of this Resolution has portrayed to us a

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vivid picture of the condition of the Tanjore ryots. While I am free to recognize that conditions in Bellary and Anantapur differ fundamentally from those prevailing in the Tanjore district, I would submit that that consideration, by itself, ought not to weigh with us in viewing Tanjore from an entirely different standpoint. For, one main principle which is common to both is the necessity and the determination to see that the principles of land revenue settlement are embodied in legislation, and how are you going to see that your determination is given effect to unless it be that we bring forward and pass Resolutions of this nature? Then it may perhaps be stated that while so far as some districts are concerned the revenue involved is very little, but as regards the Tanjore district the revenue which the Government hope to get is rather large because the present assessment comes to about 55 lakhs, whereas the proposed assessment comes to about 67 lakhs representing 22.06 per cent. Hon. Members of this House are perfectly aware of the fact that the deltaic area in the Tanjore district is divided into 15 or 16 tarams. I went through the report of Mr. Jackson dealing with this area and also the report of Mr. P. C. Dutt wherein the latter differs in some respects from the recommendations of Mr. Jackson and he says that the settlement officer appears to have allowed himself to be influenced mainly by one consideration, viz., the rise in prices. For instance, he says that there was no reclassification of the soil, no irrigation facilities, no commutation rates and other particulars having been taken into consideration. But whatever that may be, so far as the Tanjore mirasidars are concerned, they have a real grievance in the matter. There is absolutely no reason why their wishes should not be respected. I do not regard the answer to question No. 49 given to-day on the part of Government as the last word on the subject. It only indicates the present attitude of the Government and its unwillingness to make a move in the right direction on its own initiative, and I do not think that is indicative of the spirit of the bureaucracy that they will not any longer respect the wishes of the House provided the wishes of the House assert itself in an unmistakably strong language.

"I expect the hon. the Home Member to tell us that though, so far as the Government are concerned, they are not in a mood to suspend the operations of their own accord, they will, if the sense of the House is the other way, be prepared to respect it and not to flout public opinion or disregard the feeling that may be reflected in this House on this question of putting into practical operation their settlement rates. I do not think it necessary at this stage to trouble this House with the various figures which have been placed before it by the hon. the Mover. Mr. Jackson's report came in for a large share of criticism and in my opinion very rightly. As the Mover has referred to the outturn, the commutation rates and other peculiarities of the Tanjore district, I had better not advert to them in detail. It is thought that the Government would be put to the inevitable necessity of losing 12 lakhs of rupees a year. But so far as this Resolution is concerned, it does not want the Government to lose or surrender that amount once and for all. It simply requests the Government to suspend the operations till the rates have been subjected to legislative sanction after the whole thing has been fully discussed and thrashed out in the Legislative Council. If, when the rules are drafted, it is found that the rates are almost the same as those we find in Mr. Jackson's

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report, it will be perfectly open to the Government to ask the Legislature to give them powers to recover the rates with retrospective effect for the period for which they have been kept in abeyance consequent upon this Resolution of the House. I submit that this Resolution is modestly conceived and in seconding this Motion I commend it for the acceptance of the House."

The hon. Mr. A. R. KNAPP:—"May I request you, Sir, to state what course you propose to adopt with regard to the two Amendments?"

The hon. the DEPUTY PRESIDENT (from the Chair):—"Does the hon. Member Mr. Ramalinga Chettiyar wish to move his Amendment?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"Sir, the Amendment that stands in my name is this:—

'For all the words beginning with "that the collection of land revenue" substitute "that a committee with a majority of elected members of this Council be appointed to consider the proposals made for the resettlement of the Tanjore district, and the Government Order thereon, and propose the changes they would recommend within three months, that the Government Order be modified in the light of the recommendations of the committee and that pending the final decision, collection of revenue be made on the basis of the existing rates and that the enhancement that may ultimately be decided upon be collected as a special instalment in the last month of current fasli."

"We have heard now from two hon. Members about the state of Tanjore and about the report of the resettlement of Tanjore that has been made. The Government have passed final orders and from what I have heard there is a difference between the report itself and the recommendations made by the Collector and also between them and what my hon. Friends here represent to be the actual state of the Tanjore district. They vary very much. It has been said that when the Settlement Bill is passed everything will be clear. It will be easy to go into all these matters and decide. It is also said that when the Bill is passed, everyone will find that there is no case for resettlement in Tanjore district. I am very sceptical about this. The principles have been there already; it is only the major portion of the principles that are there, that are going to be codified and in some cases with a few modifications. But the real difficulty comes in in the application of those principles. For instance, one big question that has been agitating this Council has been the cost of cultivation that is to be allowed for, and the other the average rate of prices that is to be taken into consideration. About these two matters there have been constant difficulties. The people have been always dragging one side while the Government have been dragging just the other way. So the main difficulty is in the application of the principles and not in the principles themselves. Even if a law for resettlement of districts is going to be passed at once, I do not believe that it is going to bring about very great changes in the actual resettlement of districts. In the case of Tanjore all the materials have been collected by the Settlement party, the Collector has made enquiries and he has himself stated his view on the matter. It seems to me that this is a case in which all that remains to be done is to create an agency of the sort of a court of appeals who will be prepared to go into all these things and express their views. That is what is wanted and not an enunciation of fresh principles

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of resettlement. It is in that view that I propose the amendment that a committee may be appointed to go into the whole question and make their recommendations. After all the Resolution itself says that resettlement will be held over for one year. If we may take the possible contingencies, if for instance our resettlement is correct and enhanced rates ought to be paid, I do not see any reason why for one year any special concession should be shown to one district. The case of Bellary was quite different. It is not only on account of the fact that the principles were not codified, but also because that the material and financial conditions of Bellary were very very bad that we agreed to postponing the bringing into force of all the resettlement rates in that district. In the case of Tanjore no doubt, as I said, a case has been made out for a sort of further inquiry. All that is possible to say about it is only that. No case has been made out for indefinitely postponing the settlement for any other reason. The only question to decide is whether Government is correct in enhancing the settlement rates to the extent of 11 lakhs. All that is necessary is to appoint a court of assessors who will be prepared to go into those matters and advise Government. If this is done, I submit that Tanjore district will have no grievance whatever. I hope that Government will see the justice of the case, and understanding that what I propose does not mean any real loss to them, will accept the Amendment I have proposed."

Mr. M. E. SETURATNAM AYYAR.—"Sir, I have great pleasure in seconding the Amendment."

The hon. Mr. A. R. KNAPP:—"Mr. President, Sir, I am thankful to my hon. Friend, the Mover of the Amendment for one reason. He has, in the last part of his Amendment, been good enough to suggest that even if the Committee's bill is put in operation there is likely to be some enhancement. He said the same thing in his speech. I am glad that he has recognized that point. Because, the tendency has hitherto been to suggest that the whole idea of enhancing the rates in the Tanjore district is monstrous, and not to be contemplated by this House."

"But as regards the substance of his Amendment, Sir, I hope he will forgive me if I say that I regard his proposal as *extraordinary*. What is it that he proposes? It is that the final decision as to whether the orders already passed should stand or not should be left to his Committee. He talks about a court of assessors, but what he proposes is more like the court of appeal to which another hon. Member has referred—a court of appeal with final powers."

Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"The Court will have no final powers, Sir. The Government may in the light of the recommendations of the Committee modify their rules. I do not mean that it should have final powers."

The hon. Mr. A. R. KNAPP:—"I understand that an injunction is laid on Government to modify their orders in the light of the recommendations of the Committee. If that does not mean that the Committee has final authority, I don't know what it does mean. I read the Amendment as it stands on the paper. I will go further and say, Sir, that it seems to me that it is not complimentary to this Council. It comes to this: neither the Government nor this Council is competent to give a decision on this matter. They are

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to refer it to a committee, not of this House wholly, but only the majority of it coming from this House and the rest consisting of gentlemen coming from outside. I am afraid I cannot accept the proposal. I am quite prepared to look at this question of Tanjore resettlement and argue it on its own merits, and to consider the sufferings of the unfortunate Tanjore ryot. But it seems to me to be very inadvisable to switch off, as it were, to a line of this kind. As I have said before, the proposal which has been put forward would really mean that the Government should place the final disposal of the whole matter in the hands of a fresh committee."

Mr. G. F. PADDISON:—"Mr. Chairman, this is a matter upon which I feel great personal interest. I have been a Settlement Officer myself for several years of my life, and therefore I think that as regards the principles of Tanjore resettlement, I would be in a position to give what might be held to be an expert opinion on the matter."

"I do not think that my pretensions to being an expert will be considered unworthy to the least degree. I think I need say this much that there is a very great misunderstanding about our settlement operations which I should like to correct, as to their object, their traditions. The idea seems to be that the Settlement officers are sent out with the tradition and teaching, with the avowed object of getting more money to Government. Having served under the hon. Sir Charles Todhunter when he was the Commissioner for Settlement and being taught in the matter by other men who gave me my budding ideas on the subject, I may say that that is far from being the object of the operations. In actual practice, in my time, I have found in the districts which I have settled that very frequently I may say what I had to do was not to raise but to lower the assessment. I may cite the instances of the far-off district of Ganjam and the district of Guntur down to the tailend of Bapatla where when the Settlement department left, they left with reduced assessment. I am aware that in Guntur we reclassified the soil on the sole reason that excess had been levied and the soil was wrongly classified and in consequence the levy was too high. Only the other day at Trichinopoly when I had been there I was asked by the Settlement Officer there to go in company with Mr. Seturatnam Ayyar to inspect some lands which in his opinion were too highly assessed. I mention this to say that where any land is thought to be assessed high, the first thing to be done is to report it to the Government and to the Board of Revenue for a reclassification of the land. In resettling district after district we try not only to adjust the levies between the various kinds of lands within the same district, but also to get fair play between district and district. I do not want to set district against district. But I do want to say that Tanjore has fair play in respect of its assessment as compared with that in other districts. I am sure the object of the Settlement Commissioner is not to accept any classification which is higher, not merely searching in every corner of the district to find any flaw in the old settlement, but to see whether Tanjore had been over-assessed or not. As regards the appeal made by Mr. Muttayya Mudaliyar, I quite understand and respect what he has said. But I wish to mention that here he stands as an advocate of the mirasidars of the Tanjore district to try and persuade this Council to postpone at least, if not to reduce or abolish altogether, the increase which has been recommended by the Settlement Officer in his report and

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which has been sanctioned by the Government. I remember my first experience as a Settlement Officer. I was going from Guntur to Tenali when on the way I went to a village. When I got there I asked the ryots what the lease value and sale value of land in that village were. They came and told me that land was being sold at Rs. 2,000 an acre and leased at Rs. 50. They gave all sorts of wonderful and glorious figures. As I got these down in my notebook I asked them, 'What do you think I have come here for?' They answered: 'To acquire lands for the Tenali Railway.' Well, Sir, my point is this. I wish to impress the House with the fact that the mirasidars of Tanjore quite naturally as business men and as farmers are really anxious to make out as good a case as they can in their interests.

"Now, let me proceed, if I may, to the case as laid down by Mr. Muttayya Mudaliyar. He begins by a reference to the soil classification and classification of irrigation sources. I wish to ask him where he got his idea that Mr. Jackson who examined most carefully the classification of the soil said that the classification was bad. On the contrary, in at least two places, he says that it is remarkably good. He clearly says that the classification in the Tanjore district, as in other places, are extraordinarily carefully done and extraordinarily good. In regard to the leasing of the land, the value of the land as leased and as sold corresponds very largely with soil classification which proves, I think, as he says quite clearly, that relatively, whatever else you may say, as between field and field classification in the district is fair. As regards irrigation sources which he next referred to, he did an injustice to the Settlement department and to the Government. He seemed to think that we were not going to touch the irrigation sources. On the contrary in some cases, Mr. Jackson did find out that sufficient allowance was not being paid to the means of irrigation. He puts it down in his report and it has been decided to alter the margin between second and third class villages.

"Next we come to the commutation prices. I shall take first the outturns. They are most difficult to arrive at. I may tell that quite frankly. Whenever you go as Settlement Officer not only in India but in England this difficulty is experienced. I have myself relations who are farmers and I know they do take a pessimistic outlook. I have never met a farmer who did not look at the old days as a golden period when they had magnificent harvest and prices favourable, when the outturns were very good. It is extraordinarily difficult to get correct information. I do not think the figures which Mr. Muttayya Mudaliyar quoted are borne out by Mr. Jackson. At page 43 of his report, Mr. Jackson says:

"I have also been able to obtain definite figures as regards the outturn on the non-experimental plots of the Government Farm at Manganallur. The bulk of the land is sown at Rs. 6, a few fields at Rs. 7 and a small area which, though registered as a single crop, has facilities for double crop cultivation pays Rs. 8. The period covered extends from 1913 to 1919 and the recorded results are absolute outturns not manipulated in accordance with the estimated anna yield. On the 6-rupee land the standard outturn is 600 Madras measures per acre. Of 13 recorded results 7 show an outturn above standard and 6 give an outturn below standard. The average works out to 638 Madras measures per acre. On the 7-rupee land standard outturn is 700 Madras measures per acre. Results are recorded for four single samba crops all of which exceeded standard; the average yield was 727 Madras measures per acre."

"Later on Mr. Jackson says:

"These figures furnish an interesting corroboration of the results of the oral inquiries about outturn which I have conducted in all the villages which I have visited; in most cases two scales of outturn are quoted: one without manure and the other with manure. The latter generally is fully up to the standard; the former, as might naturally be expected, is below standard."

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"Then we come to the commutation price. Mr. Muttayya Mudaliyar says that high prices ruled up to 1918 or 1919 when this report was written. Well, Sir, what about the years since, 1918--23? If you are going to be fair at any settlement of land revenue, it is but right and proper that you should take into account the later years. The rates must be very much more high if only 20 years prior to 1918 had been taken into consideration. Again, it has been suggested that in Tanjore no years were excluded as famine years. Years are excluded as famine years in Bellary and Anantapur and they are rightly excluded. Famine in the rest of the Presidency is a pleasure to the Tanjore ryot from the business point of view."

Mr. S. MUTTAYYA MUDALIYAR:—"Provided there is no famine in his own district."

Mr. G. F. PADDISON:—"I am yet to hear of a famine year in Tanjore. As regards, Sir, the very difficult question of cultivation expenses, Mr. Muttayya Mudaliyar went into the question of the outlay spent on the purchase and maintenance of bulls and said that Mr. Jackson's figures were wrong. Mr. Jackson has no doubt made very careful inquiries, but Mr. Muttayya Mudaliyar knows more of the prices of bulls in Tanjore than I. Even after making all allowances, even assuming that Mr. Jackson's figures are right, he says that the ryot is left only Rs. 14 per acre on, I think, the average land in the tract. There is one point which I wish to mention and which has not been raised by Mr. Muttayya Mudaliyar. He said nothing about wages. Perhaps he will in his reply. It has been said, I know, that adequate allowance has not been made for wages. Since the Tanjore settlement report was published, I had occasion to go into the question of wages, as I am interested in it as affecting labour conditions, and I can assure the House that this abstract and independent inquiry fully confirmed Mr. Jackson's conclusions. The figures given by Mr. Jackson are fair. Mr. Jackson has said that among the perquisites of the *panniyal* wages and mamuls are also included."

Mr. S. MUTTAYYA MUDALIYAR:—"My hon. Friend will allow me to correct him. Mr. Jackson says it is not necessary to include the maniyam. The reference is to page 52 of the report."

Mr. G. F. PADDISON:—"I was dealing with the question of wages, Sir and not with maniyams, dealt with at page 27 of the report. Mr. Jackson does include the maniyam among the perquisites of the *panniyal*. That is the point that I wish to emphasize. At page 27 of the report, Mr. Jackson says: 'There are still other perquisites to be taken into consideration. In many villages the *panniyal* gets a small area, generally 20 cents or less, of "maniyam" land for his private cultivation.'

Mr. S. MUTTAYYA MUDALIYAR:—"No, Sir. At page 52, Mr. Jackson says it is not necessary to include it."

Mr. G. F. PADDISON:—"I will look up to it, Sir, later, if my hon. Friend will allow me some time. The main and really important thing in a resettlement that we have to consider is the change in the sale value and the lease value of the land. If, as my hon. Friend says, the best land is sold at Rs. 1,000 per acre, how can it be that the value that the ryot gets is only Rs. 14? My answer is that this sum of Rs. 14 is a very uncertain figure. The sale value of Rs. 1,000 is arrived at by an examination of the

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deeds in the Registrar's office of sale not at the time of the settlement but taking into account records of the people who bought and sold without any idea of what the settlement was going to result in. Then, Sir, if you look to the lease value during the period between 1914 and 1918, you will find that the average lease value per acre varies on single crop wet lands from Rs. 86 to Rs. 20. On 8-rupee lands, the lease value is Rs. 51-11-0. Mr. Jackson proceeds to say:

"Though these figures are of considerable value, they cannot be accepted without some caution. It must again be emphasised that in grain leases for wet lands there is usually a reservation implied, and occasionally expressed, that varam should be applied in case of failure of crop. Again it must be remembered that varam is the rate and represents the exception.

"Then take the sale value or the price of the single crop wet lands. 4-15 p.m. These lands are worth very little. You find that the value or the sale price per acre varies from Rs. 1,000 to Rs. 240 for wet lands, and from Rs. 645 to Rs. 70 for dry lands. I may say that these figures are absolutely clear and absolutely convincing

"May I say one word in conclusion on the general point, Sir? We are considering whether we should recommend to the Government that the settlement operations in the Tanjore district should be postponed as was recommended yesterday. If I remember aright, the hon. Members, Mr. Krishnan Nayar and Mr. Ramalingam Chettiyar, maintained that there were points of difference between the rates of Tanjore and the rates prevailing elsewhere. Mr. Muttayya Mudaliyar said that the average assessment in the Tanjore district is already three times as much as it is in other parts of the Presidency. That I presume relates to wet and dry lands together. Now, Sir, if we ask the ryots of Bellary or Anantapur or anywhere in the Ceded districts or in the uplands of Trichinopoly or Dindigal, whether they will pay the extra assessment at the rate obtaining in Tanjore or whether they will have the famine, there can be no doubt as to what the answer will be.

"The next point I would urge is this. You say that the Government must postpone the resettlement. I have tried hard now to convince this House that after the most careful consideration and after the most careful enquiry by every one concerned, it has been found that this increase is fair compared with the rates obtaining in the Presidency. I would ask the House whether we should give 12 lakhs of rupees per annum to the mirasidars of the Tanjore district when all other people are howling for money for their own purposes. I am sure that my hon. Friend the Minister for Education will agree with me in this view, as he wants an Andhra University in the north, and there may be need for another University in the west. And there are other equally important schemes of general welfare. Are we going to put off this resettlement, and if so, are we going to recover double or treble assessment after two or three years' time? It is a very important question to be answered, because supposing that the House and the Government have a difference of opinion on the Revenue Bill and it is referred to a committee, there may be a delay of two years or more. So it means that we are going to give to the mirasidars of Tanjore 12 lakhs of rupees, and I would say to the House, let us be just before we are generous.

"As regards the other points, Sir, I think I am right in saying that the proposal to have an elected committee

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Rao Bahadur T. A. RAMALINGA CHETTIYAR:—"It is a committee with a majority of elected members which I propose."

Mr. G. F. PADDISON:—"I should like, if I could, to get him to substitute the words 'majority of non-official members' in place of the words 'majority of elected members'. That is a point on which I wanted to speak some time before in this Council. The gentlemen belonging to the depressed and backward classes will feel it very much if they are not represented on the committee. This House, I may say, is composed of many interests and is a model of representative bodies. It does not consist only of elected members. If only elected men are to be taken, what is the use, for instance, of my inducing the hon. the Chief Minister to put a gentleman belonging to the backward classes on a taluk board or district board? Are they in any way inferior to others? Take the hon. Member, Lieutenant Madurai. He represents the Madras Army, the Madras Pioneers, and he served for two and a half years in East Africa. He can say now what exactly the position of Indians in Kenya is. So I hope that the House will agree with me in this matter. If you are going to have only an elected committee, it will not go into these extremely detailed calculations of outturn, etc., and it will not have time to go into any detailed examination of the whole question. Much time may be spent in the course of the consideration, and the introduction of the rates may not be possible till the following fasli, and meanwhile these 12 lakhs, to which I have referred, will have gone out of the general revenues of this Presidency. I would therefore ask hon. Members of this House, regardless of party, to support me in opposing both the Amendment and the original Motion."

Mr. J. A. SALDANHA:—"Sir, this House exists, if at all, for the main reason that there should be no fresh taxation."

Mr. S. MUTTAYYA MUDALIYAR:—"I may say at once, Sir, for the information of the House that I do not accept the Amendment moved by Mr. Ramalinga Chettiyar."

Mr. J. A. SALDANHA:—"Sir, this House exists for the main reason that there should be no fresh taxation without its consent. That is the general principle and I am at a loss to see why land tax should be an exception. This principle was solemnly asserted yesterday in connexion with the re-settlement of another district and asserted by an overwhelming majority, when we beheld the strange spectacle of only the Ministers voting against that principle. In this case, as in many other cases, it is also significant to notice that it is the Opposition that has been ruling the House, though the office is held by somebody else."

The hon. the PRESIDENT:—"Order, order. Is the hon. Member speaking on the Amendment of Mr. Ramalinga Chettiyar?"

Mr. J. A. SALDANHA:—"Yes, Sir, I am going to it."

The hon. the PRESIDENT:—"I observe that the hon. Member has taken a lot of time in talking, and when asked whether he is talking on the Motion, he says that he is going to talk on it. I think I am entitled to say that it is not very respectful to the House that any hon. Member should spend valuable time in talking admittedly on something else; and, however valuable the matter spoken about may be, it is certainly not a matter before the House. Of

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course, the hon. Member is new to the House, and to the procedure of this House, and I am sure he deserves some consideration. I hope he will not again offend the rules."

Mr. J. A. SALDANHA :—"I beg your pardon, Sir. What I have said already leads to the point. This Amendment proposes a committee of officials and non-officials who are elected members of this House to consider this matter and report thereon. It says also that the Government should be led by the recommendations of this committee. The principle enunciated by the hon. Mover of the Resolution goes further still. It lays down that this House should wait for a year until the necessary legislation embodying the principles of revenue settlement is passed. That might take very long and it might involve a loss of several lakhs of rupees. The principle at the bottom of both the Resolution and the Amendment is practically the same. But I am more in favour of this Amendment, and if it is not passed, I shall support the original Resolution, on the ground that South Kanara is also threatened with resettlement. The distant rumble of the thunder of this resettlement is sounding in our ears, and people are frightened because resettlement is a serious matter for them. It means enormous unsettlement; it means an army of officers visiting the villages; it means perhaps a lot of anxiety and trouble which only those who have undergone the same can realize. Therefore, in order to expedite matters, and in order that the Government might not be a loser of large revenues, I would support this Amendment. And of course, in doing so, I am reserving my right to support the main Resolution if the Amendment is not passed. I hope this House will reaffirm the principle which they have so solemnly laid down yesterday, though to some extent in a modified form, with the same practical unanimity as they did yesterday."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"Sir, I wish to say a few words in support of the Amendment moved by my hon. Friend, Mr. Ramalinga Chettiyar. In doing so, I wish to point out that, so far as the original Resolution is concerned, it merely suggests that the collection of land revenue at the enhanced rates be suspended for one year at least till the principles of revenue assessment are embodied in legislation. It does not go further than that; it does not, for instance, indicate the further steps to be adopted for the purpose of determining whether the enhanced rates ought to be allowed or abolished or be reduced. It is merely for the purpose of providing the machinery by which it is possible to arrive at a conclusion as to the reasonableness or otherwise of the rates that my hon. Friend, Mr. Ramalinga Chettiyar, suggests the appointment of a Committee consisting of a majority of elected Members of this Council to make proposals in that direction.

"The objection taken by the hon. the Home Member regarding the powers which are to be assigned to the Committee no doubt deserves some consideration. Nobody would suggest for a moment that this Council should abdicate its functions regarding the fixing of the rates of assessment in respect of this settlement and should transfer all its powers to the Committee. Nobody would accept that position, and it is a position which no one will tolerate. But I take it, Sir, that the wording of the Amendment does not warrant that construction which the hon. the Home Member tried to put upon it, because in the first portion of the

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Amendment it is distinctly stated that this Committee is to propose the changes they would recommend within three months. The mere fact that the Committee is authorized to recommend changes in the resettlement rates is quite sufficient to satisfy this House that the Committee is not proposed to be invested with absolute powers in the matter of fixing of rates. The further use of the words—

'that the Government order be modified in the light of the recommendations of the Committee'

does not imply that immediately after they make recommendations, the Government should have no other alternative to consider those proposals than straight off passing orders accepting the recommendations of the Committee. I think, Sir, that is not the construction to be put upon those words and I am sure that the hon. the Mover of the Resolution himself did not intend those words to carry any such meaning. The idea which is intended to be carried out by this Amendment is that a Committee consisting of elected members of this House should be in a better position to examine all those proposals in detail and make recommendations as to what rates ought to be adopted in the case of the Tanjore resettlement. It is for the purpose of not indefinitely postponing these proposals that the Amendment suggests that the Committee should make their recommendations within a period of three months. It goes further and states that till the Committee make their proposals and till those proposals are considered by the Government, the old rates may be adopted and that any additional rates may be recovered by an additional instalment. Therefore, Sir, so far as this Amendment is concerned, it is one which must satisfy all the hon. Members of this House. In view of the remarks made by the hon. Mover of this Resolution, I think we can be satisfied that there is a case for further enquiry and that such an enquiry as has been suggested by this Amendment would satisfy hon. Members; and so long as it suggests that any further increase which is contemplated may be recovered later on, I do not think the hon. the Home Member ought to oppose this Amendment.

"In the course of his remarks, the hon. Member, Mr. Paddison, took exception to the wording of this Amendment in so far as it referred to the elected members of this House. He did not raise any objection to the idea of a Committee going into these proposals, but his main objection was that in so far as there are several nominated members in this Council, there should not be any impression created that they are of an inferior status, or anything of that sort, and that they should also have a place in the Committee. May I point out to him, Sir, that the Committee proposed by this Amendment does not exclude the appointment of nominated members? All that it suggests is that there should be a majority of elected members. It is a well acknowledged principle that if a Committee of this House is to be appointed, those who even to-day according to the constitution of the House form the majority, should have the preponderating voice in the deliberations of that Committee. If once Mr. Paddison realizes that this Council consists of a large majority of elected members, it is not unreasonable for my hon. Friend, the Mover of this Resolution, to ask that in the Committee to be appointed, the elected members who already form a large majority in this Council should have a preponderating voice."

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Mr. G. F. PADDISON :—" May I rise to offer a word of personal explanation, Sir? What I said was that I would not object to the Committee having a majority of non-official members, if the hon. the Mover of the Amendment wished to have any particular majority. I do not know if I have made myself quite clear on that point. For instance, the hon. Members, Mr. Srinivasan and Mr. Virayan there, representing a large class, are representatives of a definite class of people who cannot be represented otherwise. I do not want to have any distinction made between elected and nominated members of this Council."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—" I may inform the hon. Member, Mr. Paddison, that we have not the slightest objection to nominated members being appointed members of this Committee. I am only trying to justify the Amendment as it stands. The Amendment which suggests that in the Committee the elected members should be in a majority is not unreasonable considering the composition of the Council. But I may at once state, Sir, that if an Amendment like the one suggested, viz., that a majority of non-official members ought to compose this Committee, would meet with the acceptance of the hon. the Home Member, I think I would not only support that view, but would also request my hon. Friend Mr. T. A. Ramalinga Chettiyar not to object in any way to a Committee consisting of a majority of non-official members being appointed. We do not want really to make any distinction between these persons, or to exclude the nominated members. As has been pointed out, their suggestions will certainly be useful in considering matters of this description. If the Amendment suggested a majority of elected members, it was only in view of the present composition of the Council; but if the other alternative suggested by the hon. Member, Mr. Paddison, viz., that a majority of non-official members should compose this Committee, meets with the acceptance of this House, I think we can very well accept that position, and have this matter satisfied."

The Amendment of Mr. T. A. Ramalinga Chettiyar was then put to the House and lost.

Rao Bahadur A. S. Krishna Rao Pantulu demanded a poll, and the House divided as follows :—

Ayes.

- | | |
|--|---|
| 1. Rao Bahadur C. Natesa Mudaliyar. | 18. Rao Bahadur C. Gopala Menon. |
| 2. " T. A. Ramalinga Chettiyar. | 19. Mr. O. Maruthavanasu Pillai. |
| 3. " A. S. Krishna Rao Pantulu. | 20. " Venkatarama Ayyar alias V. Pantulu Ayyar. |
| 4. " C. V. S. Narasimha Raju. | 21. " B. Venkataratnam. |
| 5. Mr. A. Chidambaram Nadar. | 22. " Abbas Ali Khan Sahib. |
| 6. " K. Koti Reddi. | 23. " G. Abdulla Ghata Sahib. |
| 7. " P. Anjaneyulu. | 24. " V. Hawid Sultan Marakkayar. |
| 8. Sriman Biswanath Das Mahasayo. | 25. Khan Bahadur P. Khalil-ul-lah Sahib. |
| 9. Mr. S. Muttayya Mudaliyar. | 26. Mr. T. M. Moidoo Sahib. |
| 10. Rao Bahadur I. M. Narasimhaachari. | 27. " Muhammad Moosa Saif Sahib. |
| 11. Mr. A. Ranganatha Mudaliyar. | 28. " T. N. Beva Ravattar Muhammad Sahib. |
| 12. " V. C. Vellingiri Goundar. | 29. Khan Sahib Saiyid Diwan Abdul Ramak Sahib. |
| 13. " J. A. Saldanha. | 30. Mr. K. Uppi Sahib. |
| 14. " M. R. Seturathnam Ayyar. | 31. Munshi Abdul Wahab Sahib. |
| 15. " Nami Venkatachalam Chettiyar. | |
| 16. " S. Sathyanarai. | |
| 17. " T. Adinarayana Chettiyar. | |

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Noes.

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| 1. The hon. Sir Charles Todhunter. | 23. Mr. V. Madhava Raja. |
| 2. " Mr. A. B. Knapp. | 24. " T. Malleappa. |
| 3. " Mr. C. P. Ramaswami Ayyar. | 25. " T. N. Marthandam Pillai. |
| 4. " the Raja of Kollengode. | 26. " B. Muniswami Nayudu. |
| 5. " the Raja of Panagal. | 27. Rao Bahadur A. M. Murugappa Chettiyar. |
| 6. " Rao Bahadur A. P. Patro. | 28. Mr. C. Muttayya Mudaliyar. |
| 7. " Diwan Bahadur T. N. Sivaganam Pillai. | 29. " B. Obalesappa. |
| 8. Mr. E. W. Legh. | 30. " K. S. Ponnuswami Pillai. |
| 9. Dr. John Matthai. | 31. " K. Prabhakaran Tampan. |
| 10. Mr. P. L. Moore. | 32. " P. T. Rajan. |
| 11. " G. F. Paddison | 33. " B. Ramachandra Reddi. |
| 12. " H. Tireman. | 34. Rao Bahadur P. Raman. |
| 13. S. E. Y. Ankinedu Prasad Bahadur. | 35. Mr. A. Ramaswami Mudaliyar. |
| 14. Mr. Ari Gowder. | 36. " J. D. Samuel. |
| 15. " P. K. A. S. Arumuga Nadar. | 37. Bai Bahadur Sir K. Venkatarreddi Nayudu. |
| 16. " A. V. Bhanoji Rao. | 38. Mr. P. V. S. Sundaramurti. |
| 17. " Devendrudu. | 39. Rao Bahadur C. Venkataranga Reddi. |
| 18. Sir P. Iyagaraya Chettiyar. | 40. Mr. M. Ratnaswami. |
| 19. Rao Sahib S. Ellappa Chettiyar. | 41. " W. Vijayaraghava Mudaliyar. |
| 20. Rao Bahadur Urs Fernandes. | 42. " B. Srinivasa Ayyangar. |
| 21. Mr. P. V. Gopalan. | |
| 22. Rao Bahadur K. Krishnaswami Nayudu. | |

81 hon. Members voted for the Amendment and 42 against it. The Amendment was lost.

The hon. the PRESIDENT :—" The Council will now resume discussion on the original Motion."

Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I support the proposition before the House and I shall state a few reasons for my attitude. First of all, the one important reason is this, that we must support it as a matter of consistency. Yesterday the House by a very large majority passed a Resolution practically identical with the present one, except that it referred to the district of Bellary, while this refers to the Tanjore district. Any attempt to explain away the wording of that Resolution by saying that Tanjore is not, like Bellary, affected by famine seems to be not very sound. If really any one wanted to support yesterday's proposition on the ground that famine affected Bellary, the straightforward and fair way for him would have been to bring an Amendment and say that as long as famine is there, the principle should be applicable there. The only Resolution that was carried was that till the codification of the principles of land revenue settlement was effected, Bellary should not have settlement. That means, Sir, that if the codification takes 10 years to be effected, then Bellary shall not have settlement during that period, whether famine continues there or not. Therefore, the effect of yesterday's Resolution is that whatever may be the state of the season in the Bellary district, we accept the principle that so long as codification is not completed, settlement shall not apply to that district. Therefore, having honestly accepted the principle that so long as codification is not effected, there should be no settlement for any district, which, I take it, is the paraphrase of yesterday's Resolution, I do not think it fair, nor does it lie in the power of any one, to say that, so far as Tanjore is concerned, that principle should not be applied because it is rich.

" Yesterday, Sir, the hon. the Home Member threw a challenge to some of us, if I may say so, and asked 'are you prepared to say in this Council that although your district has been settled, you will allow other districts to go scot free?' Well, Sir, this challenge has not been thrown

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at us for the first time. The predecessor of the hon. Member threw the same challenge last year, and many of us accepted it and said that whatever might have been done in our districts, we did not want the other districts to suffer. He said that such a person would deserve his admiration, and what is more he asked us to go to the people for election after that. I was one of those who said that apart from this inter-district jealousy, apart from this inter-district divide-and-rule policy, brotherly feelings existed between members from all the various districts, and I was one of those that suggested that whatever might have been done as regards resettlement in some districts, at least the district in which there was no resettlement yet must have the benefit of the principle that no resettlement should take place until the principles of land revenue settlement were embodied in legislation. So I accepted the challenge, and, what is more, I went to my constituencies for election and stood first with the help of my hon. Colleagues and other friends there. Therefore, to raise this inter-district question and say because one district is settled, the other districts should not be allowed to have any benefit seems to be far-fetched. But we know what the effect will be of allowing the Government to go on with the settlement operations in district after district. I want hon. Members representing various districts, whether resettlement has taken place in their districts last year or some years ago, to recognize that once we allow the Government to effect this resettlement without restriction as to the codifications of the principles of revenue settlement, the only result will be that Government will go on postponing the codification because they know the later the codification, the better for them. They may postpone the codification for ever, and yet without the loss of a single pie they would go on settling district after district. I say that if that is allowed, there will be no codification for years to come, and it will be the turn of district after district to come under resettlement and even the district settled last year or this year would complete its round of thirty years and get its turn for resettlement. Therefore, if we are to safeguard the interests of various other districts, and even the interests of our own respective districts, though already settled, we should certainly bear in mind that we should have the codification effected at a very early date, and the only way to insist upon that early codification is by asking the Government to stop resettlement till it is done. Otherwise, Government will go on resettling district after district under the old *mamool*. Four years have elapsed since this principle of codification was enunciated and absolutely nothing has been done since. I am not here concerned about the Bill that is in preparation or anything like that. A Bill may be prepared in no time. The Religious Endowments Bill was prepared, brought to the Council and passed in a few months. But this short Bill of revenue settlement has been in existence for nearly two years, and nothing seems to have been done. I asked the question to the hon. the Home Member as to whether the then Revenue Member presided over the Committee for drafting the Bill as Revenue Member or in any other capacity, and the answer to that question is yet to come. The present Member in charge of Settlement must have the papers with him and he must be able to tell us if the hon. Sir Habib-ul-lah Sahib presided over the Committee as Revenue Member or in his own personal capacity. It, however, fell from the mouth of the Government Member that seven or eight experts were engaged in it. Even the present Labour Commissioner who had had experience in settlement work was probably in that Committee, as it was said that

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people with plenty of experience in settlement work had been on that Committee. Such a Committee had already made certain recommendations and yet those recommendations are still awaiting the attention of the Government. The hon. Member in charge of this question said that we should not expect him to accept the Bill blindfold. I asked the question as to how long he should be blindfolded. Two years have elapsed since this Bill has been finished. If the Government have still no idea of considering the matter, if they are still wanting to be blindfolded, if various questions come up in the meantime and yet they keep quiet over this Bill, there seems to be something wrong somewhere. If you take the history of this question in this House, what took place is this. The House practically passed a Resolution that no resettlement was to be effected till the codification was done. I take it that it was accepted by the Government and the Government no doubt for the time being accepted the proposition, but they did not do anything practically for the codification. Then we brought in a Resolution that we should have permanent settlement. When the Resolution for permanent settlement was carried by the House, the Government seemed to have changed their opinion as regards the original proposition of stopping resettlement till the codification of the principles, and then began this stage of settlement district after district. That means, Sir, that although they have got a Bill ready, although this House passed a Resolution two years ago that the codification of the principles must take place, still it has not been done, because they have become assured of the position that somehow or other without codification they can go on with resettlement. Therefore, Sir, we should stick up to that original principle stated not for the first time now, but stated two years ago, that no settlement should take place till the codification is effected. What we passed two years ago was repeated again yesterday. For various reasons we should stick up to that original Resolution; one of those reasons will be to insist on this Government to bring out this Bill at once and have the codification effected. Unless we do it, I am sure that we will find the codification eluding us and the Government will go on dealing with the settlement district after district. It is for this reason, and as a matter of consistency in our pressing for a principle two years old which was repeated again in the Resolution of yesterday, that I appeal to this House to pass this Resolution, and I also earnestly appeal to the Government to bring out this Bill at an early date."

Rao Bahadur C. NATESA MUDALIYAR :—"Sir, Mr. President, I support this Motion on principle. It is not a question whether one district can afford to have the assessment increased and another cannot. It is not a question whether one district is subject to devastations of famine and pestilence or another district is revelling in pleasure and plenty. Sir, it is not a question that one district is subject to or handicapped by uncertainty of rain on account of its climatic conditions or another district is subject to uncertainty of water-supply on account of the Kannambady project. Sir, I myself heartily congratulate the hon. Member in charge of Irrigation for having shown so much anxiety to expedite the irrigation works. Sir, our country is an agricultural country and our irrigation is in a very bad state. Sir, it is not again a question whether the ryot or the Government is to be bound legally by the thirty years' contract. It is not a question whether 12 lakhs of rupees that can actually be had from one district is to be lost sight of and a much less amount from another district is to be neglected. It is a question of principle,

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a principle that the principles of land revenue should be codified, a principle that our revenue settlement should be placed on a permanent basis. Sir, a Resolution was passed in this Council and carried by a large majority, 76 voting for and 17 against, that the principles of assessment should be codified before resettlement is undertaken. Sir, I appeal to the members of the Justice party (laughter) to support this principle of permanent settlement to which they pledged themselves in various confederations they had (hear, hear). Sir, I appeal to them now to vote for this Resolution. Even Sir Thomas Munro, the author of the ryotwari system, says in his evidence before the Committee of the House of Commons:

'The principle of the ryotwari system is to fix an assessment upon the whole land of the country. This assessment is permanent. Every ryot who is likewise a cultivating proprietor of the land which he holds is permitted to hold that land at a fixed assessment as long as he pleases. He holds it for ever without any additional assessment.'

"Sir, many Secretaries of State, such as Lord Ripon, Lord Northcote and others, held that permanent settlement is good for the whole of India. Now, Sir, Bengal they say is prosperous to-day because there is permanent settlement there. If permanent settlement is good for Bengal, it is much more good for our province."

The hon. Mr. A. R. KNAPP:—"May I point out that there is an Amendment on the paper specially relating to the permanent settlement. I am not sure whether you are aware of it, Sir. I think it would be more appropriate if permanent settlement were discussed when that Amendment comes on."

Rao Bahadur C. NATESA MUDALIYAR:—"I do not want this resettlement. We want once for all permanent settlement."

The hon. the PRESIDENT:—"The Motion is that the principles of land revenue settlement should be embodied in legislation. The hon. Member's point is that he wants that legislation to be for a permanent settlement."

The hon. Mr. A. R. KNAPP:—"There is on the paper a further Amendment proposing this permanent settlement. I thought that this discussion would be more appropriate then."

The hon. the PRESIDENT:—"I think that what the hon. Member wants to say is that there is such a thing as permanent settlement and when this legislation is done it should provide for a permanent settlement. Is it not?"

Rao Bahadur C. NATESA MUDALIYAR:—"Yes, Sir (laughter)."

"The prosperity of our agricultural province depends upon the prosperity of our ryots, and our ryot is bled white. If they say that the price of corn is increasing, Sir, they lose sight of the fact that wages of labour and other necessities incidental to agriculture are also increasing. Moreover, Sir, there is another difficulty. Our contribution to the Central Government is based upon our land revenue, and our statesmen are not for expansion but for retrenchment. Now, this increase in land revenue will certainly attract the attention of the Central Government, and we are not going to have any reduction in our contribution either in the immediate present or in the distant future. With these words, Sir, I appeal not only to the Members on this side but also to the Members of the Justice party who have pledged themselves to this permanent settlement to vote for this Resolution."

Mr. E. W. LEGH:—"I would ask whether the Amendment on the paper is going to be moved."

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The hon. the PRESIDENT:—"Why should Mr. Legh put that question?"

Mr. E. W. LEGH:—"I am only asking you, Sir, for information."

The hon. the PRESIDENT:—"I have no idea as to what is at the back of Mr. Venkatarama Ayyar. Probably if he were here, he would enlighten us. I see him here and I think he would do well to enlighten the House as to what he is going to do now."

Mr. VENKATARAMA AYYAR alias V. PANTULU AYYAR:—"I am not going to move my Amendment."

The hon. the PRESIDENT:—"The House will now adjourn and meet again at 11 a.m. to-morrow."

The House then adjourned to meet again at 11 a.m. on Saturday, the 15th December 1928.

L. D. SWAMIKANNU,
Secretary to the Legislative Council.

[14th December 1928]

APPENDIX.

[Vide page 471 supra.]

INSTANCES OF RESOLUTIONS DEALT WITH.

A.—In the pre-Reform Council.

- (1) 7th April 1910 ... "That the Madras Government may be pleased to appoint an Indian of proved merit and ability as a Member of the Madras Board of Revenue."
The hon. Mr. Hammick spoke for Government; the Motion was withdrawn.
- (2) 7th April 1910 ... "That an Indian be appointed as an Under Secretary to the Government of Madras as such an appointment has been listed as thrown open to Members of the Provincial Service."
The hon. Mr. Hammick spoke for Government; the Motion was lost.
- (3) 21st November 1916. "That this Council recommends to His Excellency in Council that for at least one Member's place in the Board of Revenue an Indian may be appointed."
The hon. Sir Alexander Cardew opposed the original Motion; it was subsequently amended and passed in its amended form.

The attitude of Government on each occasion.

B.—In the Reform Council.

- (1) 11th March 1921 (pages 830-82). This Council recommends to the Government that the two posts of Conservators of Forests recently sanctioned by the Secretary of State for India may be reserved for officers of the Provincial Forest Service.
Opposed on the ground that the objects in view have already been fully secured by the decisions of the Government of India. Resolution was withdrawn. The hon. Sir Lionel Davidson took part.
- (2) 2nd April 1921 (pages 1590-92). This Council recommends to the Government that, with a view to giving effect to the recommendation of the Public Service Commission recruitment in Judicial offices may be made directly from the Bar and that such recruitment may be made for the next five years from amongst non-Brahman Hindus, Christians and Muhammadans so as to secure a due representation of all the different communities in the judicial service.
Opposed on the ground of limitations imposed by the Secretary of State. The hon. Sir K. Srinivasa Ayyangar took part.

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INSTANCES OF RESOLUTIONS DEALT WITH—cont.

B.—In the Reform Council—cont.

- (3) 5th August 1921 (pages 424 and 429). That this Council recommends to the Government that a Standing Order to be issued to every officer or board or body of officers authorized to make appointments to the public service to give preference to candidates from the non-Brahman communities (including therein Christians, Muhammadans and members of the depressed classes) until a proportion of at least 66 per cent amongst offices carrying a salary of Rs. 100 per mensem and upwards and a proportion of 75 per cent amongst offices carrying a salary less than Rs. 100 are reached, within a period of seven years from this date so long as such candidates possess the minimum qualifications prescribed by the rules relating to appointments to the public services, although such candidates may be less qualified than Brahman candidates.
The attitude of Government on each occasion.
Resolution as amended by the Government, carried. The hon. Mr. A. R. Knapp took part.
- (4) 3rd September 1921 (pages 785 and 789). That this Council recommends to the Government that appointments of assistant registrars of co-operative societies may be generally made from the senior grade tahsildars and last grade deputy collectors and that senior grade deputy collectors who are at present employed may be reverted to their permanent appointments.
The Government said that the matter was under consideration and the resolution was withdrawn. The hon. Sir (then Mr.) K. V. Reddi Nayudu, Development Minister, took part.
- (5) 14th September 1922 (pages 248-253-255). That this Council recommends to the Government that at least one Conservator of Forests, one Deputy Inspector-General of Police and one Member of the Board of Revenue be Indians.
The question of His Excellency's prerogative was referred to by the hon. Sir Charles Todhunter; but the point was not pressed. The hon. Mr. Knapp stated that he would advise His Excellency to appoint an Indian when practicable. The hon. Sir Habib-ul-lah Sahib, Revenue Member, took part.

THE MADRAS LEGISLATIVE COUNCIL.

Saturday, 15th December 1923.

The House met at 11 o'clock, the Deputy President (the hon. Diwan Bahadur P. KESAVA PILLAI) 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.]

CO-OPERATIVE SOCIETIES.

Muhammadan representation among Honorary Registrars of Co-operative Societies.

51 Q.—Mr. K. ABDUL HYE SAHIB: Will the hon. the Minister for Development be pleased to state the number of appointments of Honorary Registrars of Co-operative Societies made during the past one year in the Ceded Districts and how many of them were given to Muhammadans?

A.—During the Co-operative year 1922-23 ten gentlemen were appointed Honorary Assistant Registrars in the Ceded Districts, of whom one was a Muhammadan. During the current year thirteen have been appointed, of whom one is a Muhammadan.

EMPIRE EXHIBITION.

British Empire Exhibition.

52 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Development be pleased to state—

(a) the amount of expenditure so far incurred by the Madras Government on account of the British Empire Exhibition of 1924;

(b) the amount of expected future expenditure on the same account; and

(c) the names of the articles manufactured in the Madras Presidency which are to be exhibited in the Madras Court of the Exhibition?

A.—(a) Rupees 55,461-7-6.

(b) Rupees 2,53,038-8-6 so far as it can be estimated at present.

(c) A list of exhibits, including articles manufactured in the Madras Presidency about which exhibitors have so far furnished detailed information, is appended.*

* Vide Appendix on page 506 infra.

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Mr. S. SATYAMURTI :—" With reference to the answer to (b), Sir, may I ask the Minister for Development to be good enough to say what portion of the amount of Rs. 2,53,038-8-6 represents existing liabilities in connexion with the exhibition and how much of it exhibits future liabilities he contemplates ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" I want notice of the question, Sir. The figures have to be worked out. "

Mr. S. SATYAMURTI :—" May I ask him just one more question, Sir, whether it is his intention to accept the Resolution of the House and not incur further liabilities in connexion with the British Empire Exhibition ? "

The hon. Diwan Bahadur T. N. SIVAGNANAM PILLAI :—" It will be considered in due course. "

FAMINE CONDITION.

Alleged famine conditions in Cuddapah district.

53 Q.—Rai Bahadur T. M. NARASIMHACHARLU : Will the hon. the Law Member be pleased to state whether it is a fact that famine conditions prevail in most parts of the Cuddapah district owing to the failure of the last monsoon ?

A.—The Government have not yet received any report of such conditions.

HIGH COURT.

Muhammadan High Court Judge.

54 Q.—Mr. K. UPPI SAHIB : Will the hon. the Law Member and the hon. the Member for Finance be pleased to state whether the Government intend to appoint a Muhammadan in the earliest vacancy on the Madras High Court Bench ?

A.—Permanent appointments to the High Court are made by His Majesty. Acting appointments are made by the Local Government. The Local Government will pay due consideration to the claims of qualified Muhammadan gentlemen.

REVENUE DIVISIONS.

Abolition of the Cuddapah district.

55 Q.—Rai Bahadur T. M. NARASIMHACHARLU : Will the hon. the Law Member be pleased to state whether the Government have passed final orders on the proposal to abolish the Cuddapah district ?

A.—The Government have passed orders in G.O. No. 1781, dated the 24th November 1928, abandoning the proposal to abolish the Cuddapah district and the Government Order has been placed on the Editors' Table.

UNIVERSITY CORPS.

Head-dress of the volunteers of the University Training Corps.

56 Q.—Mr. R. SRINIVASA AYYANGAR : Will the hon. the Home Member be pleased to state whether it is a fact that the volunteers of the University Corps have been directed to wear hats instead of caps or turbans ; and if the answer be in the affirmative, whether it is intended to remove the direction and substitute in its stead individual option ?

[15th December 1928]

A.—Members of the University Corps are allowed to wear either hats, topis or turbans, provided that all members of the Corps wear the same kind of head-dress. The Advisory Committee consisting of two Indians recommended the topi, which is also the most popular head-dress with the men.

LOCAL SELF-GOVERNMENT.

President, District Board, Tinnevely.

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

(a) whether it is a fact that the hon. the Minister for Development still continues to be the President of the Tinnevely District Board ; and

(b) whether he will call on the hon. the Minister for Development to resign his place as President of the Tinnevely District Board ?

The hon. the RAJA OF PANAGAL :—" Sir, the answer to (a) is in the negative. To (b) the answer is that it does not arise. "

Mr. A. RANGANATHA MUDALIYAR :—" When did he cease to be the president of the district board ? "

The hon. the RAJA OF PANAGAL :—" A few days back. "

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Is it a fact that he continued to be the president of the district board even after becoming the Minister for Development ? "

The hon. the RAJA OF PANAGAL :—" Yes. "

Mr. S. SATYAMURTI :—" For how many days ? "

The hon. the RAJA OF PANAGAL :—" I think he sent in his resignation on the 18th. That is my recollection. "

The RAJA OF RAMNAD :—" The resignation will have to be formally accepted by the Board and till then he continues to be there, Sir. Is that not so ? "

The hon. the RAJA OF PANAGAL :—" Yes. "

The RAJA OF RAMNAD :—" Has his resignation been so accepted ? "

The hon. the RAJA OF PANAGAL :—" I have no information. "

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Is it a fact that he has to simply present his application and that it need not be accepted by them ? "

No answer.

Mr. A. RANGANATHA MUDALIYAR :—" Is that at a meeting of the Board, Sir ? "

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APPENDIX.

[Vide Answer to Question No. 52 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 15th December 1923, page 503 supra.]

List of Exhibits going forward to the Madras Court of the British Empire Exhibition.

I.—Raw Materials.

- (1) Foodstuffs—
Rice.
Paddy.
Cereals.
Pulses.
Edible roots.
Yams.
Tapioca.
Coconut.
Cashewnut.
Coriander.
(2) Oil-seeds—
Ground-nut.
Castor-seed.
Linseed.
Annato seed.
Kosumalu.
Sarapappu.

- (3) Fibres—
Cotton.
Jute.
Palmy a.
Date.
Pulicai.
Coir.
Aloe.
(4) Planting products—
Tea and coffee.
Rubber.
(5) Spices—
Pepper.
Cardamom.
Cinnamon.
Nutmegs.
Kass-kass.
Chillies.
Onion.

II.—Food Industries.

- (1) Preserved fish.
Salt fish pickle.
Prawn pickle.
Preserved fruits.
(2) Jaggery and sugar—
Jaggery.
Refined sugar.
Megasse.
(3) Sweets.
(4) Rice products.

- (5) Plantain products.
(6) Edible oils—
Cocotine.
Margarine.
Kosumalu oil.
(7) Copra.
(8) South Indian condiments.
(9) Pappadams.
(10) Cereal food.

III.—Fishery products.

Fish curing.
Fishing methods and boats.

Pearl fishing methods.
Crab fishing methods.
Chief edible fishes.

IV.—Textile Industries.

- (1) Cotton—
A. Yarns—
(i) Mill made.
(ii) Handspun of different colours.
B. Fabrics—
(i) Mill made.
(ii) Handwoven—
(1) Bedsheets.
(2) Cloths.
(3) Madras Handkerchiefs.
(4) Lungies and Rumals.
(5) Sarees.
(6) Towels.
(7) Muslins.
(8) Carpets.
Plain and special designs.
(2) Silk—
Waste.
Silk carpet.
Silk sarees.
Silk cloths.
Bodices.

- (2) Silk—cont.
Diamond silk.
Silk Rumals.
Silk summerbands.
Ladies gown, curtain and a table cloth in silk containing inscriptions in gold thread.
(3) Wool—
Carpets.
Cumbles.
Handknit stockings.
(4) Jute—
Yarn and fabrics.
(5) Grass mats—
Kora (sedge).
Date.
Aloe.
Serepene.
(6) Coir—
Yarns, mats and matting.
Brushes.

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V.—Leather Industries.

- (1) Half finished and finished leathers. (2) Leather goods of all descriptions.

VI.—Ores and Metals.

- (1) Minerals—
Monosite.
Barytes.
Stentite.
Mica.
Ruby mica—cut and dressed.
Kaolin.
Emery.
Magnesite.
Coal.
Slate.

- (1) Minerals—cont.
Manganese.
(2) Manufactures—
Bell-metal.
Aluminium.
Mica.
Brass including locks.
Ironware including—
Malabar axe,
Mopla war knife, and
Tangi.

VII.—Oils, soap, paint and perfumes.

- (1) Essential oils and perfumes.
(2) Indian scents including scented incense sticks.
(3) Soaps.
(4) Industrial oils—
Fish oil.
Groundnut oil.
Castor oil.

VIII.—Chemical industries.

Salt—Ordinary and refined.
Arrack :
Coconut.
Cashewnut.

Oil cake.

IX.—Wood, timber and forest products.

- (1) Timber specimens—
Sandalwood.
East Coast timbers.
Malabar timbers.
Furniture made of Madras timbers.
(2) Penolls.
(3) Paper made of Megasse.
(4) Tanning materials.
(5) Drugs and medicines.
(6) Dyeing materials—
Indigo.
Gallnut.
Turmeric.
Madder roots.
Other dyeing materials.
(7) Other minor forest products.

X.—Arts industries.

- (1) Pictures—
Paintings.
Paintings of typical sceneries in Cochin such as the Harbour mouth and the surrounding backwaters; the Cochin forests with the inclines in the tramway.
(2) Furniture and carving—
Carved mantapam.
" table.
" door frames and doors.
Square. } Carved. { Rose-wood.
Oval .. } Ebony..
Octagonal. } Teak..
Round. } Carved. { Dressing.
Ivory inlaid. } Wash-
Hall .. } ing.
Tea .. }
Hall .. }
(2) Furniture and carving—cont.
Carved teapoy of different designs—
Rosewood.
Kunnivaka.
Teak.
Carved sofa.
" bench.
Sette of carved rosewood.
Carved chairs—
Green and gold lacquer.
Black and gold lacquer.
Ebony.
Rosewood.
Gilded with arms representing lions.
Revolving.
Armless.
Carved dinner gong between elephant figures.
Carved dinner gong between human figures.
Carved cigarette box in sandalwood.
" " rosewood.

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X.—Arts industries—cont.(2) Furniture and carving—*cont.*

Carved cigar case.
 " lamp stand.
 " flower pot.
 " tea trays.
 " wall brackets.
 " dressing mirror (black and gold lacquer).
 " hanging wall cabinet (black and gold lacquer).
 Hanging wall cabinet—plain.
 Carved boxes—
 Teakwood and ebony inlaid with ivory.
 Lined with red cedar.
 Carved picture frames in coconut.
 " " silver mounted.
 " " palmyra.
 " " other wood.

Miniature teak raft.
 Embroidery frame.
 Miniature temple car.
 Carved swing on elephants with ivory nails.
 Exhibits to show finish—
 Roll top desk.
 Revolving chair.
 Foot stool.
 Cabinet.
 Table with and without drawers.
 Arm chair.
 Armless chair.
 Revolving book case.
 Rosewood bedstead with curtain fittings of bell metal and curtains of screw-pine fibre.
 Chest of drawers.
 Dressing table.
 Dressing almirah.
 Washing table.
 Bath tub.
 Towel stand.
 Coconut shell carving—
 Carved spirit case mounted on three dragons with rosewood pedestal.
 Carved ornet set silver lined and with silver spoons.
 Carved flower bowl mounted on three elephants.
 Carved napkin rings.
 Carved gipsy tripod.
 Toys and miscellaneous.

(3) Toys and pith works—

Pith turbans.
 Surpanagai Kreedam.
 Kondapalle toys.
 Kampli toys.
 Models of South Indian temples.
 Church view.
 St. Joseph's College view.
 Hindu car.
 Double bullock cart, etc.

(4) Cotton prints—*cont.*
 Gollapalam.
 Gollapalle.

(4) Cotton prints—*cont.*

Kodali Karuppar.
 Kalahasti.
 Masulipatam.
 Vaniyambadi.
 Cotton prints with gold border.

(5) Silver and gold work—

Hookah exquisitely engraved in gold.
 Silver waist girdle.
 Silver and gold thread work. Gopadam-thadu.
 Silver inlaid work—
 Octagonal plate.
 Circular plate.
 Square plate.
 Bowl (big).
 " (small).
 " (smaller).
 Ash tray.
 Match case.

Silver vessel (ohombu) on stand with Dasavatharam of Maha Vishnu engraved.

Kailasagiri Parvatham.
 Engraved silver plate.
 Sandal pola with Krishna figure.
 Do. animals.

Flower vases.
 Betel nut box with animal design.
 Engraved rosewater sprinkler.
 Betel-leaf box.
 One set of deity figures.
 Bowl with cover.
 Sandal paste cup.
 Lamp.
 Ohunam box.
 Chembu.
 Box.
 Bowl.
 Wine vessel.
 Anklets.
 Wine cup.
 Coffee pot.
 Milk jug.
 Silver-ware.
 Baskets.
 Sticks.
 Brushes, etc.

Silver-ware (Miscellaneous).

Silver and brass work—

Brass ball with an oil lamp inside.
 Brass box with Senhasayanam.
 Ganjam brass fishes.
 Silver pookies.
 Old brass articles.
 Coconut shell carving inlaid with silver and brass work.
 Brass centre-piece electro-plated in silver, gold and a portion oxidized.
 Metallic wings.
 Flower pot in brass.
 Horse in brass.
 Bee in brass.
 Camel in brass.
 Carrying basket in brass.
 Cow in brass.

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X.—Arts industries—cont.

Silver and brass work—*cont.*

Snake in brass.
 Tumblers in brass (new model).
 Ice tumblers in brass.
 Lamp in brass.
 Brass water pot.
 Brass tray.
 Bell metal work—
 Looking glass made of bell metal.

(6) Ivory work—

Gajalakshmi.
 Toys.
 Looking glass mounted on tusks.
 Miscellaneous.

(7) Bronze and brass images—
of all kinds.(8) Art pottery—
Feather-weight pottery.
Earthen images.(8) Art pottery—*cont.*

A complete set of Cochin pottery, including—
 Washing basin.
 Tobacco jar.
 Ash tray.
 Jars.
 Crockery.
 Coloured kooja.
 Flower pot.
 Fashioned koojas.
 Small coloured cups and jars.
 (9) Jewellery—
 Modern.
 Ancient, including gems and seal ring of Shahjehan.
 (10) Lacquer work—
 Trays.
 Fans.
 Boxes.
 Walking sticks.
 Pens, and of all kinds.

XI.—Building and Engineering Trades.

(1) Machinery—

Motor cylinders.
 Match-box making machinery.

(2) Cement—

Oxy-chloride cement and flooring and roofing tiles therewith.

(3) Bricks and tiles—

Flooring and roofing.

(4) Stoneware and earthenware—

Dasavatharams.
 Hanuman.
 Glazed earthenware of Karigari.
 Shirt buttons and links with silver joints.
 Chessmen.
 Katukakayalu.

XII.—Village and Mission Industries.

Lace and Chikan work of all kinds—

Crochet.
 Fillet.
 Pillow.

Embroidery—

European designs.
 Madras embroidery.

Fancy baskets and other miscellaneous work—

Puccat baskets.
 Ceiling cloth of grass.
 Brief bags.

Fancy baskets and other miscellaneous work—*cont.*

Trays.
 Waste paper basket.
 Flower baskets and betel-leaf boxes.
 Needle-work.
 Teapoy cover in bead work.
 Rice grains with inscriptions.
 Chair made of paddy.
 Malabar hats.

XIII.—Statistical.

Map of the Madras Presidency.

Models—

of Madras Harbour.
 of Cochin Harbour.
 of Tuticorin Harbour.
 of agricultural operations.
 of fishing.
 of boats.
 of nets.
 of canoes.
 of catamaran, etc.

Models—*cont.*

of a Post and Telegraph office.
 of huts of hill tribes.
 of elephant capturing operations.
 of Cantilever bridge.
 of Saw Mill at Mount Stuart.
 of rest-house.
 of Toda temple.
 of Toda hut.
 of a Malabar house.
 of a Malabar temple.

XIV.—Miscellaneous.

Buffalo horns and tips.
 Ivory and horns of wild animals.
 Cigars and cheroots.
 Smoking mixtures.
 Tobacco.

Sporting materials.
 Playing cards.
 Publications—
 Madras Mail Annual.
 Asylum Press Almanac.

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II

HOUSE COMMITTEE.

The hon. the DEPUTY PRESIDENT :—"I have to announce for the information of the Council that the hon. the President has made the following nominations in regard to the House Committee :—

- (1) Rao Bahadur C. Natesa Mudaliyar.
- (2) Rao Sahib U. Rama Rao.

III

COMMUNICATIONS TO THE COUNCIL.

The SECRETARY laid on the table * G.O. No. 55, Railway, dated 10th December 1923, regarding the election of two representatives of the Legislative Council to the Local Advisory Committee for the Madras and Southern Mahratta Railway.

III-A

The SECRETARY laid on the table † Report of the Retrenchment Committee, Volumes I and II.

IV

MOTION ON A MATTER OF GENERAL PUBLIC INTEREST.

SUSPENSION OF THE ENHANCED RATE OF LAND REVENUE IN THE TANJORE DISTRICT.

The discussion on Motion No. 12 ‡ moved by Mr. S. Muttayya Mudaliyar was then resumed.

Mr. C. MARUTHAVANAM PILLAI :—"Sir, in supporting the Resolution moved by my hon. Friend Mr. Muttayya Mudaliyar I wish to make a few observations on the land revenue settlement in the Madras Presidency generally, and in the Tanjore district particularly. Sir, ever since the Munro Settlement of this Province, which denied to us the great blessings that Lord Cornwallis conferred upon the fortunate people of Bengal, it is needless to say what amount of worry, inconvenience and loss has been caused to both the rich and poor ryots of Madras by the system of resettlement at the end of every thirty years. Imagine for one moment the uncertainty that the ryots are suffering under, as regards the return of their investments in the lands, when on the mere suspicion of an increased yield, they are made to bear an increase in assessment. This process of the increase of land revenue at every resettlement is harsh; and from all appearances no great pains seem to have been taken to investigate into the actual ability or otherwise of the ryots to pay the increased taxation. The increase of 25 per cent of the land kist ordered to be levied upon the ryots of Tanjore bears ample testimony to the above remarks. The basis for this increase is not properly worked out. The soil of Tanjore district is no virgin soil. Years of cultivation has reduced its productive power and any amount of artificial manuring cannot restore the original fertility. That the maximum

* Appendix (vide pages 554—557 infra).

† Printed separately.

‡ 12. That this Council recommends to the Government that the collection of land revenue at the enhanced rate in the Tanjore district from January 1924 be suspended for one year at least till the principles of land revenue settlement are embodied in legislation.

SUSPENSION OF THE ENHANCED RATE OF LAND REVENUE IN THE TANJORE DISTRICT

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[Mr. C. Maruthavanam Pillai]

point of production has been reached in the case of lands in the Tanjore district is a fact and any further increase in the land revenue cannot be but a gross injustice and bring excessive hardship to bear upon the ryots of the district. Add to this the fall in the price of paddy, the failure of the monsoon, the occasional droughts, the unseasonal rains, the scarcity of water-supply in the Cauvery that is sure to result out of the Kannambadi scheme, the increased cost of the necessaries of life, the payment of higher wages for cultivation, the increased cost of manuring and a thousand other causes all of which tend only to aggravate the ryots' indebtedness and misery. Then the Government, however apathetic it may happen to be, cannot with any amount of conscience dare to crush down the Tanjore landholders with any more increased taxation the summit of which has already been reached by the previous settlement.

"It is on these grounds I presume that the previous House passed by a majority the Permanent Settlement Bill which, it is understood, the Government do not mean to take up. It behoves us therefore to reintroduce that measure in due time.

"As we all know, Sir, the Government have decided not to give effect to the Bill in the near future. I am sure the present House will again take up that question in due time. But before anything is done on a permanent and legislative basis, to force upon the ryots' slender means an additional 25 per cent of Land Revenue is not only unfair and unjust but also very cruel and oppressive.

"Just a word more and I shall finish. Several of the hon. Members of this House seem to be labouring under a misnomer that the district of Tanjore is incomparably fertile and as such the recent increase is justifiable. While admitting mainly the truth of the statement, I would only point out that the rates of assessment since the *paimash* days are equally higher, reaching up to even Rs. 15 per acre in some cases. I therefore beg to support the Resolution which I am sure you will accept by a large majority and do bare justice to the already overburdened mirasidars of the Tanjore district."

Mr. A. CHIDAMBARA NADAR :—"Mr. Deputy President, the other day when a similar Motion was moved by the hon. Member, Mr. A. Ranganatha Mudaliyar, my hon. Friend Mr. Siva Rao gave a history of the whole subject as to how a committee was appointed to consider the lines on which the Land Revenue Bill should be drafted, how that Committee thought that its recommendations should be embodied in the Land Revenue Bill, how in the meantime the question of permanent settlement had to be postponed, and how the undertaking given by the Government that a Land Revenue Bill would be introduced had not been given effect to. We had the opportunity of hearing the recommendations of the Decentralization Commission read out to us by more than one hon. Member. Sir, when a Motion was introduced by my hon. Friend Mr. Ranganatha Mudaliyar, we expected that something good would come out of it. But, Sir, our recommendations were put an end to when the hon. the Home Member said clearly that there was no room for us to think that the introduction of the permanent settlement would be considered with any favour by the Central Government."

The hon. Mr. A. R. KNAPP :—"May I correct the hon. Member, Sir? I did not say anything about the Central Government. What I said was that there was no prospect of the Local Government introducing such legislation in the near future."

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MR. A. CHIDAMBARA NADAR :—“ I think, Sir, it comes to the same thing. Whatever it may be, with regard to the recommendation of the Decentralization Commission, that legislation with regard to matters of taxation should be gradually introduced, the hon. the Home Member told us that four years' time was too early to think of such a thing, and went to the extent of saying that the recommendations framed by a Committee last year, that the settlement rates should obtain the sanction of the Legislature before they were introduced, were revolutionary. He also told this House that the settlement rates depended upon a contract with the Government and that, as soon as a thirty years' period was over, the Government were at liberty to introduce the resettlement rates, though he gave an undertaking—I think it is a poor undertaking—that he would consider the conditions of the respective district and make necessary remission. Most of us, Sir, represent the ryots in the districts; we know the conditions of the ryots; their conditions have not been improved. We know that the yield of the land has not increased in any way. At the same time, the other day a few facts and figures were quoted to us comparing one district with another, and it was sought to impress upon us that the condition of the ryots had improved, and the yield of the land was increasing. But we the Members coming from different districts know what the real condition of the ryots is. In these circumstances, I think there is only one course open to us and that is to join in a united body in supporting the Resolution that has been placed before the House, and I hope that many more Motions like this will be brought forward, and that the House with one united voice will support them also. If we do so, I hope a way will be opened for us, though not for the introduction of the permanent settlement, at least to have the recommendations framed last year embodied in the Land Revenue Bill.”

MR. VENKATARAMA AYYAR alias V. PANTULU AYYAR :—“ Mr. Deputy President, when we whole-heartedly and unanimously passed the resolution for the postponement of resettlement in the Bellary district, I was under the impression—and I think I am right—that we were fighting for a principle and not for the sake of Bellary alone. If a series of unfavourable seasons intervene, Bellary is entitled only to remission for that year or for those years when the crops fail and no legislation would have been necessary. When in this House a victory has been gained in Bellary it was a victory for the principle that there should be no taxation without legislation and so I thought I had no further business on this subject, because what applies to one district—I mean to say with regard to the land tax—equally applies to other districts also. But it seems that our district is unfortunate. It has a very bad reputation (hear, hear! and laughter). The imagination of poets and the erroneous records of the Settlement Department have ascribed to it a fertility which it certainly does not deserve, and I think hon. Members of this House passing along the railway line which runs in the most fertile portion of the district—a portion which contains the most industrious population—the Muhammadans—betel gardens and plantain and coconut trees—have a belief that our district is so fertile that the people have simply to go to the fields, sow the seeds and wait till the time of harvest when they have simply to garner their paddy in their graneries. I may tell the House, Sir, that if you go into the interior a sorry spectacle is presented, especially in recent years after the regulation of the waters of the branch rivers of the river Cauvery, you will find that no silt is carried in those rivers. I think the

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hon. the Home Member said that silt is even now carried. But expert opinion is that a certain amount of velocity is required to carry the silt. Our practical experience is that the water which is carried to the field is not so much for the purpose of fertilizing the fields as for irrigating them. Another point which I wish to mention is that there are only a very few mirasidars in our district who are very rich. But there are more than a hundred thousand mirasidars who are in a very poor condition and who are living from hand to mouth, and any enhancement of tax even in the slightest degree will affect them to a very great extent. I hope this question will not be considered as a party question. It is a question in which a large number of people are affected. As I have already said, hundreds of thousands of people are sure to be affected and I leave it to the justice of the House to consider what the fate of these poor families will be, if the Executive Government is allowed to enhance the tax at their own sweet will and pleasure without having any recourse to legislation.

“ About this resettlement question, I think another argument has been advanced, viz., that there is very little complaint in our district regarding the payment of tax, and that taxes are paid at the first demand. I may tell you, Sir, that the Revenue officials in our district have got their own way of putting things and in this connexion I may quote the proverbial saying ‘that Cauvery water is supposed to give intelligence’ and I may add that it has certainly given acute intelligence in the case of these Revenue officials. With the permission of the House, I shall proceed to cite an instance, Sir, as to how a case was made out where there was an absolute failure of crop. A written petition was sent to the Deputy Collector about the failure of the crops and a demand for remission was made. The Deputy Collector inspected the concerned village and saw that absolutely no crops had been harvested. At that time some of the people thought that an application should be made for clearing the channel next year and under the Kudimaramath Act they sent in a petition to the Deputy Collector for that purpose. The Deputy Collector came to the village for inspecting the lands and I asked him what his opinion of the harvest was. He said ‘yes, Sir, it may be true that the crops have failed absolutely, and I have got a petition asking for remission of tax. There is also another petition with me in which it is stated that the channels have not been cleared and that the people want that channel to be cleared by the department. From this I understand, Sir, that the failure of the crop is due to the channel not being cleared.’ And I may tell you, Sir, further that the channel was cleared and according to the Kudimaramath Act a channel tax was collected from the poor people, so that the people had to pay not only the tax on land but also double the clearing charges according to the Act which levies a penal tax, of which, I think one-sixth would have been spent on the real clearance. These are the ways in which the administration is conducted.

“ It is mentioned in the records that all channels which supply water to
11-30 a.m. over 3,000 acres are under the maintenance of the Public Works Department. Sir, when the channel in the Melattur village which is irrigating over 4,000 acres had to be cleared, the people sent in a petition to the Public Works Department for the purpose saying that that work should be undertaken by that department and that it was not right to ask the ryots to clear it at their own expense. To this petition the Public Works Department was graciously pleased to reply saying that the ryots were

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allowed to clear the channel. Of course, I think if there is an obligation on the part of the ryots to discharge their duties and pay taxes, the Government also has got an obligation towards the ryots which I think they have absolutely failed to fulfil.

"Under the present resettlement, a ryot who holds about two acres and odd and who was paying Rs. 20, is now assessed to pay Rs. 39. So it is not only a 25 per cent increase as some Members stated, but it is very nearly double that of the previous assessment."

The RAJA OF RAMNAD:—"May I know, Sir, if it is single crop or double crop?"

MR. VENKATARAMA AYYAR alias V. PANTULU AYYAR:—"It is single crop. But, on account of the heavy taxation and other expenses, the unfortunate ryot thought that he could double his income by putting double crop. After trying for two years he failed. Because, conditions in our district are such—I am speaking from practical experience—that two crops never succeed. One crop or the other fails generally. So, the unfortunate ryot who tried for two years not only lost much but when the settlement officer visited the area, it was considered that that area was fit for double crop and assessed accordingly by him. Thus, Sir, not only the unfortunate ryot who tried this experiment suffered, but also the people who hold lands in the same block, suffered. Because, the Government think that if one man has been foolish enough to make such an experiment, others must have followed suit and they assess the whole area to double crop. This is the way in which settlement has been carried on. Therefore I think that unless legislation on a sound basis is made in respect of settlement without leaving it to the executive order, the people of our district will suffer. For this reason I call upon this hon. House not to be overcome by the delusion that our district is fabulously fertile, but to have recourse to calm reasoning and to practical facts, viz., that this year just a little before the first crop was about to be harvested, there was such a heavy flood in consequence of which even the railway line was breached which hon. Members might have known—that the first crop was lost, and, as for the second crop, had it not been for a few drops of rain which fell in a favoured area the whole of the district would have been suffering from drought. There is no rain in most parts of the district. Under these circumstances, I think our district is as much entitled as Bellary can be, for the concession asked for, viz., suspension of the enhanced rates for one year till legislation is enacted on land taxes. With these few words, I heartily support the Resolution."

MR. P. ANJANEYALU:—"Sir, when the Resolution for a similar purpose was brought forward and passed regarding Bellary, I thought that it did not pertain to Bellary alone, that we were not giving that concession to Bellary alone on account of the series of woes catalogued, but that we were enunciating a principle, viz., that we recommended to the Government that the collection of land revenue at the enhanced rates should not be given effect to till the principles of land revenue settlement are embodied in legislation. That I thought was the basic principle though it was applied, in that particular case, to one district only. The hon. the Law Member was calling our attention to the principle of *res judicata* on altogether a different occasion. If I may take advantage of that principle, I would apply it to this case more than to the case he attempted to apply; because, the parties are the same, the ryots on the one side and the Government on the other; the principle is the same and the conclusion should

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also be the same. When once the principle is adopted in the case of Bellary, I think the same principle should be applied in the case of Tanjore, Ganjam, Cuddapah or any other district in this Presidency. In view of this fact and in view of the fact that the Resolution of Mr. Muttayya Mudaliyar only asks in a very modest manner that collection at the increased rate should be suspended for one year only, the whole House including the hon. Members on the other side (Ministerialists' side) should vote for this Resolution as they voted in the case of Bellary."

MR. S. SATYAMURTI:—"Sir, I rise to support this Resolution of my hon. Friend Mr. Muttayya Mudaliyar very strongly. I said in supporting the Resolution of Mr. Ranganatha Mudaliyar that we ought not to enter into the parlour of the hon. the Law Member and allow district jealousies to be exploited by stating that this district is poor and that is rich and thereby setting one district against another. The whole House practically unanimously voted in favour of that Resolution. I take it, as other Members of this House, I am sure, take it, that we were fighting not for Bellary, but for the assertion of a principle, the principle, viz., that no resettlement proposals ought to be given effect to until this House has approved of the principles of resettlement in the form of sound legislation. Now, Sir, I may remind this House that the hon. the Home Member and the Revenue Secretary put up a very strenuous fight and pointed out to this House that Mr. Ranganatha Mudaliyar's original Resolution would have met with sympathy at their hands because it referred to the peculiar circumstances of Bellary and Anantapur, but we rejected that plea and voted for the Resolution in favour of the resettlement proposal being postponed; and luckily now, as I view it, within two days the test has come to Members of this House whether in voting for that Resolution we were simply allowing ourselves to be influenced by considerations not germane to the Resolution in the amended form as it stood or whether we were standing for the assertion of the principle, viz., no representation, no taxation or that no tax of this kind ought to be increased or levied without the consent of this House. Sir, I am obliged to the Ministerialist organ *The Justice* of yesterday which says:

'That long before the Joint Committee report of the House of Lords and the House of Commons sat to decide on this question and asked that this revenue settlement principle should be given legislative form, the Decentralization Commission which sat very much earlier have said: we consider that the general principles of assessment such as, for instance, the proportion of the net profit of the land which the Government shall be entitled to take and the period of settlement shall be embodied in a piece of legislation instead of being left to executive order as is now the case outside Bombay.'

"Then the Joint Committee report came on, and four years and a half have elapsed since then. Therefore, Sir, in spite of the opinions of those who are best entitled to speak upon it according to the Government themselves, they have not lifted their little finger to take this settlement out of the hands of the Executive and place it under the control of the Legislature.

"Now, I must confess to some inability, Mr. Deputy President, to understand the position of the Government; either they are ready with this Settlement Bill or they are not. Because, in answer to a question by my hon. Friend Mr. R. Srinivasa Ayyangar, the hon. the Law Member said that among the various Bills that would come up in this Session, the Revenue Settlement Bill was one. If, therefore, this Bill is coming up before this

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House this session, surely the Government cannot have very serious objections to postponing giving effect to this resettlement proposal till after that Bill becomes law. If, on the other hand, the Government have no such intention, let them say so plainly that they have no intention of bringing forward this Bill very early."

The hon. Mr. A. R. KNAPP:—"May I make a personal explanation, Sir? I am really astonished at the shortness of my hon. Friend's memory. Either his memory is short or he was not attending to the debates of the other day. I gave a positive assurance that the Bill would be introduced as soon as possible, probably this session. There is no question whatever of Government having no intention of legislating as early as possible. It is only fair that the hon. Member should accept as genuine an undertaking of that kind."

Mr. S. SATYAMURTI:—"I do accept that undertaking, Sir, and my argument itself is based upon that. If the Government have any such intention, I do not understand their anxiety to prevent this Resolution being carried. The scope of the Resolution of my hon. Friend becomes very limited seeing that there is an assurance from the Government that they will introduce this Bill this session. Why should not the Government wait for some little time and then have the resettlement proposals effectuated."

"Sir, a great deal has been said about the resettlement proposals of Mr. Jackson upon which all these proposals are based. I have nothing but admiration for the comprehensive and exhaustive way in which the settlement officer has gone into the whole question. Surely hon. Members of this House are entitled to criticise that report and advance reasons as to why the Government should not be allowed to carry out the proposals contained therein, to the extent we can."

"The first connected paper to which I believe reference was made already was this: that thirty years ago the land revenue of Tanjore was raised by 29 per cent and, thirty years hence now, the district is asked to pay from 18½ to 25 per cent more. I think it will be conceded on all hands that whatever the reasonableness of the reasons which may be advanced in respect of that may be, the mere arithmetic of it must stagger some of us who know the perpetual poverty in which the majority of the people in Tanjore have to live and have their being. But the Settlement Officer suggested and the Government practically accepted the view that all these increases in the land tax are merely due to the rise in prices. Now, I believe I have heard here and elsewhere this, viz., that the rise in prices is not as high as it used to be, that prices have fallen down and that, therefore, other circumstances must be presumed to have changed. If this is so, it must operate to the detriment also of these tax-payers who are asked to pay these increased taxes. Now, Sir, I would again quote, in spite of the hon. the Home Member's deprecation, Sir O'Moore Creagh. He says in his book: 'The rise in prices is against the agriculturist in nearly every district; in the few cases where some of those who produce for sale might get some advantage, their ignorance prevents them doing so to its full extent.' I would ask the House to take the opinion of Sir O'Moore Creagh also into account before they decide this important matter."

"Now, Sir, one important argument which my hon. Friend advanced and I am sure the House has taken note of, was the argument based on this, viz., that the cultivation expenses were not given sufficient allowance in the proposals made by the Settlement Officer and accepted by the Revenue Board

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and the Government. On that matter, Sir, I am anxious to invite the attention of the House to the very illuminating remarks of Mr. Dutt who recommended to the Government in very strong terms that the allowances made by Mr. Jackson were not correct and that they ought to be revised."

"He says:

'After his very careful consideration of the subject from many points of view it looks as if Mr. Jackson is after all rather doubtful if his deduction for cultivation expenses is quite adequate. I request the Board that in considering the scheme report special care may be taken to see that for the standard outturns the cultivation expenses allowed in the scheme report are adequate, and if Mr. Jackson's estimate of cultivation expenses be found to be an underestimate, the suggested rate of increase in the assessment may be decreased.'

"That was the recommendation made but the Government at page 276 of this report simply turn the whole thing down and say that they must take the original allowances as the final word on the matter."

"There is one other matter which I want to lay stress upon in this House with all the emphasis that I can command. I am not going into the question whether Tanjore may not be and any other district may be a richer district. But, Sir, I want to say this. Please do not judge Tanjore by the few Tanjore mirasidars whom we have met here and elsewhere. Tanjore is a very big tract of country and at least in two taluks, Arantangi and Pattukkottai, with which I am familiar there is no irrigation system worth mentioning and people have got to depend on the rain or the monsoon which rarely comes there. Apart from that there are at least 65 per cent of the ryots paying less than Rs. 10 on their pattas. It is the case of these unfortunate ryots which I appeal to this House to consider most carefully before voting upon this question. It is not the question of a few rich men being made to pay some more rupees or some less. But the question is whether this House is going to allow the resettlement proposals to affect the lives and happiness of 65 per cent of the Tanjore mirasidars as they are honorifically called. And on this matter I have the very high authority of the Collector of the district who at page 271 in forwarding this report says:

'Our settlement rules do not discriminate between big and small ryots, but unless some discrimination is made—'

"I want the House to mark the words:

'in favour of small ryots who have no crops to sell, they will be worse off than they were before.'

"I ask the House to consider whether they would be a party to placing 65 per cent of these unfortunate fellow countrymen of theirs in Tanjore, to quote the words of the Collector himself: 'in a worse position than they were before'. That is the first question this Resolution raises. I want this House to give a considered vote upon it. Something should be done, if not to improve, at least not to make worse their condition by increase of assessment. These are not the words of a little fry but the words of a responsible Collector to the Government in regard to this important matter. But Mr. Dutt is an Indian. I should mention to this House, Mr. Deputy President, that the Government in dealing with this matter take a somewhat nonchalant view and indeed do not think they are called upon to deal with it. They say that they cannot take into account all these considerations. Sir, if hon. Members will kindly look at the Resolution they will find that it does not want resettlement

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proposals to be indefinitely stayed. It only wants a postponement for one year or at least till the principles of land revenue settlement are embodied in legislation. Let these principles be embodied in legislation. Then let Mr. Jackson's proposals be tested in the crucible of that Bill; if the proposals are good they will take effect and the ryots will then be left to reconcile themselves with their lot. They will then know that the matter has received the most careful and anxious consideration at the hands of their representatives here. As it is, they are made to realize that they have got to pay whatever they are asked to pay by Executive fiat and that is a position which I think no Government ought to place itself in. After all even in villages now ideas are springing up. Is it right that the Government should go on compelling these villagers to pay taxes in the levying or controlling of which their representatives have no voice or control?

"There is only one other argument of Mr. Paddison which I want to refer to. He said that we wanted money for this, we wanted money for that and therefore 'bleed the Tanjore ryot white'. My answer to him is this: 'You must not kill the goose that lays the golden egg. Let us not in our anxiety to find money for various schemes forget that unless children are brought forth, unless children grow physically strong, have enough to eat, you cannot educate them, you cannot dig tanks or have fields. You must have men, women and children and they cannot live upon air.'

"One final argument I wish to urge, Sir, and that is this. I find that in the evidence before the Lord Lee Commission and in the speeches of high officers as exalted as His Excellency the Governor of Bombay, they are saying that India is prosperous and that the Civilian must be paid more salaries. When they can have enough money for their increased salaries, why should these poor ryots be bled still more white in order to find more money?

"One word of appeal, Sir, to the Members on the other side of the House. *Justice*, again, the Ministerialist organ, says in the last night's leader:

'In the light of the above plea we feel constrained to say that the Government would be well advised to take stock of all the reasons adduced by the ryots or the Tanjore district against obviously enhanced revenue rates—we are told that a sum of 13 lakhs of rupees would accrue as a result of the operation of the resettlement proposals—and will not shut their eyes to such popular clamour.'

"I hope that this paper represents not its own individual view, but the view of the party now in power. And I appeal to that 'as representing a party which has, in conference after conference, put forward permanent settlement in the forefront of its programme to be true' to their faith and support this Resolution in order that the Government may not be able to exploit district jealousies, in order that the Government may know that this House was serious when it passed the Resolution in favour of settlement proposals being given legislative effect and that the House is not going to allow a single pie to be raised by way of resettlement of land until this House has had chance to give its assent to the Government proposal. I have therefore, Mr. President, great pleasure in supporting this Resolution and I ask my friends to give their unanimous support to it."

Mr. A. RAMASWAMI MUDALIYAR:—"Sir, I feel extremely embarrassed to raise my small voice after the tornado of eloquence which has swept over the House just now. I confess I am anxious to make the reason perfectly clear why I am going to vote against the Resolution, because I know that

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there are many persons in this House and outside it who are very anxious to go about and represent, and more often misrepresent, the views of hon. Members here and their reason for giving their votes in a particular way. Charges of inconsistency have been freely levelled both by my hon. Friend from Coimbatore and the hon. Member for the University. I wish to point out, if I may, that the charge, if at all it can be brought forward, it can be more properly brought forward against the Members themselves. The Resolution regarding the Bellary and Anantapur settlement was one that asked for the postponement of the operation till the introduction of a Settlement Bill. And I wish to explain the reasons that induced us on this side of the House in supporting that Motion. They were, Bellary and Anantapur are districts which are peculiarly situated; year after year, time after time, famines visit the district and only the year before last, and even last year, this Council voted large sums of money for the relief of these famine-stricken districts. My hon. Friend, Mr. A. Ranganatha Mudaliyar, gave statistics of the last ten or fifteen years, read out remarks of various Collectors, which showed clearly that Bellary was an unfortunate district overtaken by famine year after year. This Council, or rather its predecessor, on two occasions voted for the postponement of resettlement proposals in Bellary, and for exactly the same reasons we on this side of the House felt that in a district so peculiarly affected as Bellary it would only be in the fairness of things that resettlement operations should again be postponed for some time longer. Moreover, the conditions that are now prevailing in Bellary are not suitable for resettlement operations. Famine has not yet left the district, the monsoon has failed miserably, the total rainfall being nearly only 50 per cent of the average rainfall. It is for that reason, Sir, among others, that we voted for that Resolution. The second reason that swayed me and most of the Members that voted with me on that Resolution was this. The Government had expected some time back that a Resettlement Bill would be introduced early in the life of the last Legislative Council. We had brought forward a Resolution that a Resettlement Bill should be soon introduced and the Government of the day took care to frame a Bill, had a special committee appointed, and, I believe, the hon. the Revenue Member at one stage announced that that Bill was ready for introduction. My hon. Friend from Nellore later brought in a Resolution for permanent settlement, on which the whole House was unanimous. The Resolution was passed, and it obviously necessitated a reference to the Government of India, and I do not know what has happened afterwards. I understand informally that the Government of India have negatived, for the time being, the proposal for a permanent settlement. The hon. the Revenue Member, I believe, stated once in this House that he was precluded from introducing the Resettlement Bill because the House had committed itself to permanent settlement. Now, Sir, we wanted to say that so far as the Legislative Council is concerned we were anxious that a Bill should be introduced at a very early stage and we wanted also that in the Legislative Assembly those great patriots who have taken their places now would be good enough in the interests of the ryots of whom so much is heard here, to move for the introduction of permanent settlement. We have no power in the face of the Government of India's order to ask for permanent settlement now, but all that is left for us is to see that Government introduce a Bill and to modify that Bill according to the best interests of the ryots when it comes up for discussion. And therefore we wanted a

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leverage by which the Government could be expedited in introducing the Settlement Bill in this Presidency. The reason why we passed the Resolution regarding Bellary was that if we put off the resettlement in one district the Government was bound to introduce the Bill sooner than later. Those were the two reasons, Sir, why we voted for the Resolution regarding Bellary and Anantapur. Sir, the Resolution as regards Tanjore stands on entirely a different footing. And consistency points out only one course to me. An identical Resolution was brought forward before the last Legislative Council, early this year and the House by a large majority voted against it. How then, Sir, is the attitude of the Council open to the charge of inconsistency if it voted against this Resolution now?"

Mr. S. MUTTAYYA MUDALIYAR :—" May I ask the hon. Member to which Resolution he refers?"

Mr. A. RAMASWAMI MUDALIYAR :—" The Resolution that was brought forward by the then Member for Tanjore, Mr. V. Pakkiriswami Pillai."

Mr. S. MUTTAYYA MUDALIYAR :—" May I correct my hon. Friend? In fact, Sir, no Resolution was brought as regards Tanjore. The Resolution which my hon. Friend refers to is probably that in connexion with Bellary which Mr. Pakkiriswami Pillai supported."

Mr. A. RAMASWAMI MUDALIYAR :—" So far as Tanjore district is concerned, it has no peculiar features as Bellary and Anantapur. The hon. the Mover gave a long catalogue of the grievances of ryots in Tanjore and said that in the proposed resettlement the value of this and that was not taken into consideration, the value of the bulls, the expenses of cultivation, etc. These are the normal features which are present at every resettlement. It is exactly the reason why we are dissatisfied with the executive order, with the valuation put by the resettlement officers on the cost of labour, cattle and other things, it is exactly for that reason that we want a Resettlement Bill to be brought as soon as possible and leave things on a statutory basis. That does not however mean, Sir, that special favour should be shown to Tanjore."

"The district of Chingleput has had its resettlement recently, and under that resettlement the land revenue of the district has been enhanced. In South Arcot there was such a resettlement about 4 years ago. In all these the same identical reasons could have been brought forward, and they were brought forward by the then Members of the Legislative Council. The late hon. Diwan Bahadur A. Subbarayan Reddiyar, the late Minister for Education, brought forward a Resolution regarding the resettlement in South Arcot on the grounds that the valuations made were not proper, that the executive was not fair to the ryots and so on. Now, this is quite different from saying that the resettlement should be postponed. My hon. Friend who has moved this Resolution must himself admit, that after a resettlement there is bound to be some increase or other in the rates. Now, what would be the position if we accept the Resolution and postpone the resettlement for one year? The hon. Mover wants that for one year Tanjore should go Scot-free. If he had brought forward a Resolution to the effect that the present resettlement rates were high, that they should be altered or reduced by 25 per cent or 50 per cent, that in the Kumbakonam taluk there should be only 18 per cent increase but not 25 per cent, that in some other taluk the increase should not be 18 per cent but only 15 per cent or 12 per cent, I could understand his proposal, and I should have thought twice before

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I voted against such a Resolution. A great deal has been said about the ryots, but my hon. Friends have not made any distinction between the wealthy mirasidars and the poor ryots. Advantages to the one class may not be so advantageous to the other class, and consideration should be given to the poverty of the ryots. What is asked for in the Resolution is merely this: that for one year there should be no enhancement and the resettlement should be postponed. That is to say, that not only they continue to have the old rates for 30 years after the old settlement was brought into effect, but that the old rates would continue during the 31st year also, and that the same advantages would accrue to the people of Tanjore for one year more. That is a position which I cannot understand. Are we to lose the ten or fifteen lakhs which is the expected enhancement, and leave all of it to the Tanjore people merely because a Resolution has been tabled? The most proper thing to have been done was that a Resolution on the merits of the question should have been brought forward.

"Again, Sir, a Bill for resettlement will shortly be introduced, and we have the assurance of the hon. the Home Member on the point. If the resettlement of the Tanjore district is now given effect to, there is nothing on earth to prevent us from moving in that Bill an Amendment to the effect that the settlement rates in districts which have been resettled during the last ten years should be revised in the light of the principles enunciated by that Bill. The Tanjore resettlement would be coming into effect on the 1st April 1924 and the Revenue Bill is expected to come up for discussion in August or so. When that is the case, and when the Bill after consideration by the Council, is passed at the end of 1924 or the beginning of the following year, there is nothing on earth to prevent us from moving Amendments to that Bill, or to add a special clause to the Bill to the effect that the resettlement rates introduced into the several districts during the last few years, which are abnormal rates of increase and were fixed without any regard to the principles which have been since accepted by the House, be reconsidered in the light of the principles enunciated in that Bill. In that way, the claims of, for instance, a district like South Arcot or a district like Chingleput may be introduced for consideration, and they may be benefited. But what my hon. Friend the Mover wants is a blank cheque for his own district of Tanjore, which, I for one, in the interests of the neighbouring districts, in the interests of the general tax-payer, and the interests of the ryots of the Chingleput district whom I represent here, I am not prepared to support."

Mr. K. KOTI REDDI :—" Mr. Deputy President, Sir, I rise to support this Motion on two grounds. The first is the principle that taxation should not be levied by executive order but must have the sanction of the legislature. As to that principle many hon. Members on this (left) side of the House have spoken, and as to the soundness of that principle I do not think there is any difference of opinion in the House. The very fact that the Government have agreed to introduce a Bill embodying the principles of resettlement itself shows that the principle by itself is sound. But the question whether resettlement should be postponed in view of the expected Bill seems to be much debated. Sir, a Resolution almost to this effect was passed in this House two days ago, and Members of this House who supported that Resolution will, I believe, stultify their own opinions if they were to oppose this Motion. One hon. Member, Mr. Ramaswami Mudaliyar, told us that if there was anything in the principle which supported that Motion it was mostly against the

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proposition but not for supporting it. This is how, I understand, it would be. If the hon. Members did really support that Motion moved by Mr. Ranganatha Mudaliyar, they ought to have supported the original Motion as it was. It would have been something. But if they supported the Amendment moved by my hon. Friend Mr. Siva Rao, there is no option left but to support this Motion also because that Motion represents a certain principle, namely, that the resettlement ought to be postponed till the Bill for settling the principles of resettlement is introduced and passed. I would like to ask the hon. Member one question. Supposing the Bill is not brought forward this year or the Bill is not passed for five years more, and supposing that the Resolution is accepted, it amounts to this: till that Bill is passed no resettlement ought to be made in Bellary. So, Sir, the Members who have supported that Resolution, if they want to be consistent with their own principles, ought to support this Motion also. But my reason for supporting this Motion is not only that principle but it is more than that. Hon. Members, or most of them, seem to believe that the ryots are capable of indefinite taxation. I for one do not say that there should not be any taxation on the ryots, but so far as I am aware the conditions are different, and I have got some experience of the ryots at least of four or five districts. I am very grateful to the hon. Members who have sympathised with the districts with which I am more or less in acquaintance. But still, I believe, leaving alone individual cases of rich landholders, the ryots and small landholders, wherever they are in the Presidency, do really deserve a lot of sympathy, indeed more than what is usually expected from hon. Members. I believe their lot is very hard. The conditions have entirely changed for some years. The poor landholder who has about one or two acres on which to depend in the villages has nothing else to fall back upon but those one or two acres. Probably some years before, they were able to depend upon some other supplementary occupation, but most of them have died out. Except a few acres—in most cases not even an acre—they have nothing else. I know in some parts of Bellary, Kurnool and Cuddapah, some people depend entirely on one or two acres if not less and have nothing else to do in the villages except to depend on those one or two acres. I believe in other districts also there are such small landholders, and the hon. the Mover has given us figures that in Tanjore, which is supposed to be the richest district, there are at least 65 per cent of people who have to depend on one or two acres. I ask hon. Members what would be the effect of increasing the rates under such circumstances. If the Government has given us an undertaking that in the case of small landholders, such an increase would not be made, probably I would heartily support it. I really believe, as the Collector Mr. Dutt, who certainly must have had much experience of the villages, told us, there ought to be made in future a discrimination between the small landholder and the big landholder, and I hope that that would be the question to be considered in future. One hon. Member told us the other day that even if the principles of settlement are codified there would not be much difference between the principles which are now guiding the Executive in their enhancement of the taxes and the principles of the future Bill. I really doubt very much whether that will be the case. I do not really think that this House is so poor of talent as not to be able to suggest some better principles or some better methods of taxing the people. The case of the small landholder, for whom there is no provision at all at present in the measures proposed, is one in point. I believe this House

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will come to an understanding with regard to the case of the small landholder in future legislation on the Settlement Bill.

(At this stage the hon. the President took the Chair.)

"So, Sir, I believe that the lot of the ordinary small landholders, wherever they may be, either in Tanjore, or in Cuddapah, or in Godavari, is really very hard, and they cannot any longer bear any increased taxation. As at present the principles of settlement do not make any difference between a small landholder and the big landholder, I cannot give my support to any enhancement in future until the Bill is introduced and until we have an opportunity of discussing the whole matter as to what we should do with regard to the small landholders and big landholders, whether we can suggest any better methods by which the sufferings of the small landholders can in any way be alleviated. That is my main ground for supporting the Motion.

"The second ground, which may seem to many hon. Members somewhat revolutionary, is at least one in which I feel very strongly. I find that somehow or other in this Presidency the taxes which are collected mostly from the villagers are spent mostly in the improvement of towns. I, coming here as representative of the villages, feel very strongly that the ryots have been very badly treated in so far as the matter of spending the taxes collected from them is concerned. In whatever way we may view the manner in which the taxes are spent, we find that the villagers have been practically neglected. Take, for instance, a hospital or a school building. Where are they built? They are built in the towns, and the advantages the villagers obtain from them are very little indeed. Probably with regard to the roads and the improvement thereof they do have some advantage. Lakhs have been spent on water-supply schemes for towns, but not a pie has been spent for the villagers. Very little, if at all, has been spent recently for the depressed classes in the way of improving their drinking water-supply and giving them more facilities in that respect. I would therefore put it to the House that in future Members representing the villages ought to be more careful in seeing that the taxes collected from the ryots are spent more equitably than has been the case hitherto. On that ground also, I support this Motion, because I believe any amount of money obtained by enhancement of taxes from the villagers would only, as matters at present stand, be spent not so much for the convenience of the villagers, as ought to be the case, but on schemes which do not benefit the villagers. On the ground of principle, which I mentioned before, and secondly on the ground of the way in which taxes are spent more for the convenience of towns than for villages, I support this Motion. I would add that if hon. Members do not support this Motion, they will only be stultifying the opinions that they expressed with regard to another similar Motion made by the hon. Member Mr. Siva Rao."

Mr. S. MUTTAYYA MUDALIYAR:—"Mr. President, Sir, during the course of the debate in my opening speech on the Resolution, I referred to certain facts and figures and stated to this House how the resettlement rates now proposed in the Tanjore district are not justifiable even on the figures given by the Settlement Officer. In reply, I had from the Government Benches answers to very few of the difficulties which I raised and I may say that none of the arguments which I advanced in favour of the postponement of the resettlement as regards the Tanjore district has been really answered by the other side.

12-15 p.m.

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"I first said that the standard outturn, as given by the Settlement Officer, is very much exaggerated, and that the figures given by him are wrong. It is true that Mr. Paddison referred to certain figures from the very same page which I referred to and that in those cases the outturn was above the standard outturn. But may I remind this House that the lands which are there considered by Mr. Jackson were lands in the Manganallore experimental farm? It is true that it is stated that these lands were not lands on which experiments were carried on. But every hon. Member here knows that lands in the agricultural farms are lands under the control of the Government in which money is lavishly spent, to which labour is unstintingly available, and to which any amount of irrigation facilities are also available, because of the influence which the agricultural officers have with the Public Works Department. Therefore, these ought not to be taken as the criterion on which the yield of ordinary lands under mirasidars ought to be calculated. These are the only figures which the hon. Member, Mr. Paddison, referred to, and certainly he did not attempt to explain the figures lower down the same page, where the yield is given of the same lands before they came to be taken up by the Agricultural Department, and I showed to the House yesterday that the yield of those lands was only three-fourths or two-thirds of the standard outturn. I have said enough on this point and I do not think hon. Members of this House will take the figures which were given by Mr. Paddison yesterday as the outturn to be correct.

"Then, as regards the cost of cultivation, there is one point which I incidentally referred to yesterday, and which I want to emphasize in more detail, since, in a conversation which I had with Mr. Paddison this morning, he seemed to be under some misapprehension. Hon. Members will see from page 55 of the Scheme Report that there is a graded list of cultivation expenses for lands of the first class, for lands of the second class and for lands of the third class and so on. From the preceding pages hon. Members will find that what is really calculated by the Settlement Officer is the cultivation expenses for one acre of the best land that is paying Rs. 14 an acre. From that he says that for lands paying a lower rate of tax, a lower rate of cultivation expenses will do, so much so that for the last class of lands the Settlement Officer thinks that Rs. 10 will do for cultivation expenses per acre. I am not able to understand the logic of that. Supposing a land of the first class requires Rs. 20 an acre to cultivate. I cannot imagine how you can cultivate a land of the third class with Rs. 10 an acre. I suppose the labour is the same, seed is the same, the bull is the same and the other costs of cultivation are the same. This theory of graded scale of cultivation expenses cannot at all be accepted, and Mr. Jackson himself, with rather hesitation, has to follow that because it was a procedure adopted in the previous Settlement. As regards the cultivation expense itself, the then Collector of Tanjore, in forwarding the report to the Board of Revenue, says:

'The conclusion which these results point out is that the scale of cultivation expenses above proposed is a possible one for the low Tanjore standard of farming, but that is by no means liberal. I am inclined to regard it as the minimum expenditure which can be expected to produce the standard outturn. After his very careful consideration of the subject from many points of view it looks as if Mr. Jackson is after all rather doubtful if his deduction for cultivation expenses is quite adequate. I request the Board that, in considering the Scheme Report, special care may be taken to see that for the standard outturn the cultivation expenses allowed in the Scheme Report are adequate, and if Mr. Jackson's estimate of cultivation expenses be found to be an under-estimate, the suggested rate of increase in the assessment may be decreased.'

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"So, as regards the cultivation expenses, what I stated to the House yesterday is perfectly correct, and no possible explanation has been attempted by the other side except saying that, as regards *maniam* and other perquisites given to these farm labourers, Mr. Jackson has taken them all into consideration. I only wish to refer to the passage referred to yesterday at page 52, where he expressly says that if these things are to be allowed the cultivation expenses would be higher and he does not allow those things in his calculation of the cultivation expenses.

"Then I would refer to page 55. I said that the ordinary class of land in the district paying Rs. 8 assessment is giving a net profit of Rs. 14 per acre to the landholder if the increased rate of assessment of Rs. 10 is to be paid. I believe Mr. Paddison does not attempt to controvert my statement because he cannot controvert it as they are figures taken from the Settlement Report, and not from any data supplied by me. Without answering me directly, he referred me to some other figures at page 40, where the lease value of an acre of land is said to be Rs. 56. It is true that that is so, but the conditions of the lease from which this figure is arrived at may be such as may entail on the landholder some expenditure for cultivation expenses. It is like this. It is the practice in the district for the landlord who leases his land, to undertake to do the maramat work in the field after the harvest is over. It is also a familiar case in which the manuring in the fields is undertaken by the landlord where the lease is for one year. Whether this figure of Rs. 56 is arrived at on a consideration of this kind of lease or any other I am not in a position to say. But I am only suggesting that this figure of Rs. 56 given by him cannot be taken to be absolutely correct and that it is not a fair data on which it can be decided. There is one other point. This Rs. 56 is calculated on the average price for five years. That was during the years 1914—1918. Working from the tables given by the settlement officer himself, the average price works out at Rs. 321 per garos, leaving out small fractions. But the commutation price which has been taken into account for the purpose of settlement is Rs. 221. Calculated at the commutation price, the lease value of this comes only to Rs. 37 or Rs. 33 an acre which leaves only a margin of Rs. 28 an acre for land worth Rs. 1,100 according to the Settlement Officer, and I will confidently assert that it cannot be considered as an adequate return on Rs. 1,100, or as a sufficient margin for the increased cost of living which rules in this Presidency."

Mr. G. F. PADDISON:—"Were not the sale value and the lease value calculated for the same year?"

Mr. S. MUTTAYYA MUDALIYAR:—"Whether the sale deed was of the same year or not, I am not in a position to say. What he says is that the value of the land is Rs. 1,100."

Mr. G. F. PADDISON:—"The sale value and the lease value are for the same years. You must apply your commutation price to the lease value with reference to the sale value."

Mr. S. MUTTAYYA MUDALIYAR:—"While thanking for the explanation given, I must confess I am unable to follow the line of argument of my hon. Friend Mr. Paddison. If the line of his argument is that during the years 1914—1918 the value of the land is Rs. 1,100 and the lease value is

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Rs. 56, let it be so. If the income from the land has gone down, his argument seems to be the price must have gone down. If the conclusion is that the price has gone down, then I must say that it is due to the economic condition in the district and there is no ground at all for enhancement of the tax.

"Another argument advanced by Mr. Paddison is that in calculating the average rate of tax which one acre of land in the district is paying, I have taken into consideration both wet and dry lands and said that the average was Rs. 5-8-0 an acre. If the hon. Member is anxious that the wet lands alone ought to be included, I am only saying that the tax which the wet lands will have to pay is much higher, being Rs. 7 or Rs. 7-8-0 an acre. That is a point in my favour which I want to urge before the House.

"Then the hon. Member Mr. Paddison was pleading: 'What are the Ministers to do, what are the transferred departments to do if this rich district of Tanjore is to walk away with 12 lakhs of rupees which they are bound to pay.' I quite confess that I am not pleading for any sympathy or any generosity from this House. I am only placing before this House the fact that the Tanjore ryot is already over-taxed, and that in justice and in fairness to him and on the recognized principles by which any settlement is to go on, he ought not to be asked to pay more. I said even yesterday that if after legislation and after testing the settlement rates of Mr. Jackson, this House or any committee that may be appointed by it, comes to the conclusion that the Tanjore ryot ought to pay more, the Tanjore ryot will in honour bound be willing to pay the increased rate of taxation. The hon. the Home Member asked me yesterday if the legislative measure can be given retrospective effect. Speaking for myself, and as a representative of the district, I see absolutely no objection in giving retrospective effect to the new legislation if the operation of the settlement proposals is suspended for a year.

"Then there are only one or two points which I wish to say in answer to the remarks made by the hon. Member from Chingleput. The hon. Member was saying that there was some inconsistency, there was unfairness to other districts in letting the Tanjore ryot go away scot free, paying the old rates. I do not think that it will be necessary for me to reiterate the arguments which I have already advanced yesterday to show that the Tanjore ryot was already paying a higher rate of taxation than the ryots in the other districts. It may be that Chingleput has been resettled and that other districts have been resettled, and as my hon. Friend suggested, when the legislation is passed, it will be time enough for this House to ask that the taxation should be revised and reduced if necessary. But what I am saying is that Tanjore is not bound to pay the new rates and till the new legislation is passed, let not those new rates come into force. I am certainly not asking for any special generosity or charity for the Tanjore ryot, for he is certainly entitled to it especially owing to the adverse circumstances which are prevailing there for the last two years.

"With these few words, I would crave the sympathetic consideration of this House for the Resolution which I have moved."

Mr. V. HAMID SULTAN MARAKKAYAR:—"Mr. President, Sir, I rise to give my whole-hearted support to the proposition now before the House. My only regret is that it does not go far enough and demand in emphatic language the permanent settlement of ryotwari areas

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in this Presidency which the ryots require and which this Council also by a Resolution has already favoured. I had therefore decided to support this proposition by a silent vote, but the speech of the hon. Mr. Knapp expounding the policy that is to guide the Madras Government in connexion with land revenue settlement was so reactionary and against public opinion that I feel it my duty to raise my emphatic protest against the sentiments he gave expression to. It is a matter of common knowledge that considerable dissatisfaction is felt by the poor ryots of the Tanjore district at the manner in which this Council, ignoring two of its own Resolutions, defeated the modest Resolution of my hon. Friend Mr. Ranganatha Mudaliyar recommending that the adoption of settlement proposals in the Presidency may be postponed pending legislation embodying the principles of land revenue settlement or introduction of the permanent settlement of holdings. What are the two earlier Resolutions I refer to? The first Resolution was moved by my hon. Friend Mr. Siva Rao on the 15th February 1921 recommending to the Government 'that the adoption of resettlement proposals in the Presidency may be postponed till the principles of land revenue settlement are embodied in legislation'. This Resolution was discussed at great length and carried by an overwhelming majority, 76 voting for, 17 against, the hon. the Ministers remaining neutral. The principle of this Resolution was accepted by Government and the hon. Mr. Knapp was kind enough to say the other day that the Government had accepted the principle ten months even earlier than this Resolution and called on the Board of Revenue to prepare a draft Bill. The original Resolution of the Council being vague and not clear as to the lines on which legislation should proceed, the Council thought it its duty to give a definite idea to the Government as to the lines which will be acceptable to the Council, and so by a subsequent Resolution expressed emphatically in favour of permanent settlement. There is absolutely nothing inconsistent between the two propositions above referred to, but the wondrous part of the whole thing was that this Council by a majority rejected the Resolution of my hon. Friend Mr. Ranganatha Mudaliyar embodying the substance of both the Resolutions. The hon. Mr. Knapp was kind enough to paraphrase the recommendations of the committee appointed by this Government, and pointed out that one of its recommendations was too bitter a pill for the Government to swallow, namely, that the decision not only as to the increase or decrease in assessment, but the final decision on every single matter of detail connected with resettlement should be absolutely with the Legislative Council, the Government being required to pass orders in accordance with the decision of this Council. I see neither any novelty nor any impending revolution by this recommendation made by the committee. The committee consisted of officials and non-officials and was presided over by the hon. Sir Habib-ullah Sahib, the Revenue Member, and if such a committee's proposal is to be treated as revolutionary, I don't know what will suit the taste of this Government. Further, what is the revolutionary character attributed to this recommendation? Is it the novel urged therein that every single matter of detail should lie absolutely with the Legislative Council? If this is to be called revolutionary, we can very well drop the curtain over this farce of responsible Government now played in this Hall with so much trumpeting.

"Assuming that the Government considered this proposal most revolutionary and unacceptable to them and assuming also that the proposal for

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permanent settlement did not find favour with the Government of India what is the duty of the Government? They ought to have forthwith brought forward their own Bill and asked for its acceptance. Without doing this and ignoring their own acceptance of the principle that the principles of land revenue should be placed on a statutory basis they have gone on passing order on resettlement proposals one after the other. But I am glad that so far as the Anantapur and Bellary districts are concerned, this Council has again by an overwhelming majority reaffirmed its determination not to allow resettlement orders to be brought to force without land revenue legislation being passed. It is a principle which is bound to apply to all districts in general and no amount of attempt made to rouse inter-district jealousies can be of any avail. Of course it is the usual game, but I think hon. Members of this House will not be a party to such tactics. I appeal to hon. Members to ignore any such appeal and to stand united for the principle which they have reaffirmed only the other day.

"One word to the Government. There is considerable unrest in the Tanjore district at the unjust enhancement of land revenue. Already prices have fallen and the position of the mirasidar has become miserable. They find it difficult to make both ends meet. If in this situation they persist in their attempts to raise the revenue they will be creating in the district a situation which it may become impossible to ease. Already the ryots are thinking of joint and concerted action to resist the increase if Government still persists. I warn the Government to take note of the situation. With these few words I support the resolution."

The hon. Mr. A. R. KNAPP:—"Sir, I do not want to detain the House for more than a very few minutes. This Resolution has been, as I think hon. Members will agree with me, thoroughly discussed, and I suppose it is probably the general desire of the House that we should bring the debate to an end. I feel all the same that the importance of the subject demands that I should say one or two words in closing. I do not propose again to go over the ground that we covered at such length on Thursday on the question how it was that legislation on this subject has not yet been introduced. I gave the fullest explanation which I possibly could; and if hon. Members wish to approach the same question again to-day, I can only refer them to the remarks I then made. Nor do I intend to follow the hon. the Mover of the Resolution in an examination of details of the Tanjore Resettlement Scheme which he has examined and laid before us with such profusion. I may congratulate him on the mastery which he has of the complicated subject, and I may envy him in the encyclopædic knowledge of settlement matters which he has displayed. But I am afraid there are very many members of this Council, who, having no personal knowledge of settlement procedure, must have found themselves rather entangled in the meshes of figures and statistics which my hon. Friend the Mover produced for their benefit, and who would have preferred this question to be put before them in the shape of some broad issue. That, Sir, is exactly my point, and the broad issue which I wish to place before the House is this: have any arguments been really brought forward to justify the proposal to relieve the Tanjore district of the obligation which for many years past has fallen on other districts in the Presidency, namely, the obligation at the end of every thirty years to face a revised settlement and to meet whatever rates our expert Settlement officers,

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working on recognised standardized regulations, may recommend as leviable. That, Sir, is the perfectly broad issue, and it is to that issue that I would ask the House to confine itself.

"There are, however, one or two matters in my hon. Friend the Mover's speeches to which I must refer in rather greater detail, though very briefly lest the impression which he left on the House by his remarks might possibly confuse this one broad issue. One of the points to which he referred is the determination of the cultivation expenses. Now, Sir, comprehensive as is my hon. Friend's knowledge of settlement matters, I cannot help thinking that in his study he must have somehow overlooked this book called 'Instructions for conducting Resettlements in the Madras Presidency'."

Mr. S. MUTTAYYA MUDALIYAR:—"I have also looked into it."

The hon. Mr. A. R. KNAPP:—"Though my hon. Friend is aware of it, evidently he has not referred to it. This book lays down certain principles for the guidance of our Settlement officers in conducting a resettlement, and on the very first page of it, there occurs this instruction which I would like to impress on hon. Members: 'Except for special reasons no general reclassification of soils and no fresh calculation of grain outturns, cultivation expenses, etc., will be made.' Now, my hon. Friend complained that the Settlement officer had not dealt properly with the question of cultivation expenses, but has he put forward any special reason—and under the instructions given to the Settlement officer special reasons should be given in such cases—why cultivation expenses should be reviewed at all? I submit, Sir, that not a word has been said in support of the idea that, while in other districts cultivation expenses are not to be brought under review, in Tanjore alone that course should be followed.

"The other point to which he alluded is in regard to the commutation rates. The hon. the Mover has suggested that the Settlement officer was wrong in including in his years of calculation certain years of high prices, although they cannot be regarded as famine years, yet they were years of high prices. About that, Sir, I could argue at very great length with my hon. Friend opposite as to whether those years were or were not rightly included, but I am not going to do so. My short answer on this point—and it is one which I think the Council would do well to consider very seriously—is this. Taking the twenty years preceding the settlement and ascertaining the average rates of grain value during those years, the Settlement officer arrived at the conclusion that the average was no less than 83 per cent higher than the rates on which the previous settlement was based. But did the Government take that 83 per cent? It took 25 per cent in some parts of the Tanjore district and 18½ per cent in others, and I submit that between that 25 per cent or 18½ per cent and the 83 per cent which we found to be the admissible commutation rate, there is ample margin to cover any such errors of calculation on the part of the Settlement officer as have been indicated by my hon. Friend; that is to say, there is a margin of nearly 60 per cent to cover any such errors that may have occurred. That being the case, I do not feel in the least called upon to follow my hon. Friend, the Mover, in his intricate and complicated discussion of the commutation rates."

Mr. S. MUTTAYYA MUDALIYAR:—"I may be permitted to state that this 83 per cent comes to Rs. 4-15-0 per acre."

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The hon. Mr. A. R. KNAPP:—"The margin is 83 per cent, Sir, according to our calculations. I am not now concerned with the figures per acre at present. I am content to base my statement on that percentage of 83.

"Turning to the other speakers, there is one point to which I have had occasion to allude already, and to which I fear I must make a further reference. It has been said over and over again, and the statement has been repeated to-day, that the Government do not in fact propose to introduce legislation to put resettlements on a statutory basis. I think the statement was made more directly by hon. Friend for Coimbatore, Mr. Venkataramana Ayyangar; it was repeated in a more indirect form by Mr. Srinivasa Ayyangar, and came up again to-day in another form from below the gangway. What Mr. Venkataramana Ayyangar said, if I understood him aright, was that if you allow the Government to go on introducing resettlements before settlements are placed on a legislative basis, it will mean that Government will postpone that legislation. Against such a statement I must really protest. I have given the most positive assurance on the subject that we not only propose but are actually moving towards legislation on this subject, and that the legislation will be introduced at the first moment at which it will be humanly possible. After all, I would ask the House to remember that we on these benches are human beings and that if we are to spend our time in this Council from 11 a.m. to 5 p.m. and in addition to get through the current work of our departments, it is not too easy to find time to sit down and work out all the details of so very important a legislative measure as this will be. I have already given my assurance, Sir, and I would suggest to my hon. Friends opposite that when an assurance is given from this bench on behalf of Government as to some future action which Government propose to take, it may very well be taken as a convention that the assurance should be accepted as true until it is shown to be false."

MR. C. V. VENKATARAMANA AYYANGAR:—"I never said anything like untrue or false. I said that, taking all the explanation that had been given, it was likely that the other works of Government would be considered more pressing and that this legislative work would be held on if there is no penalty attached to it."

The hon. Mr. A. R. KNAPP:—"I am very glad my hon. Friend did not intend his words in the sense in which I took them.

"There is one noticeable point in connexion with which very many speeches have been made to-day, and to that I think I am entitled to refer. Practically all the speakers started by assuring the House that what we were discussing was purely a matter of principle, that we had nothing to do with Bellary or Tanjore, but that it was a question of principle as to whether Government should be allowed a free hand in making any resettlement. But unfortunately most of them, not excepting my hon. Friend below the gangway, were unable to resist the temptation to enlarge on the pitiful economic conditions of the ryots of Tanjore. I recognize their difficulty. They were between two stools; like those in that position fell between them. We spent a good deal of time yesterday in discussing Bellary, and the decision of the House was that the settlement in Bellary should be postponed until revenue settlement had been placed on a statutory basis. It was in that form that the Resolution was put to the House, but I say without any

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fear of contradiction that the main consideration, which was in the minds of the hon. Members of this House, as is shown by the trend of the debate, when they gave their vote for that Resolution, was the economic condition of the Deccan districts.

"It was admitted that the economic condition of those districts had not been favourable for some years past and that was a very prominent consideration in the minds of hon. Members when they voted for the postponement of the Bellary settlement. The closing speech of the hon. the Mover of the Resolution itself practically dwelt on that subject alone. The important question which the Members of the House have to ask themselves is, whether the criterion which they have applied to their vote on the subject of Bellary applies also to Tanjore. I submit, Sir, there is only one possible answer to that question and that is, 'No'. Nobody can suggest that Tanjore is famine stricken and that its harvest is on the same precarious basis as that of the Bellary district. We all know of the rush there is for land in Tanjore and that it is very valuable property. The hon. Member for the University has accused me, or rather complimented me for trying to play upon inter-district jealousies. I am not doing anything of the kind. What I am doing is to ask the House to judge between the general interests of the tax-payers and the particular interests of one district. And when that one particular district is universally recognized as a prosperous one and when it comes forward and asks to be relieved from bearing its proper share in the taxation of the Presidency, then I consider that this House, which is charged, not with the interests of one district but with the interests of all, is entitled to take the wider view and whatever might have been the case in Bellary, to decide that Tanjore has no claim whatever to be exempted from the regular and ordinary scale of settlement taxation."

The Motion was put and lost. A poll was taken with the following result:—

Ayes

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| 1. Mr. B. Mahabala Hegde. | 23. Mr. S. Satyamurti. |
| 2. " K. Prathabharan Tampan. | 24. " T. Adinarayana Chettiyar. |
| 3. Rao Bahadur N. Natesa Mudaliyar. | 25. Rao Bahadur C. Gopala Menon. |
| 4. Mr. C. Ramalinga Reddi. | 26. Mr. C. Maruthavanam Pillai. |
| 5. Rao Bahadur A. S. Krishna Rao Pantulu. | 27. Rao Sahib U. Rama Rao. |
| 6. " C. V. S. Narasimha Raju. | 28. Mr. G. Ramaswara Rao. |
| 7. Mr. P. Siva Rao. | 29. " P. C. Venkatapati Raju. |
| 8. " A. Chidambara Nadar. | 30. " Venkatarama Ayyar alias V. Pantulu Ayyar. |
| 9. " K. Koti Reddi. | 31. " B. Venkataratnam. |
| 10. " J. Kuppaswami. | 32. " Abbas Ali Khan Sahib. |
| 11. " P. Anjanayala. | 33. " G. Abdulla Ghataia Sahib. |
| 12. " S. Muttayya Mudaliyar. | 34. " V. Hamid Sultan Marakkayar. |
| 13. Diwan Bahadur S. Ram. Ct. Pethasali Chettiyar. | 35. Khan Bahadur P. Khalif-ul-lah Sahib. |
| 14. Rai Bahadur T. M. Narasimhaachari. | 36. Mr. T. M. Moidoo Sahib. |
| 15. Mr. P. Peddi Raju. | 37. " Muhammad Moosa Sait Sahib. |
| 16. " A. Ranganatha Mudaliyar. | 38. " T. N. Bava Ravuttar Muhammad Sahib. |
| 17. " J. A. Baidanba. | 39. Khan Sahib Saiyid Diwan Abdul Razasq Sahib. |
| 18. " M. Sestayya. | 40. Mr. K. Uppi Sahib. |
| 19. " M. R. Seturatnam Ayyar. | 41. Munshi Abdul Wahab Sahib. |
| 20. " R. Srinivasa Ayyangar. | 42. Mr. Janab Muhammad Yahya Ali Sahib. |
| 21. " Sami Venkatachalam Chettiyar. | |
| 22. " C. V. Venkataramana Ayyangar. | |

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Noes

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| 1. The hon. Sir Charles Todhunter. | 24. Mr. P. V. Gopalan. |
| 2. " Mr. A. R. Knapp. | 25. Rao Bahadur K. Krishnaswami Nayadu. |
| 3. " C. P. Ramaswami Ayyar. | 26. The Raja of Kurupam. |
| 4. " the Raja of Kollengode. | 27. Honv. Lt. Madurai. |
| 5. " Panagal. | 28. Mr. T. Mallesappa. |
| 6. " Rao Bahadur A. P. Patru. | 29. Rao Bahadur A. M. Murugappa Chetti ar. |
| 7. " Diwan Bahadur T. N. Sivagna-
nam Pillai. | 30. Mr. C. Muttayya Mudaliyar. |
| 8. Mr. Legh. | 31. " H. Obalesappa. |
| 9. " Madhavan Nayar. | 32. " K. S. Ponnuswami Pillai. |
| 10. " P. L. Moore. | 33. " P. T. Rajan. |
| 11. " G. F. Paddison. | 34. " B. Ramachandra Reddi. |
| 12. " H. Tireman. | 35. Rao Bahadur P. Raman. |
| 13. " C. Nicholson. | 36. Mr. A. Ramaswami Mudaliyar. |
| 14. " P. W. Partridge. | 37. " P. Sakaram. |
| 15. " A. E. Bencontre. | 38. " J. D. Samuel. |
| 16. " A. J. Luech. | 39. " K. Sarvarayudu. |
| 17. " S. E. Y. Ankineedu Prasad. | 40. " R. Srinivasan. |
| 18. " Ari Gowder. | 41. The Raja of Ramnad. |
| 19. " P. K. S. A. Aramuga Nadar. | 42. Rai Bahadur Sir K. Venkatarreddi Nayadu. |
| 20. " A. V. Bhanoji Rao. | 43. Mr. T. V. S. Sundaramurthi. |
| 21. " Devendrudu. | 44. " O. Tanikachala Chetti ar. |
| 22. Diwan Bahadur Sir P. Tyagaraya Chetti
yar. | 45. Rao Bahadur C. Venkataranga Reddi. |
| 23. Rao Sahib S. Ellappa Chetti ar. | 46. Mr. W. Vijayaraghava Mudaliyar. |
| | 47. " M. Ratnaswami. |
| | 48. " Venkatachala Padayachi. |

42 voted for the Motion and 46 against it. The Motion was declared lost amidst Opposition cheers.

The House then (12-55 p.m.) rose for lunch.

The House re-assembled after lunch at 3-30 p.m., the hon. the President in the Chair.

V

MOTION REGARDING THE HON. THE PRESIDENT'S RETIREMENT.

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

That the thanks of this Council be given to the hon. the President for his distinguished services in the Chair for nearly three years; that he be assured that this Council greatly appreciates the ability and impartiality with which he has discharged the duties of his high office, through the first period of the existence of this Reformed Legislative Council, and the judgment and firmness with which he has maintained its privileges and dignity; and that the Council desires to place on record its deep and abiding sense of gratitude for the courtesy and attention which he has uniformly shown to its Members, which has earned him the respect and esteem of all sections of the same.

"I deem myself especially fortunate, Sir, in that it falls to my lot to make the motion to-day, not only because I am sure I shall find myself for a change in the position, not of having 'practically no following' (laughter) but of having the unanimous following of the whole Council (hear, hear), but also because it is a great pleasure to me personally to be allowed to voice the universal feelings of this House, of admiration, respect, and honour and, if I may say so, of affection (hear, hear) for one who has served his country so well for something that is coming nigh upon forty

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years and has now added to his previous record that of having given dignity, wisdom and respect to the deliberations of this assembly. (Hear, hear and cheers).

"There are many descriptions, Sir, of the functions of the ideal president of an assembly of this kind. I will take one by an Austrian writer in which he sums up the characteristics of the great speakers of the Mother Parliaments: 'Ceaseless diligence and love of order in the management of Parliamentary business, a lofty conception of the speaker's task, the passing on from generation to generation of a tradition of unapproachable personal integrity and political impartiality, have come to be associated with the very idea of the speakership: these qualities united to a clear grasp of the method of conducting business, and at times to an amazing sagacity in handling men, are the great characteristic traits of the speakers as they pass in long sequence before the view of the historian of Parliament.' I venture to claim, Sir, that with the one exception of traditions passing from generation to generation, an exception which makes it all the more remarkable (hear, hear), we have had in the President of our Council a combination of all the qualities which Mr. Redlich finds in the speakers of the House of Commons. (Cheers.)

"I need not enlarge, Sir, upon your mastery of Parliamentary form. You have made a deep study of Parliamentary procedure not only in the books and at conferences with your fellow Presidents but by actually visiting the Mother of Parliaments and observing the procedure there. As a consequence you have decided points of order and interpreted the rules of the House in a manner that none can dispute. You have kept our talk strictly to the subject of the discussion. You have always been seized with the drift of the argument even of the dullest speaker in the dreariest debate. (Laughter.) You have never slept in your chair. (Laughter and cheers.) You have known what to hear and what on occasion it was better not to hear. But, above all, you have been ever ready to assist the newest or oldest of us in any point of doubt or difficulty that might arise and have been on every such occasion to our 'virtues vevy kind' and to our faults more than 'a little blind'.

"Nor need I enlarge, Sir, upon your lofty conception of the President's task, except to say that you have by your own personality in a very great measure made up for the lack of that tradition years which counts for so much in the Mother of Parliaments. The old forms which are revered there, if they are introduced in a new country, are apt to be regarded as somewhat out of place, if they are not disregarded altogether. You have avoided such an event and have established and guarded with jealous care the authority, honour, privileges and dignity of this House. (Hear, hear.) You have taken and maintained the position of the first Commoner, which is, I submit, pre-eminently a non-official position, in such a way that no one who did not know your record would credit that you had a long life of bureaucracy behind you (laughter and cheers) and in so doing have done honour, I venture to say, both to this House and to the bureaucratic order of which you were once so distinguished an ornament. (Laughter.)

"And while you have remembered the House's dignity, you have also had regard to its passing phase of poverty, and have been the first to set an example of retrenchment by foregoing a substantial part of the salary His Excellency the Governor has fixed as befitting the dignity of the post you hold (cheers).

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"The next great characteristic trait which has been remarked in the Speakers of the House of Commons is an amazing sagacity in handling men. You have been, Sir, a true friend to every one of us (hear, hear) and, when on any occasion you have found it necessary to administer a rebuke, you have done so in such a way as to give the rebuke the flavour of a compliment (laughter). Added to this, your saving grace of humour has saved us from many an awkward situation that we might afterwards have remembered with regret. If I may quote what Mr. Lloyd George said of Mr. Speaker Lowther: 'Your wit has been at once the delight and the security of the House' (hear, hear). Many a thundercloud has been scattered when it was on the point of breaking with consequences disastrous to the dignity of this Assembly.

"In conclusion, Sir, may I say that we all rejoice that no failure of mind or body is responsible for your retirement from the Chair? We know that in your case the retirement simply means that you go to serve the Presidency which you love so well in another capacity (hear, hear). If, therefore, we miss your presence in this House, we shall on the other hand feel that we are gainers by the fact that you no longer wear the white bands which are the mark of a neutral political life, but are able once again to take up the cudgels on behalf of Madras. And who can realize better the advantages of having you as champion than the non-official Members of this Council who have borne the shrewd blows that you dealt them in the vanished days when you were the mainstay of the Government Benob?

"I feel sure, Sir, that my Motion will be carried with no opposing voice (hear, hear) and that your last difficulty in your high office will be to bring to a close the speeches of those who wish to follow me on a theme on which it is impossible to say too much" (loud and prolonged cheers).

The RAJA OF PANAGAL:—"Sir, I have great pleasure in associating myself with what my hon. Friend, Sir Charles Todhunter, 8-45 p.m. has just said. In fact, Sir, it is a source of no small gratification to me to have this opportunity of giving expression to our sense of gratitude to you for the very able manner in which you have been conducting the proceedings of this Council. In you, Sir, we have had an ideal President. Your extraordinary abilities and your inimitable humour have saved the Council in somewhat difficult situations. Your sagacious judgment and your high sense of duty have been responsible for the establishment of many an excellent convention in this Council. Sir, you are now leaving us to take your place in the India Council and we are sure that with your determination to serve the interests of your country you will be an asset to that august body. And from there, we expect you to guide the destinies of our Presidency with that high-minded statesmanship which is so characteristic of you.

"Sir, on an occasion like the present it is rather difficult to give adequate expression to our feelings. This much I am able to say that the loss that this Presidency in general, and this Chamber in particular, sustains by the relinquishment of your office as President of this Council can never be repaired. Our only consolation is that to the extent our Province loses India as a whole gains. We wish you Godspeed.

"With these observations I second the Motion which has been so eloquently made by my hon. Friend, the Leader of the House (loud cheers)."

[15th December 1923]

Rao Bahadur C. NATESA MUDALIYAR:—"Sir, Mr. President, I rise with feelings of deep sorrow to associate myself with the Leader of the House to-day. I cannot find sufficient words to express my feelings on this solemn occasion; my words are much deeper than my lips.

"Sir, I have the fortune to have known you for over two decades, whether as a Deputy Collector, as Diwan, practically ruler of two enlightened Native States, as a Member of the Executive Council, as the first Indian Vice-President of the pre-Reformed Council and as the first President of this august House. Sir, you have earned a reputation, that is a universal one, of being a very good, sympathetic and kind Friend especially to your old acquaintances however low they may be in social position, of being a public-spirited officer. Sir, you were always known as a public man even in Government service, of being a thorough reformer both socially and politically, of being a cosmopolitan statesman and a great and talented administrator 'introducing modern instincts' wherever you went, even 'before the press and the platform espoused them' enacting legislation with a boldness unsurpassed, maturing gigantic schemes with a thoroughness and efficiency unrivalled. If they say that you have built up new Travancore and new Cochin, Sir, you have built a new Madras in that you have been the father of the co-operative credit system. All communities, Muhammadans, Christians, non-Brahman Hindus and Brahmans, derived utmost benefit through your spontaneous efforts. Sir, I know many a non-Brahman family of this Presidency is under deep debt of gratitude to you to-day. In the early teens of this century non-Brahmans were mobilising their forces. At a later period when non-Brahmans were pressing for a non-Brahman Executive Council Member, especially a Muhammadan, and when your name was rumoured for that place the non-Brahman press and platform, even that virulent non-Brahman paper that existed then, 'The Non-Brahman', and the leader of the non-Brahmans then late Diwan Bahadur Karunakara Menon, all with one voice gave an unqualified support for the suggestion and when it was realized we all rejoiced in it.

"Now, Sir, we cannot conceive of this Council without you. It passes one's imagination to think that anybody else can replace you in the seat in which you are seated to-day. Sir, we will miss you in this House, where Reforms inaugurated were a success mostly due to your guidance. In this House, Sir, your nods and smiles inspired many a speaker to lengthen his speeches (laughter). This House resounded with acclamations when you gave wise rulings couched in most humorous expressions. Sir, in this House where your capacious intellect, broad heart, your quick grasp of the situation, your independent decision given on the spur of the moment without caring for the frowns or favour of anybody, your tact and talent, all excite our admiration. Sir, in this Council where hon. Members with eloquence and erudition, intellect and information, and position and power, popular democrats and privileged aristocrats all bowed their heads to your wise decisions.

"Sir, our only consolation is that you are going to discharge your duties for your country on a higher sphere of activities. What Madras and the Madras Legislative Council are to lose India will gain. I pray for your long life so that after your overseas service to your country you may return and enjoy a well-earned rest in this land which is yours and mine" (loud cheers).

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Diwan Bahadur Sir P. TYAGARAYA CHETTIYAR :—" Mr. President, I have much pleasure in supporting the Motion of the Leader of the House. I am sorry I am prevented by a cold from speaking at length; but I cannot allow this occasion to pass without congratulating you on your most successful tenure of the first Presidentship of the First Reformed Council. To me it has not been surprising, knowing you as I have done from your boyhood and having watched you, as I have done, during your long career as a public servant. As President you have been very impartial, and, if I may say so without any presumption, you have not committed one single act of favouritism. You have not spared me even, though I have been your life-long friend.

" You are bidding farewell to the service in India, but you are at the same time about to enter on another career of equal, if not higher, usefulness and I am sure you will in the position you will hold in the Council of the Secretary of State help us in improving our position here. I beg leave, as your oldest Friend, to wish you health and long life."

Rai Bahadur Sir K. VENKATAREDDI NAYUDU :—" Sir, may I take the opportunity of associating myself with the previous speakers in the generous sentiments expressed this evening, sentiments of the loss which this House is bound to suffer on account of your absence and the sentiments of love and affection which you have created in the minds of one and all of us, of this great Assembly. Mr. President, Sir Tyagaraya Chettyar, was telling you that, though he was a friend of yours from his earliest days, you did not show him a bit of favouritism, and of course you are of that type. Three or four years ago, when I was first acquainted with you, I said some things of you of which I was not proud in my after-life. You know, Sir, that not only did you not utter a single word of resentment, but you have extended universal kindness to me throughout in the true Christian fashion of showing kindness to my faults though they were unmeant and unintentional. (Applause.)

" Mr. President, the ship of the Reformed Council, launched three years ago to find out its seaworthiness, perhaps in waters unknown, has been entrusted to you, and you have been asked to steer on this somewhat long and weary journey; and before you took us to the first coaling station you were called upon to assume another office. But may I say that during this short period you have so far endeared and conducted yourself in such a manner that, as the hon. the Leader of the House has mentioned, you have shown in the small period all the esteemed qualities, qualities which are often praised in the Mother of Parliaments. As he has told this House, we had occasions on which some Members had to be snubbed—rebuked even—but the expression was so kindly and gently employed, and with that humour for which you are so famous, that the gentleman never felt it as a snub at all, but enjoyed it as much as anybody else in this House. Occasions there arose in this House in which complicated intricacies of procedure had to be discovered, and you gave a solution of them with the practised hand of an expert. In spite of the fact that you yourself were new to the Speaker's Chair and in spite of the fact that this House was called upon to enter into a scheme which was new not only to this Council but new perhaps to the whole world,—for this wonderful system of diarchy is unknown to the world—you have been able to take us through these three years in a manner and in a degree which perhaps no other Government and no other President has been able

[15th December 1923] [Sir K. Venkatarreddi Nayudu]

to achieve. The Leader of the House has described to this House the qualities which are praised in the mother of Parliaments and those qualities, viz.—

' ceaseless diligence and love of order in the management of Parliamentary business, the passing on from generation to generation of a tradition of unrepachable personal integrity and political impartiality and the amazing sagacity . . . '

have all been your characteristic traits, traits which will go down to the posterity, to a grateful posterity, and I am sure your name will be writ large in the history of this country, for when the history of this country comes to be written it is the work of those who are associated with the earlier days of the working of this Reformed Council and who have played a large part in developing the progress of this country and its future Government that must find a prominent place in it. And you, Sir, have had a share in it and I am perfectly certain that when that history is written you will be known as the only one who lent a helping hand to the new Council for working its own salvation, of which any man can be proud and any nation can be proud. Sir, in that way you have done your duty and this great nation will always be grateful to you for the help you have rendered and for the assistance you have given." (Applause.)

Mr. A. RAMASWAMI MUDALIYAR :—" Mr. President, Sir, I associate myself with the sentiments expressed by the Leader of the House and by all the previous speakers. It is difficult to speak, Sir, without feeling on the many characteristics that you possess and which have made the last Legislative Council and the present one a great success, and especially difficult it is when we come to speak in the presence of one whose many qualities we admire so much. I say frankly that when we shall meet in January under the new President the universal feeling will be that expressed by the Persian poet:

' Irani indeed is gone with all its rose
And Jamshyd's seven-ringed cup where no one knows.'

" Sir, it is no reflection upon your successors, whether they be nominated Presidents or Presidents elected by this House, when I say that for a long time to come we shall not have another President with a quality which has endeared him to us all (applause). Sir, the Speaker is supposed to be above all political parties. In fact, the tradition in the House of Commons goes to such an extent that when a Speaker is elected—no doubt from one of the great political parties—he has even to stop attending the political club of which he is a member.

" Sir, I do not think anybody will deny that in the presidential chair you have acted above all parties. You have been thoroughly neutral to parties and parties' passions and you have shown your independence to a degree which has commanded the confidence of all sections of this House. Whether it is the Leader of the House or whether it is a humble back-bencher like myself, we have had your unfailing courtesy extended to us and your helping hand to guide us through the debate.

" Sir, the great art that a Speaker must possess is the masterly way in which he has his eyes upon the various Members when the debate is going on. Sir, very often the Speaker would be carried away by the debate. You are, Sir, an ideal Speaker who can turn his eyes upon every individual in the House so that even if one Member should have been unnoticed previously he would be allowed to speak when he catches your eye. That, Sir, is the tradition

[Mr. A. Ramaswami Mudaliyar] [15th December 1923]

which we wish to firmly establish and it is not always that a particular Member ought to be heard, but it is more often that a nervous speaker that should be called upon to speak.

"Sir, as President of the Legislative Council you have given us a lead in parliamentary practice which no other President I am sure has given. We in the Madras Legislative Council have established parliamentary forms and traditions which, long after you have ceased to sit in the presidential chair, will be the guiding principle of all Presidents who will come hereafter. Your masterly exposition of points of order confounding Law Members and pleaders rich in parliamentary practice and tradition has been a marvel to us all. In later years when a Parliamentary Committee comes forth to judge the fitness of Indians for full responsible Government, if they were to take the work of the President of this Legislative Council into consideration and judge solely from that work, I am perfectly certain that there is not a single subject which we have not transacted without success and there shall not be a single responsibility which we shall not be in a position to discharge. Sir, I heartily associate myself with all the sentiments that have been expressed in this House."

Rao Bahadur A. S. KRISHNA RAO PANTULU :—"I claim it as a privilege to associate myself with all the feelings that have been expressed on this occasion by my hon. Friend, the Leader of the House, and all others who have spoken before me. Having had the opportunity to be associated with you in the work of the Legislative Council even before the Reformed Constitution, I find it difficult to give adequate expression to the admiration and love which you have evoked from all sections of the people ever since your entry into the Council even as Judicial Secretary. I remember that even from the time when you were sitting on the official benches and propounding various questions of policy you were able to strike our admiration in a manner which is indescribable. It is not to me a matter for surprise that you have by your conduct as President of the Legislative Council won the admiration and gratitude of all sections of people not in this Presidency alone, but all over India. Well, I mean no disparagement to all hon. Presidents of other Legislatures of India. I feel it my duty to indicate, Sir, my impression that you have brought credit to the whole of India and it is admitted on all hands that you have managed the Council in such a way that you have been termed as one of the best and ablest Presidents in India. (Applause.)

"Sir, after a year or two of your conduct as President of this Council you have been in a position to manage it with such high sense of justice and such high tone of impartiality, that if you were able to bring in the course of discussion such wit and humour as make the proceedings far more lively and interesting, as it has been, it is a trait in your character which all those who knew you before should have been able to recognize. I am now reminded, Sir, on this occasion, as to your wonderful powers of debate which you evinced in the Council before. Even as a Member of the Executive Council when the City Municipal Bill was on the legislative anvil and when the late Dr. Nayar was also appointed as one of the expert Members of the Council, I know what a controversy we had, what a stormy discussion we had on so many questions which came before the Council. On the last day when a motion was made by you that the Bill be passed into Law I remember that most of those in the Opposition were inclined to oppose the passing of that measure into Law. Your

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vigorous defence and your wonderful powers of debates and the way in which for over one and a half hours you kept up the whole of this Council in rapt admiration over the various points in the Municipal Bill convinced most of those who were sitting in the Opposition benches with the result that they gave way and supported the passing of the Bill into Law. Sir, those were the wonderful powers even while you were in office. It is no matter for surprise to me that you have captivated, rather fascinated us all by your conduct as President during these three years, and we find it extremely difficult to part company with you. Sir, it is not easy to give adequate expression for those who have begun to entertain feelings of love and affection owing to long association with you at such a time of parting company. More than that, Sir, I have my sympathy and pity for the future Presidents of this Council.

"My heart goes forth to them as to the difficulties which they may have to encounter the moment they assume office. You have set before us all such a high ideal of presidentship that it will be difficult for any ordinary person to follow hereafter, but our only consolation is that during this period of three years you have set such an example that whoever happens to take your place, it will be enough for him to follow that noble example. If it is necessary for us to bid you farewell as the hon. President of this Council, it is at least a matter of satisfaction that in another sphere you will be able to watch our destinies and take us nearer and nearer to the promised goal. As every one is aware we are having very serious misgivings and misapprehensions about the future progress of the Reforms in this country. We have felt that in some directions the clouds have been thickening and the bright hopes which we entertained are not the same as before. It is at the most opportune moment, Sir, that it has been your privilege to take your place in the Council of the Secretary of State. This is just the time, the transition period when we, all, friends and lovers of India, expect you to do your utmost, to rise to the occasion and to take India forward nearer and nearer towards full responsible Government. If we have feelings of regret that we have to part company, we are also glad at the same time that just at the time when the help of such friends and lovers of India are needed you are taken to a sphere where you can render valuable service to our motherland."

Mr. S. SATYAMURTI :—"Mr. President, Sir, it is a unique privilege which I enjoy this afternoon of speaking on a Motion made by the hon. the Leader of the House, supported by the hon. the Leader of the Ministerial party which, I know, will be carried unanimously by every section of this House. It has not been my privilege so far and I do not expect it is going to be my privilege in the future and therefore I enjoy it all the more as being a unique occasion in the history of my life in this Council. I say it is a privilege to associate myself with my friends on the other side of the House most whole-heartedly with this Resolution expressing our warm appreciation of the distinguished services you have rendered to this House and through this House to the country which I know you love so well, in discharging the high functions of the office which you have been holding. More than that, Sir, I have great pleasure in associating myself with every word which fell from the lips of the hon. the Leader of the House. It was a most eloquent speech delivered—it is in that manner that such speeches must be delivered, if I may say so respectfully, with passion restrained, with affection which was obvious, as the words came from his lips. And I have

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great pleasure to say that both in the matter and in the manner in which this motion was made, my heart has been touched and it goes forth to you, Sir, as expressing our warm feelings of affection and gratitude for all that you have been and all that you have done to us. You came to this House, Sir, with great disabilities. As the hon. the Leader of the House said, you had been a bureaucrat all your life, and it was Dr. Johnson who once said, 'you can make something even of a Scotchman if you catch him young'; and after seeing you, Sir, in this chair, I began to think that we can make something even of a bureaucrat (laughter). But more than that your second great disability has been that you had to preside over a House which has no parallel in the history of the world. Where, in the world, Sir, have you got a Treasury Bench one half of which belongs to the Reserved Half, and the other half represents the Transferred Half, nominated officials, nominated non-officials, Ministers and Executive Councillors not required to support one another by speech or by vote, but only to sit side by side and not oppose each other in public? In addition to the nominated non-officials there are, at least five distinct political parties—Ministerialists, Progressive Non-Brahmans, Independent Nationalists, Muhammadans and Swarajists. Surely, it is a combination to tax the most astute intellect of the stoutest heart and yet you have met them all in a way that it seemed the more awkward and the greater the difficulties you had to face, the more alert and the more resourceful your brain became. (Applause.)

"Sir, more than that, you had to work a system of diarchy which, as my friends have already said has no parallel in the world. Sir, I may say with absolute sincerity and realizing the value of every word that I use that your Presidentship of this Council has been an unqualified success. (Applause.) I may say that first and foremost you have been most sincerely anxious to assert the dignity and the privileges of this House. After all is said and done, there is this thing to be said about the Montagu-Chelmsford Reforms that they have created large legislatures with elected majorities which if only they are organised properly and the powers given thereunder are wisely used, even these Councils can be used as a field for the struggle for Swaraj. (Cheers.) Therefore, Sir, you were anxious to assert from the very beginning the privileges, the authority and the dignity of this House. You watched them with a jealous eye and never yielded to any other consideration in the discharge of the onerous and anxious duties you had to discharge.

"The second great quality which you have brought to bear upon the discharge of your duties is your thorough impartiality. Sir, it is very difficult to be impartial in a House of this kind, because it is very difficult for human nature not to give way to human weaknesses, but you have risen above them all in a most magnificent manner; and in every ruling you have given, every order you have made and in the way in which you have conducted the debate, you have shown that before you every Member is the equal of every other Member in this House and that no Member has more privileges than others, or less rights and less privileges than others; and if you have sometimes rebuked us on this side of the House, I may say, in no spirit of mischief, and you will pardon me for that, you have also rebuked those on the other side of the House. (Laughter and applause.)

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"Sir, the last and the greatest quality which has made the proceedings of this House not only dignified but also attractive to some of us who have come here for the first time, is your keen gift of alertness and your keener sense of humour. Nothing happens here of which you are not at once aware, and, in difficult corners you rounded them off with such well-meant jokes that not only the House laughed but the victim also laughed. It is the greatest gift which any man can possess and which you have brought to bear on the discharge of your duties.

"Reference has been made to the fact that when the history of India comes to be written, your name will find a conspicuous and important place there. I echo that sentiment, and in doing so I only want to quote two sentences from a great writer on the Speakers of the House of Commons, who says thus:

'Politicians and parties may come and go, changes may and must occur in the aims and aspirations of the democracy of England (I will say, of the democracy of India), but the Speaker's office unfettered by the exigencies of party and administered in a lofty and impartial spirit will endure as long as the Constitution itself.'

"This has been the characteristic of your policy which, I am sure, will endure as long as the Indian Constitution itself. Within the last three years, Sir, you have brought to bear on the discharge of your duties here such a wealth of information, such an amount of dignity and, above all, such a keen sense of humour that you have built up traditions which, if they are only kept up by your successors, they need no more. As a Swarajist and as belonging to a party which has been and which continues to be misrepresented, I would like to pay this humble tribute of respect for the way in which you have understood our aims and aspirations, if I may say so, and for the way in which you have dealt with us. I know this that the time will soon come, however much our friends here may laugh at the prospect, that for the nine Swarajists we have now here, there will be 90 at the next elections. (Laughter.) Sir, when that time comes, I ask for no more than this, that we should have in that Chair a man who will bring to bear on the discharge of his duties the same impartiality of conduct and the same independent judgment which you have brought to bear upon them.

"With these few words, I have great pleasure in associating myself with this Motion. I will only say with regard to your future, that wherever you are and whatever you may do, the affection and the blessings of your friends in this country will follow you (prolonged cheers). I may say in the words of the Sanskrit poet: शिवास्तु ते पन्थानः सन्तु ।"

Mr. ABBAS ALI KHAN:—"Mr. President, I rise with feelings of regret, with feelings of sorrow and with feelings of joy: regret because, after a long and honourable association with us lasting for three years, you are leaving our midst: joy because you are leaving our shores to take up a very high office in a strange and foreign land. I am sure, from that country, England, where human liberty has taken root and has spread to other parts of the world and under whose branches we are flourishing, you will continue to evince to the Madras Council the same affectionate interest which you have evinced till now.

"Sir, your personality, your humour and your persuasive eloquence which command the respect and admiration of every Member of this House, are all combinations which could not be found in any other Presidency in the whole of India. So much so, Sir, you are the ablest President of all the Legislatures of India. (Applause.)

[Mr. Abbas Ali Khan] [15th December 1928]

"Sir, generations after when the historians come to write a book similar to the 'Speakers of the House of Commons', your name as the first President of the Reformed Council of Madras, will appear in it as a proud example for the coming generations to follow and to emulate.

"Sir, I may remind you of a joke that I played on you. When I first came to this Council three years ago, you appeared to be severe towards the younger Members of the House that 'the Hindu' likened you to a school-master who with his stentorian voice, kept the boys in their seats, and we were inclined to take a mischievous view of it all. That treatment was so revolting to us that we wanted to play a practical joke upon you. So, Sir, when the Members of this House gave a tea party to His Excellency Lord Willingdon, you will remember you gave a most interesting speech. After the lapse of about five minutes, I got hold of your bell, through the courtesy of Mr. Swamikannu Pillai, and rung it which interrupted you in the midst of your speech. (Laughter.) Sir, after that you have never enforced the time limit and you have been giving us a certain amount of free play which, I hope, your successors would always extend to us.

"Sir, you have always shown great kindness and courtesy to the Muhammadan members of this House and rescued us from many a complicated situation. May I, Sir, as an example of this kindness, remind members of the excellent way in which you saved us from a situation, a very awkward situation in which the Muhammadan members were placed a few days ago by an amendment to a Resolution of Mr. Khalif-ul-lah? Sir, on that occasion you saved us by a very tactful and statesmanlike suggestion. For this and for many more like this, we are very thankful to you.

4-30 p.m. "Sir, I do not want to mar the effects of the thrilling oration which we have heard from speaker after speaker, but I wish to do my humble best and I have great pleasure in supporting the motion that has been so ably and eloquently moved by the hon. the Leader of the House. And I hope, Sir, that you will be spared for long and that you will have very many years of rest and quiet before you, so that you may bring to bear on the new office the same erudition, the same courtesy of manner and the same precision that you have always shown in this House."

Mr. A. J. LEECH :—"Mr. President, I should like to join my voice in appreciation of your work done here and I may assure you that I am voicing the feeling of the European non-official Members of this House. We regret your departure, but our loss is India's gain, and we cannot regret it on that account. I have only been in this House for one year, but I have been very much impressed at the way in which you have conducted it through the intricacies of the debate and the humour and tact you have shown in doing so. It is said that a good fish in the sea has never been caught yet. In this House a good deal of doubt has been expressed as to where the good fish is to come from. Sir, you were one of those who even when refusing a request did so in a happy manner and the refusal was accepted with greater pleasure than would be the case even if it were acceded to. It is all your manner that makes the difference. I would like to associate myself with all those who spoke on the Motion and wish you all fortune in your new work."

Mr. C. GOPALA MENON :—"In this great valedictory function in honour of the much-respected and talented President of this Council, Diwan Bahadur Sir P. Rajagopala Achariyar, K.C.S.I., C.I.E., who sits for the last

15th December 1928] [Mr. C. Gopala Menon]

time-to-day as the Speaker of this House, I crave permission to have the privilege of adding my humble tribute of appreciation of his great career to those that have already been paid to him in the most eloquent terms by some of the hon. Members of this Council. The previous speakers have started a general chorus of well-deserved praise to him, each one dwelling on that aspect of our hon. the President's work as impressed him most or suited his particular angle of vision. But mine is a distinctive duty on behalf of my constituency, the Southern India Chamber of Commerce, which I wish to perform to the best of my lights. Though I have not had the privilege of close intimacy or long friendship with our revered President, yet as a humble admirer of his genius, versatility, rare tact and the resourceful driving power he has brought to bear on the work of this new Council in the opening sessions of its career, my humble tribute is none the less warm. Unlike the past Council, the present Council is a complex composition, a body made out of diverse political parties of elected members, and to control the humours of the fray and guide the debates of such heterogenous elements is a most trying and herculean task indeed. From the little I have seen our President's work after my connexion with this Council, I am led to hold him as the greatest asset of this House and we could ill-afford to lose his marvellous services just at this critical period of the existence of this Council. Tact has been the outstanding qualification of Sir Rajagopala Achariyar which has crowned his long and varied career in the public service with signal success. Whether as a Member of the Provincial Civil Service, as the doyen of the co-operative movement or as the Diwan of two important Native States or as Secretary to Government or as a Member of the Executive Council, he has been singularly successful and extremely popular with all classes and creeds. His sympathies know no geographical or race limitations and equipped with such invaluable qualities of the head and the heart he came to be our Mr. Speaker, the reins of which exalted and onerous office he is laying down to-day to the great regret of us all; but our only consolation is, what is loss to this Council is re-appearing as gain to us in the Council of the Secretary of State for India where his ripe experience and knowledge of affairs and sturdy independence and unrivalled tact will serve him, I am sure, in excellent stead in fighting our cause. Illustrious indeed is the muster-roll of those great Indian patriots who, after consecrating their lives to the service of this country, have earned an undying glory in the memory of the Indian nation. Sir Rajagopala Achariyar belongs to this glorious category and the prayers of his grateful countrymen attend him in his new career in England again for our benefit. Gentlemen, parting in this case is such sweet sorrow that I shall reluctantly say 'good-bye' until it be to-morrow. I wish him God-speed in the new exalted office which he is called upon to fill and I offer my humble prayers to heaven to bless Sir Rajagopala Achariyar with long life, robust health and successful career for the benefit of the land of his birth."

Rao Bahadur O. TANIKACHALA CHETTIYAR :—"Sir, may I be permitted to add my tribute of humble praise on this occasion? Sir, your fairness, your firmness, that characteristic of being ever wide awake has rendered the success of this Council more than that of any other Council in India. Sir, on occasions when feeling ran high in this House, when, as it were, the atmosphere was surcharged with controversy, occasions which gave rise to Motions for adjournment of the House, your rulings on points of order and on the privileges of Members to speak freely and frankly about the acts and

[Mr. O. Tanikachala Chettiyar] [15th December 1923]

omissions of various parties have made you the most outstanding feature in this distinguished assembly. Sir, your way whether at the instance of the rich or of the poor, of the high or the low, have been marked only by a sense of fairness and justice, and the latest instance of it is the ruling which you gave yesterday when claims were made on behalf of His Excellency for the prerogative of making high appointments. Your ruling is bound to be of value not only to this Council but to Councils all over India, for your ruling would have cut at the root of all responsible Government if it was not what it had been yesterday. Not merely the Members of this Council, but members of all Councils and citizens of the whole of this British Indian Empire must be thankful to you. Sir, we shall be missing your guiding hand, but we hope that your successors will inherit those good qualities of yours which have made for the success of this Council, and that they may administer the affairs of this Council in the same manner in which you have done. Sir, under the Reforms Act it was intended that the President of the Council shall be chosen by the Members themselves, but for the first four years it shall be by the nomination of His Excellency the Governor. Who can say that the choice of His Excellency has not been fully justified by the success which has attended this Council under your presidency, Sir? On one occasion Lord Curzon said when he was congratulated on being appointed the Viceroy of India, 'the occasion for congratulation is not when one dons the armour but when one doffs it'. I do not believe that Lord Curzon had that privilege of receiving congratulations when he laid down the office. But, Sir, you have it to-day (loud cheers). Sir, in spite of your past record as a bureaucrat and an official you have succeeded beyond all expectations, in a measure which we did not anticipate at the time of your assuming office. Sir, with these words I wish you God-speed. I only wish to say, Sir, while you are going away from this Council you are only going to another sphere where you shall be of as much usefulness to your King and country and your countrymen here. With these words, I heartily associate myself with the Mover of the Resolution."

Rao Bahadur C. V. S. NARASIMHA RAJU :—" Mr. President, Sir, I feel thankful for allowing me to associate myself with all the fine sentiments that have been expressed by the previous speakers. Sir, my contact with you began in the year 1915 when you were in the role of a bureaucrat, and in spite of my great admiration for your great intellect I was always feeling that you did not cast your lot for the nation but chose to cast your lot with the bureaucrats. It was rumoured in the press at the time when the Reformed Council was coming into being that you would be appointed President of the new Council, and then I with some others had my own doubts as to the fitness of the choice. Some time thence it was said that Sir Sankaran Nayar, who just then resigned his Membership of the Imperial Council, would be appointed as President. Some of us had our own feelings in the matter. These are confessions, Sir. But when we came into the new Council some of us did watch you with suspicion. After the Council worked for a month or two, all our suspicions were gone, and we did feel completely that you had thrown off your official cloak and assumed the real role of a non-official. Our admiration for you as President of this Council day by day increased. We have nothing but all admiration for the splendid manner in which you discharged the duties of a President. We felt always that one feeling did animate you in giving decisions for the occasion, that you had the future of this House and the future of the nation before you. If this House had made up precedents of a far-reaching character, it was on account of your high eminence and your

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intellectual and other qualities. And we have every one of us felt your decisions as very impartial and we always admired the fitness of your decisions and the way in which you were able to control the House. Though you were sitting silent, you were guiding the deliberations by the various changing phases of your face. And it was always taken by some of us as the true index of real guidance. Sir, I don't want to depreciate in any way the merits of our Deputy President or of the panel of chairmen that have occupied the chair from time to time. But they will be pleased to permit me to mention that myself and others did feel the absence of yourself from the chair on many occasions. If that was the case in the past, you may easily understand what our misgivings are as to the future of this House. I hope the great pains you have taken in establishing great precedents will be of valuable guidance to your followers not only here but all over India, in setting up very desirable Parliamentary methods in this House as well as elsewhere."

4-45 p.m. Mr. M. RATNASWAMI :—" Mr. President, Sir, in trying to estimate and realize the loss which will be caused by . . . "

Mr. ABRAHAM ALI KHAN :—" May I rise to a point of order, Sir? I do not hear the hon. Member (laughter). "

Mr. M. RATNASWAMI :—" your approaching departure from these shores, one naturally tries to think of the difficulties with which you were faced when you entered upon your duties. As a result of our being the heirs of the ages of English constitutional history we have been here endowed with a fairly well defined constitution and a ready-made procedure, so that you, Sir, have not had to face the difficulties and go through the experiences which Speakers of the House of Commons have had to face and go through. Yours, for instance, was not the experience of that Speaker of the English House of Commons in March 1629 when the famous Resolutions called the Eliot Resolutions were passed, and the Speaker had to be kept down by main force in his Chair by two doughty Members of the House forcing him down into a position from which he wanted to extricate himself. Again, Sir, yours was not the experience of the Speaker in 1642, when he found the House of Commons raided by Charles I who wanted to find Pym and others, the five inconvenient Members of the House of Commons. It was on this occasion, Sir, that Speaker Lenthall uttered the famous saying that

'the Speaker of the House of Commons had neither eyes to see nor ears to hear nor tongue to speak but as the House was pleased to direct',

and in so many words the Speaker told the King to go about his business. Nor again, Sir, was yours the unfortunate experience of that other Speaker of the Stuart reign who complained that an hon. Member of the House, instead of taking off his hat to him, had put out his tongue and snapped his fingers at him. (Laughter) Your difficulties and your experiences have been entirely different. Probably, the most important and the most serious difficulty with which you were faced was that when you took up the presidentship of the new Reformed Council, you found a Council of a very heterogeneous character and of a non-descript kind before you. It was a Council which had no soul in it, and into which no life had been breathed. There was of course the party system, but no party however well organized it may be can give life to the Council. It is the President and it is the President alone that gives that life, and it is the President that can give an assembly its soul. It was you, Sir, that from the beginning, by an exhibition of the greatest qualities of leadership and of presidentship, gave a soul to the Reformed

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Legislative Council by binding the members of the various parties and sections into one with the silken cords of a loyal though insistent obedience to your most efficient leadership. I may confess, Sir, that I myself, as also many hon. Members of this House and many outside the House, had an apprehension as to how you would conduct yourself in your position. You came to this Chair with a great reputation as a successful bureaucrat. It is customary to speak of a man who has done well in a career of a lifetime that he is an old hand at the game. But what are we to say of you, Sir, who seem to be an old hand at every new game? You have not been born under the shadow of the Speaker's Chair, but you seem to have been a born President.

"Many of your achievements as President of this Legislative Council have been already referred to. May I, Sir, as a private Member contribute one more to the list, and that is your defence of the rights of the private Member. In many of your decisions on points of order, I seemed to detect, in fact, a partiality for the private Member, and a defence of the privileges of minorities. (Hear, hear.) On many an occasion, Sir, if I may say so, without offence, I detected in your decisions leading questions or suggestions that seemed to give the private Member a clue as to what he should do in order to keep down the pretensions of the Members of the Government Front Bench. (Laughter and cheers.)

"In bidding you farewell, Sir, we cannot lose sight of the great duties and obligations that lie in wait for you in England, where you are going as a Member of the Secretary of State's Council. We can trust you, Sir, to give the Members of that Council a bit of your mind, and from all accounts they require it very badly. And I hope, Sir, that having been in living touch with the feelings and aspirations of this Assembly, you will give those sundried bureaucrats a bit of our mind. In conclusion, Sir, allow me to wish you God-speed, good luck and frequent returns to the country of your birth."

Rao Bahadur P. RAMAN :—"Mr. President, Sir, on behalf of the Thiyyar community to which I belong and which I have the honour to represent in this Council, I beg leave to thank you most respectfully and sincerely for the very great sympathy you have always shown to my community and for the deep interest you have always taken in its welfare and advancement. May God grant you long life, happiness and prosperity is our humble and earnest prayer. I assure you, Sir, that this prayer and the gratitude of my community will always accompany you wherever you go."

Mr. P. V. GOPALAN :—"Mr. President, Sir, while associating myself with the sentiments expressed by the hon. the Leader of this House and other hon. Members, I, on behalf of the fisherman community, most respectfully beg to thank you, Sir, for the very kind sympathy you have evinced on our behalf, ever since you came in touch with them, by recommending to appoint one of them as a sub-magistrate for the first time and opportunity, one of them as a gazetted officer and nominating two of them as municipal councillors. All these are the outcome of your broad and liberal heart and the sympathy you have for the backward and the depressed classes. While you were in Malabar as a Revenue Divisional Officer, I remember, many of us were considering you as the redeemer of the down-trodden. I, Sir, on behalf of my community, wish you a bright future, good health, happiness and prosperity in your new sphere of life. With these few words, I have very great pleasure in supporting the Motion which has been made by the hon. the Leader of the House."

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Mr. R. SRINIVASAN :—"Mr. President, Sir, on behalf of the depressed classes, I beg to convey our sincere gratitude to you for the courtesy and sympathy you have always shown towards us. For the last three years I have been attending this Council and watching its proceedings, and whenever the question of the depressed classes came, I have always found you to have been just and impartial. I understand, Sir, that you are leaving this Council to make up the appointment of a Member of the India Council in England, and it is our hope that while there you will always remember the depressed and oppressed classes and continue to take your usual deep interest in them. I request you, Sir, to do all in your power to uplift this unfortunate community, the untouchables, of whom so much is talked and about whom no real movements are set on foot, and remove untouchability—for Swaraj depends on the removal of untouchability."

Mr. T. ADINARAYANA CHETTIYAR :—"Mr. President, Sir, in you I meet a familiar personality which I have long ago begun to admire and love, but the subject on which we are assembled to address you to-day is, however, most unfamiliar one. When I rise to do my duty of associating myself with what has already been said on this Motion, the most obsessing sense, namely, that of envy, comes upon me. There are here, Sir, Members who, to the simile of my hon. Friend Mr. Abbas Ali Khan, have been your pupils for over three years. I remember having read in the papers of that time that even the hon. the First Minister had to be taught by you that for elementary questions time could be asked for, and I enjoyed it, and all the world enjoyed it. Many people, especially myself, have had the advantage of taking lessons from you only for the last few weeks. But, I have known you, Sir, as a judge, in which capacity rising above technicalities, you have led out substantial justice. I say that, Sir, because where technicalities would have sent many a man to the gallows, they were grateful to you for having saved their lives. We also know, Sir, how as Co-operative Registrar you came to know not only the people but you felt for the people, oftentimes you lived like the poor. I remember very well how, in trying to persuade the people of a far-off village in the Chingleput district, you had to take shelter on a pial, and even though in a neighbouring temple pongal was being distributed you went starving. Therefore, Sir, you know at first hand how the poor live. And long after your retirement your work on behalf of Co-operation will be a standing monument of your life and your work for the people. I know also how when you became Member of the Executive Council the ship of local self-government was steered. I may also recall a short story current at that time as to how on one occasion a zamindar Member of a local board objected to a member belonging to the depressed classes sitting by his side or in the same body, and how you ran to that village and showed your sympathy for the depressed classes. Therefore, Sir, every department that was for the time being entrusted to you was managed in such a sympathetic and efficient manner.

"As Diwan, Sir, the House can recall to mind the amount of unpopularity you had to face at one time and how the newspapers went against you, and how you calmly faced it. But those very people who criticized you then are blessing you now. That is due to the soundness of your views and the statesmanship you brought to bear in the discharge of your many duties.

"If now on this Proposition so many people from all parts of the House are united and are coming forward in unusually large numbers to speak, it is

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because, Sir, of those humane qualities and that strong sense of humour which have so eminently characterized you and which have ever stood you in good stead; and I am sure those very qualities will equally stand you in good stead in the higher sphere of work on which you are about to enter. I do not want to call it 'higher' because I do not think any other sphere can be higher than that occupied by one who is presiding over the destinies of this House. Moreover, Sir, we are all glad that you are going to a sphere where services of people like you are now most needed. There are imperial questions which are casting a gloomy shadow upon this land, such, for instance, as questions connected with Kenya and South Africa (a voice: 'and the reduction of the impost')—yes, I add, the reduction of the impost also—and although you are leaving us, you will be doing us substantial service in those important branches of work in the far-off land. But there is only one thing, and that is, there might be some difficulty in reconciling ourselves to the fact that you, Sir, in your old age, should undertake this long journey. But I may be permitted to tell the House that Sir Jagadis Chandra Bose has shown to how even an aged and weathered tree can be transplanted, and my only prayer is that the same tree, even though it becomes more weathered, should be retransplanted once more to its own native soil, and I may promise you, Sir, even a grander welcome when you come back to us.

"With these few words, I heartily support the Motion."

Diwan Bahadur P. KESAVA PILLAI:—"Sir, I have been hearing words of admiration and thankfulness expressed by Member after Member with considerable feelings of regret. The hon. the Leader of the House has expressed our sentiments, as every one present here will admit, in a beautiful form and expressed with force and warmth. I thought he was for ever transformed into a Swarajist when he was giving you praise for conduct in the proceedings of this House with great impartiality and also for taking along the path of that great liberty leading to the realization of Responsible Government. We are really grateful to the Leader of the House for whole-hearted speech.

"I have considered myself to have been very fortunate indeed in having lived under your shadow, Sir, as the Deputy President of this House, during the last three years, and I am personally beholden to you, Sir, very deeply. Of course, I have known you for years together; but I have known you more as a public man. I lived in a far-off village in the interior part of a district, and so I could not come in contact with bigger folks very closely; I could only watch them from a distance. I have been always watching you with very great admiration. It so happened that I was enabled to come in contact with you more intimately only during the last three years, and I have felt your kindness very deeply. I remember very well, Sir, when I was about to be sent over to British Guiana at the age of 62, that I needed somebody's blessings for that. Of course, I had somehow plucked up courage to go at this age, and you gave me that blessing not only in the speech in this House which I would ever treasure up, but also in your private capacity as a Brahman. You did not make any difference between man and man, between caste and caste, or between members of the lower class and members of the higher class. That is indeed the true quality of a Brahman. I think it was, Sir, mainly through your blessings that I came back here to be again elected Vice-President with the unanimous voice of my hon. Friends in this House. Sir, my Friend Mr. Narasimha Raju said that he felt your absence

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of some of us sat there. That is exactly so. Mr. T. P. O'Connor once said that the House of Commons was sometimes like a boys' school and sometimes like a girls' school, and it required strong men, like you, Sir, to keep it in order. It is but natural that monitors should feel very nervous in the presence of such stalwarts like my hon. Friend, Mr. Narasimha Raju. I have myself felt your absence also on occasions (laughter). Sir, you have throughout kept up your good humour. I am told that it is a rarity peculiar to the British race, but I am sure you will make them realize that they were rather mistaken in their conceit. When you go and meet them, they will be very glad to see and enjoy your good humour and that in such an abundance. I am sure Sir Charles Todhunter supports me in my view that among our men also we have such rare ones who possess that good humour which is so helpful to do good work. Of course, he did not claim that trait as a special characteristic of his own race. I am sure, Sir, your good humour, your tact and your knowledge of human nature will win for you many more friends in England. I am hopeful and confident you are going to render very great service to us, and it is only in that case that we can console ourselves in your absence from this country. It is well known how at times when there was clash of interests between different individuals in this House, you were able by your good humour and your impartiality to still all strifes and bring them back to a good sense of humour. It is said of course that there were no scenes in this House at all. I fear of so many scenes in the mother of Parliaments, but there have been scenes in this new Council. With all the Swarajists and with all sorts of elements present here, everything went on in order."

Mr. S. SATYAMURTI:—"It is not our fault, Sir." (Laughter).

Diwan Bahadur P. KESAVA PILLAI:—"What does that show, Sir? It shows that all hon. Members here belong to the same gentle race. They are not likely to fight with their fists. They would exchange hot words; and at times they would be very acrimonious in the remarks; but I am sure it is a characteristic of the Indian race that they are a people naturally genial in their manners, though sometimes harsh in their expressions, and we have in this House some of the best specimens of our race.

You will kindly permit me, Sir, to make one or two more remarks. I have been in the Legislative Council under Lord Cross' Act, and again I have been in the Legislative Council under Lord Morley's Act. Then the first man was His Excellency the Governor of the time. He came to the Council with all the gubernatorial authority and took the Chair. Then the members had a good deal of trepidation to express themselves. It was not very easy to most of us to express our feelings straight because we were afraid of the Governor in the Chair lest we would be offending the dignity of the Governor, and it might be that our conduct might be taken notice of by the district authorities who were all Governor's men. Hence, not only was it not always the true expression of our opinions, but sometimes there was a good deal of the suppression of our feelings. But, Sir, in this Council His Excellency the Governor has very wisely chosen to appoint you as the first President. You came with all the bureaucratic traditions. You had power. You have used it for the benefit of the people and for the benefit of many poor classes of men. That I know. But with all that, I am sure your judgment might be warped by the past traditions and the past manner in which you conducted yourself as an official, as one of the other side.

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MOTION REGARDING THE HON. THE PRESIDENT'S RETIREMENT

[Mr. P. Kesava Pillai]

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But, Sir, you have been able to shed all those things. You have been able to clear yourself from all such entanglements and you have rather more proved a true friend and philosopher of the new Council. This is the transitional period; you are, as it were, a link between the past and the future. Hereafter the Speaker of this House will be elected from among its Members who will at once be the servant of the House and who will act in its Members with their consent. But, here, you have the authority behind you of His Excellency the Governor, and yet, Sir, the great quality of you is that you associated yourself with all the Members of your Council as were one of them. That is a great credit, I think, for which we have to be thankful to His Excellency Lord Willingdon for having appointed you to this House. Sir, as I said, I am very fortunate because so great a statesman you have been to most of us so good a friend. Every one claims to have received benefits from you. Many families are indebted to you and many public men are also indebted to you for the help you have given them. I do not know if there is another person in this Presidency who could claim a large number of people who would feel grateful to you for the help you have given them, for the advice you have given them and for the benefits you have conferred on them and on their children.

"I beg to support the Motion with all my heart and you will carry out my wishes and prayers in your new task."

MR. C. RAMALINGA REDDI:—"Mr. President, we must thank the House for having on this occasion portrayed the unanimous feeling of this Council with such complete fulness and accuracy. The fact, Sir, is that there is nothing more at all to add to the admirable statement in which he gave expression to the mingled feeling of sentiment with which we have now met on this occasion. We have to say an official farewell, and though we all know that you are going to another from which you will be able to serve the interests of your country even than you have done so far, and though there is much in this transfer to England which we have to rejoice in both on account of your personal physical comfort and the interests of the country at large, still the whole feeling on this occasion is one of sorrow at the separation. The Motion moved by the Leader of the House refers to the respect and esteem in which you have been held—I don't know if I could ask you to suspend standing order to move an amendment—and I would certainly add as an amendment. For there is no exaggeration in saying that you have been to us more than a mere President, almost the presiding genius of this Chamber, who advised us, guided us, and saw to it that both as individuals and as Members of this Council we maintained the highest possible level. Your presiding over this Council is a responsible and difficult task you have become a genius as it were. That is a thing that is not going to be given to every one who occupies that position. It has been said that impartiality is a very difficult thing. I think I am voicing the feeling here when I say that whatever may be said by way of criticism or dissent about this or that act, there is but one feature, namely, that it has been the one undoubted success of diarchy, not merely in this Presidency but in the whole of India. This scheme is a difficult one, and it could not have been worked to the extent to which it has been without the rule of the President which, as it were, gave flesh and blood to the discussion. Our Friends on both sides of the House have said a great deal about the task you have brought to bear to the discharge of your high duty."

[Mr. C. Ramalinga Reddi]

It is a great triumph that you have achieved as President of this Chamber. I do not intend to embark on an analysis of it on my own account; but it has struck me, as it has struck many other people, that the key to your career both as President and in your various other capacities might be found in that broad human sympathy which is so predominant a feature in you, Sir. It is that which explains that historic order by which you threw open all government and public schools for the entry of people regarded by the orthodox as untouchable. It is that which explains how—no matter in whatever situation you are placed, with what people you are brought face to face—you succeeded in a very short time in winning their confidence and affection; and your rulings which are going to be the traditions of the future were all conceived in that broad human sympathy, and not in that narrow pedantic legal spirit. It is said that rules exist for the Councils but the Councils do not exist for the rules. Sir, this ship of diarchy has taken its trial run under your captainship and I do not know if an abler skipper could have been found. You must have by now examined it and judged as to how far it is seaworthy whether it is fitted as a fairweather ship or it might stand changing weather amidst squalls and storms. At all events, so far, we have had no official indication of your opinion. But this we in Madras could make ourselves perfectly certain about that so far as human factors and human elements could be responsible for the success of the scheme they have been abundantly supplied both by His Excellency and my hon. Friend, the Leader of the House, and above all—I don't say it in a mere spirit of comparison—by you as President of the Chamber. Sir, it is very difficult to speak on an occasion of this kind, because much might be said by way of a review of your work, still it is not the reasoning faculty that is at present predominant but rather our feelings, this sense of separation and a kind of apprehension, whether well or ill-founded, as to how this Council will get on without you. The one question that every hon. Member is asking himself on this occasion is perhaps this: can that chair be what it is without you, whom we have now come to regard as part of that chair, as part of the institution almost? Wise precedents have been laid down, but that genial personality, I suppose, is a thing which we cannot always command at our will. The answer that comes at the present moment is one that is charged with pessimism, and I do hope that events will falsify our apprehensions. Speaking perhaps as the one who speaks last on this occasion, I would like to express on behalf of all the Members of this Council our unanimous gratitude for all the love and kindness which you showed to us both as individuals and as Members of this House for the wise guidance you have given us and above all for the courage and dignity with which you have maintained the liberties of this Council with which are bound up our constitutional liberties. We wish you every success in your new walk of life and we know that whatever career you enter upon you will succeed completely and in wishing you that success we will always request you, whether officially or unofficially, to keep yourself in touch with us and continue to be the mentor and the friend that you have always been to the Council, to the Members here, and to this Presidency." (Loud cheers).

The Motion was put and carried amidst thunderous applause.

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, I beg to move that this Resolution be recorded as having been agreed to *nemine contradicente*, or rather unanimously, I may say, by way of amendment."

[Mr. C. P. Ramaswami Ayyar]

"Mr. President, it is a matter of some difficulty for me to speak on this occasion about you. After the death of my father, I always regarded you in that light. Through my struggling professional days, you helped me with your succour and guidance. On a very important occasion, junior though I was, you singled me out for a great honour, and without diverging into personal recollections let me say that you are responsible, largely instrumental, in having converted me from a non-official into an official. (Laughter.) You also, at a time when thus bound up by family ties of friendship and comradeship, we were still poles apart in politics, yet helped me and guided me with sage advice, on many an important occasion. It is therefore very difficult for me to speak on this occasion with a proper amount of perspective and proportion, but I should have deemed myself unworthy of the commensurate and proper instincts if I did not take upon myself this opportunity to express what I felt in regard to your discharge of the duties as President of this Chamber. Great and eloquent tributes have been paid, and I shall not strive to reduplicate what has been said and said so well. There is a Latin maxim which translated signifies that a person may be suave in manner but strong in action, *suaviter in modo, fortiter in re*. That has been the characteristic of your life, official as well as non-official. Complete courtesy and the graces of life were never divorced from strength and firmness of resolve and action, and as President you displayed that combination of noble qualities which in the Roman days were considered the equipment of a great man as making a complete man. That is my homage to you, Sir, and I take this occasion to pay it." (Cheers.)

The hon. Mr. A. R. KNAPP:—"I second it."

The Motion, that the Resolution be recorded as having been agreed to unanimously, was then put and carried amidst cheers.

The hon. Sir CHARLES TODHUNTER:—"Mr. President, I ask your permission to present you, on behalf of the hon. Members here present, with a copy of the Resolution which has just been passed, with the signatures of all Members."

The hon. Sir Charles Todhunter then presented the copy of the Resolution enclosed in a silver casket mounted on ebony to the hon. the President.

The hon. the PRESIDENT, who on rising was loudly cheered, said:—"May I crave a few minutes of the time of the House in order to thank hon. Members for the Vote which they have just recorded so unanimously and for this valuable present which I will always cherish with feelings of gratitude? The terms of the Resolution, coming as it does from the most august Assembly in the province, make me feel that I have been amply rewarded for any service that I may have rendered to it in my capacity as President during the last three years. I have in the past held several offices both in this Presidency and elsewhere, some of them high offices; but in none of them have I been conscious of such a heavy sense of responsibility as in the one that I shall now vacate. (Hear, hear!). I recall the feeling of great anxiety with which I entered upon my duties on the 17th December 1920; and it is, and will always be to me, a source of great pride and gratification that I quite easily gained the confidence of the House and have, according to its unanimous verdict now given, maintained it unimpaired to the end."

The reputation which this House deservedly enjoys all over India is, I am glad to think, a happy augury for the future. The temper of the House

[The President]

to the last Council as well as to the present one—has been, I may say, a flattery, excellence; and the level of its debates, of a high order. I am confident that as the years proceed, the House will grow in usefulness and wisdom, and that it will furnish the best proof that can be furnished of the people of this Presidency for full responsible Government. I should be wanting in gratitude if I did not pay a special tribute to the hon. Members of the Government as well as to the Leaders of the Opposition, each of whom have so ably and willingly aided me in the arduous task of the deliberations of this House. I desire also to mention with thanks the co-operation of those who have been aptly described as being in the background, though not of it, namely, the Secretary of the Council office and his staff, the staff of official reporters and the reporters of the press, all of whom have contributed to the success of this Council.

In conclusion, let me wish godspeed to all hon. Members of this House; so doing, I pray that this House may, under the dispensation of Providence, last and grow in wisdom and in strength, in purpose and in spirit, for all time to come. (Loud cheers.) The House will now adjourn to some day in January after the 15th. I am now able to give the precise date of the next meeting, so I will say, to be after the 15th of January." The hon. the President then, amidst loud and continued cheering, left the Chamber and the House adjourned to meet again in January 1924.

T. D. SWAMIKANNU,
the Legislative Council.

28th October 1924] [Mr. T. R. Venkatarama Sastriyar]

entitles the landlord to claim the benefit of water. This runs against the spirit of the provision which we have already made which fixes the period at ten years."

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I am sorry the hon. the Advocate-General did not understand my line of argument. In the case of sub-clause (6) it is water taken for a period of twenty years from a source belonging to the Government, whereas in the case of sub-clause (7) it is water taken from a source which once belonged to the Government but which has to be notified now."

Mr. T. R. VENKATARAMA SASTRIYAR:—"I did understand it and do understand it, and that is why I say this: If after the date of the passing of this Act and before the issue of a notification lands are brought or pretended to be brought under wet cultivation for any period however short not necessarily for a period of ten or five years but for any one year they must be deemed to have the right to claim water free of cess. In what has been described as a scramble, the particular case that has been taken up for illustration is a case where a scheme has been brought forward at the lapse of thirty or forty years. You must test it by referring to a scheme brought forward at the end of five years. If a zamindar wants to have the largest area entitled to water free of cess secured, it is enough if within that period in any one year he makes it appear that lands of the largest extent have been brought under cultivation. He would be entitled to claim under the terms of this clause water for the whole of the lands free of cess. On that one ground, if on no other, I oppose this amendment."

Mr. P. ANJANEYALU:—"Sir, some of us do perceive that there would be difficulties if the amendment as it is, is accepted by this House. The zamindars and the zamindari tenants have their own grievances in so far as the scheme may not be projected by the Government for a number of years to come, say fifteen years, and in the interval, either they themselves or their ryots will not have the benefit of extending their cultivation. For, there is ever the fear that the labour and money in constructing works will not be useful to them ultimately. So, with your leave, I beg to move a small amendment to this amendment, viz.—

"For the words "in any one year" substitute the words "for a continuous period of five years"."

"If this amendment is allowed, I think both the Government and the zamindari ryots will be satisfied. I feel also that the Advocate-General's objection that there may be a scramble if during a period of thirty years, any one year is to be taken and that sham cultivation would be brought into being just as a covert act to overreach the Government issuing a notification some fifty years hence, would be met by so amending the amendment. The difficulties mentioned by the zamindari ryots, viz., that hereafter no attempt can possibly be made by them to cultivate any more land than is now brought under the plough can also be overcome, at the same time making it clear to the Government that they are really bona fide in their attempt to cultivate more lands."

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

The hon. the PRESIDENT:—"I am sorry I cannot allow an amendment at such short notice."

[23rd October 1924]

4 p.m.

The amendment was put to the House and declared
A poll was demanded and taken with the following result

Ayes.

- | | |
|---------------------------------------|---|
| 1. Mr. D. Appayya Chettiyar. | 14. Diwan Bahadur P. C. Ethirajulu Nay |
| 2. S. K. Y. A. Kinedu Prasad Bahadur. | 15. P. Kesava Pillai. |
| 3. Mr. B. Ramaswami Reddi. | 16. Rao Bahadur C. V. S. Narasimha Raju |
| 4. " A. Ramaswami Mudaliyar. | 17. Mr. C. Ramalinga Reddi. |
| 5. " P. Segaram. | 18. Dr. P. Subbarayan. |
| 6. " K. Prabhakaran Tampan. | 19. Mr. S. Satyamurti. |
| 7. " K. R. Guohandra Ballana. | 20. " A. Chidambara Nadar. |
| 8. " P. T. Rajan. | 21. " M. Gangaraju. |
| 9. " P. N. Marthandam Pillai. | 22. " K. Ritarama Reddiyar. |
| 10. " B. Muniswami Nayudu. | 23. " K. Chavadi Subra manya Pillai. |
| 11. " O. Mutayya Mudaliyar. | 24. " K. Venkatachala Padayachi. |
| 12. Sir P. Tyagaraya Chettiyar. | 25. Diwan Bahadur W. Vijayarag |
| 13. Mr. N. Devendrulu. | Mudaliyar. |

Noes.

- | | |
|---------------------------------------|---|
| 1. The hon. Khan Bahadur Sir Muhammad | 14. Rao Sahib T. C. Tagavelu Pillai. |
| Babib ul-Jah Sahib Bahadur. | 15. Mr. P. K. S. A. Arumuga Nadar. |
| 2. " Sir Arthur Knapp. | 16. Hony. Lient. Madurai. |
| 3. " Mr. C. P. Ramaswami Ayyar. | 17. Rao Bahadur T. A. Ramalinga Chettiy |
| 4. " Rao Bahadur Sir A. P. Patro. | 18. Mr. K. Koti Reddi. |
| 5. " Mr. R. A. Graham. | 19. " S. Mutayya Mudaliyar. |
| 6. Mr. R. W. Davies. | 20. Bai Bahadur Sir K. Venkatar |
| 7. " P. Hawkins. | Nayudu. |
| 8. " E. W. Legh. | 21. Mr. E. Srinivasan. |
| 9. " P. L. Moore. | 22. " P. V. S. Sundasamurti. |
| 10. " T. E. Venkatarama Sastriyar. | 23. " R. Veerian. |
| 11. " S. Varada Achariyar. | 24. " R. Srinivasa Ayyangar. |
| 12. " G. F. Puddison. | 25. " O. V. Venkataramana Ayyangar. |
| 13. " S. Arpadaswami Udayar. | |

The hon. the PRESIDENT:—"Twenty-five hon. Members have voted
the amendment and 25 against.

"I have therefore to give my casting vote. I shall give it in such
manner as to enable this question to be brought before the House upon
more definite vote. I give my vote against the amendment, so that the
question can come up again before the Bill is passed."

The amendment was lost.

Rao Bahadur C. V. S. NARASIMHA RAJU:—"I beg to move the postponement of the consideration of the following amendment:—

'Omit the proviso.'

"Mr. President, this amendment depends upon what shape the Council gives to clause 60. I, therefore, beg permission to postpone the consideration of this amendment till the main clause is disposed of."

Dr. P. SUBBARAYAN:—"I second it."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I have no objection".

The consideration of the amendment was then by leave of the House postponed until amendments Nos. 279 and 280 were disposed of.

The hon. the PRESIDENT:—"It was resolved on the 20th instant the clause 10 shall be taken up after clause 19. Inasmuch as clause 19 has not been passed, is it the desire of the House that clause 10 also may stand over or will that be taken up now?"

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The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, I do not think there will be any inconvenience. The reason is this. Excepting the proviso to sub-clause (7), all the rest have been passed in clause 19. So far as clause 10 is concerned the amendments of which notice has been given do not affect this proviso. It may be disposed of and we can finish this chapter leaving only this proviso."

Clause 19 with the exception of the proviso to sub-clause (7) was then put and carried and added to the Bill.

Clause 10 (a).

Mr. K. CHAVADI SUBRAHMANYA PILLAI:—"Sir, I beg to move:

'That in item (5) for the words "the lands irrigated in each village in the estate from such channels in each of the years during the period of thirty years preceding the commencement of this Act" the words "the largest area of land irrigated in any year preceding the notification or the ayacut area, whichever is larger, irrigated in each village in the estate from such channels" be substituted.'

"My reasons for this amendment are as follows. In many estates there will be no account of irrigated area for thirty years. The Government themselves do not preserve the account of irrigated area and cess thereon for more than five years. This amendment merely provides against that circumstance being taken advantage of and also against finding any argument for curtailment of area irrigable free of cess on the ground that because only less area has been cultivated for thirty years, though the tank could irrigate more, therefore the rest of the irrigable area should be assessed to irrigation cess. Otherwise I am not able to see the use of this sub-clause (5) in item (a) about the extent of cultivation for thirty years. Under clause 19 the landholder is entitled to cultivate as much as the condition of the channels, etc., permits. Why should the Government care to know how much was cultivated for every one of the thirty years preceding this Bill? The Government bound themselves not to ask for accounts and not to mind how much was cultivated or how much income the zamindar made out of his estate. Section 13 of Kurnam Regulation, 29 of 1802, is explicit on that point. Therefore the maximum that could be cultivated with the water available through the channels as they stand should be recorded. So, I hope the House will accept my amendment."

Mr. A. CHIDAMBARA NADAR:—"I second it."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"Mr. President, Sir, I am frankly puzzled. The reason is this. How can you arrive at the largest area without knowing the area irrigated during the last so many years? That is a difficulty which has not been met by the hon. the Mover of the amendment. Let us clearly keep in mind what the object of clause 10 is. It is to prepare a record-of-rights. For the purpose of preparing the record-of-rights certain materials have to be gathered. Among these materials, sub-clause (a) item 5 refers to the lands irrigated in each village in the estate from such channels in each of the years during the period of thirty years preceding the commencement of this Act and the nature and number of crops grown on such lands in each of those years and the mode of irrigation. Instead of that my hon. Friend wants the largest area of land irrigated in any year preceding the notification or the ayacut area, whichever

[Mr. C. P. Ramaswami Ayyar] [23rd October 1924]

is larger, irrigated in each village in the estate from such channels. It seems to me that you cannot arrive at an average without knowing the figures for a long period. We do not want to have any inquisitorial proceedings. We only want the average from the information which we can collect. How can we get the largest area without comparing a number of years?"

Mr. B. MUNISWAMI NAYUDU:—"Sir, there can be no objection to the amendment. The period of thirty years was fixed in clause 10 (5) in order to know the largest area irrigated in any particular year. Let us look at clause 19 (7). It refers only to the largest area irrigated free of water-cess from such irrigation work in any one year prior to the commencement of the Act. We do not confine the period to thirty years. Therefore I see no reason why, prior to preparing the record-of-rights, we must confine ourselves to thirty years. It may well be more or less than thirty years. Therefore I think there will be no objection to this amendment."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"I may assure hon. Members that this is only for the purpose of preparing a record-of-rights. It does not affect the substantive rights of the landholder at all. In order to arrive at a record, it might be useful or convenient to have a period fixed and this particular period of thirty years was fixed in clause 10. By fixing the period as thirty, forty or fifty years, you are not at all affecting the substantive rights of the landholder."

Mr. B. MUNISWAMI NAYUDU:—"I am referring to section 19 (7) where there is no limit. It refers to any year prior to the commencement of the Act. There is no period from which it is to begin."

Mr. E. W. LEIGH:—"Sir, if the hon. Member likes to have a record made of the area irrigated for every year from the date of the permanent settlement until the date of the passing of the Act, it is extremely unlikely that we get information. It is unlikely that we shall be able to get information for more than thirty years."

Mr. B. MUNISWAMI NAYUDU:—"Clause 7 says: thirty years prior to the commencement of the Act. If it were not possible to go back to such a long period, the provision could not have been made."

Mr. T. R. VENKATARAMA SASTRIYAR:—"If I may be permitted to reply to the observations of my hon. Friend, I may say, Sir, that for the purpose of ascertaining the largest area, it is hardly likely that you would go back to the early years of the 19th century. It was considered sufficient to choose the last thirty years for finding out the largest area cultivated."

Mr. S. VARADA ACHARIYAR:—"I should like to mention this fact. Under clause 7 of section 19, the guiding test is the largest area cultivated free of water-cess. *Ex hypothesi* it assumes the extension of cultivation during the period following the Irrigation Act of 1865. The alternative was between 1865 to 1895 and the more recent period during which accounts were likely to be maintained and available, if we were not to embark upon an impossible inquiry by the Irrigation officer. The House will remember that the Irrigation officer has to complete the record-of-rights and the other formalities will have to be gone through before any project can be started. To impose upon the Irrigation officer the necessity of going further back to a period before thirty years past would be creating good deal of

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difficulty in the way of his finding the necessary material. If the matter goes to a court of law, there would be further trouble. Members who have experience of zamindaris—for my part, I have not much experience of them—will testify to the fact that during the last thirty years there has been a very large extension of cultivation and in all probability the accounts for that period are more likely to be available than accounts between 1865 and 1895. That is how the period of thirty years was considered more convenient."

Mr. B. MUNISWAMI NAYUDU:—"The only thing that I would request to point out is that under the settlement, a record-of-rights is necessary for the purpose of finding out what the rights of the parties will be. If in any settlement of records the officer is not going to point out what the largest area irrigated in any previous year is, I do not see how the settlement records could be of any use in regard to this matter. If the Settlement officer were to say that the area cultivated in the last thirty years was so much, it would still be open to the landlord to ask us to go behind the thirty years. So far as the record is concerned, it must be one which must be acceptable to both parties and conclusive against both."

The hon. Mr. C. P. RAMASWAMI AYYAR:—"That it is not conclusive, that it is rebuttable, that it is only *prima facie* evidence is clear from the other provisions to which we have assented. It is after all a question of convenience. Are you likely to get the records of the largest cultivation extending to thirty, forty or fifty years past? If hon. Members think that the largest area under cultivation was 50 years ago and there has been a steady process of deterioration of cultivation, by all means fix 1865 or whatever date you like. But the question is, as Mr. Varada Achariyar put it, how much trouble you are going to impose upon the officer who is compiling the records and how much of the record are actually available."

Mr. G. F. PADDISON:—"May I say, Sir, as one who has had experience of these settlements, who has conducted some settlements, that the records of years long ago would be, I expect, in a fragmentary condition and the labour of the settlement officer who has to go through these rusty, ant-eaten records relating to fasli 1300 and even before, to fasli 1200, has only to be imagined. A little bit of torn paper with vernacular figures will be produced; the officer will have to decipher it and convert the figures into acres which will involve much strain in calculation. I do not think all this labour would be worth the trouble and it would be good if we confine ourselves to this period."

The amendment was put and lost.

In item (8) for the words 'the ownership of such lands' substitute the words 'the names of persons by whom and the tenure on which such lands are held'.

Mr. T. R. VENKATARAMA SASTRIYAR:—"I move the amendment standing in my name. It is a verbal amendment and needs no explanation."

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

— Motion was put and carried.

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Mr. S. MUTTAYYA MUDALIYAR :—"Sir, the amendment standing in my name reads :

'In item (1) add at the end the following : "or to drain surplus water into the drainage work".'

"Under section 8 it is contemplated to assume control over irrigation and drainage works and section 10 provides for the preparation of a record of rights which will show the rights of each individual proprietor or registered holder regarding an irrigation or drainage work. Clause (b) item 1 says all the people entitled to take water from irrigation sources are to be mentioned there and I want to add, as drainage works also are taken control of, the names of persons entitled to drain the surplus water of their land in the drainage works. This being a preparation of record of rights persons having right in drainage works also must be included in the record. The amendment that I propose carries out this idea that those persons who have a right to drain water in a particular channel will also have their rights recorded so that on assumption of control their rights may not be disputed. Rights as regards drainage works should stand in the same position as rights in regard to irrigation works. That is the object of my amendment."

Mr. C. MARUTHAVANAM PILLAI :—"I second it."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"If the hon. Member will allow us to scrutinize the language later on if the idea be accepted now, I do not propose to object to the amendment."

The amendment was put and carried.

Clause 10 as amended was then put, passed and added to the Bill.

Clause 9.

Mr. T. R. VENKATARAMA SASTRIYAR :—"Sir, with your leave, may I go back again to clause 9. We agreed the other day to the idea that at the end of clause 9 it should be laid down that control in pursuance of such notification shall not be assumed until expiration of two months from the next meeting of the Council. I have shown this amendment as I have worded it to the hon. Member, Mr. Satyamurti, whose amendment it was intended to embody. With your permission, Sir, I move the amendment :

'That the following words be added to clause 9 at the end :—

"Control in pursuance of such notification shall not be assumed until the expiration of two months from the date of the next meeting of the Council".'

The hon. the PRESIDENT :—"It is not one of the amendments on the paper. It is a new amendment. Does any hon. Member object ?"

Mr. S. MUTTAYYA MUDALIYAR :—"Mr. President, clause 9 has been carried the other day and Mr. Satyamurti's amendment also."

The hon. the PRESIDENT :—"This is an addition proposed at the end."

Mr. S. MUTTAYYA MUDALIYAR :—"I really do not see what the amendment now sought to be moved is. I see from the proceedings of the 20th October that Mr. Satyamurti's amendment was divided into two parts, one part of which was carried and the other lost. As clause 9 as amended has been passed, I do not think any further amendment to that"

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The hon. the PRESIDENT :—"I may point out to the hon. Member that if we make a new provision now, it would be open to us to sub-join it to the clause as passed already. We are not affecting clause 9 as passed. This is to be added at the end of the clause."

Mr. T. R. VENKATARAMA SASTRIYAR :—"The part that was passed of the amendment of Mr. Satyamurti was meaningless as it stood. It simply stopped with saying that it shall lie for two months on the table of the House. When once it is placed on the table, it is there for all time. The real idea was that until the expiration of two months control should not be assumed by the Government. So leave was given to examine the language in which the idea should be embodied and the matter was allowed to be brought later on. Subject to this the clause was passed. My present amendment is merely intended to give effect to the understanding arrived at at that time."

The hon. the PRESIDENT :—"At the same time I understood that the Council passed clause 9 up to the words 'in session', and it was understood that any words that might be necessary in order to complete Mr. Satyamurti's amendment might be added later on ; and the hon. the Advocate-General is now adding those words. I do not think there is any objection."

Mr. S. MUTTAYYA MUDALIYAR :—"Sir, as I understand it, the procedure is that all these verbal alterations intended to carry out or complete the sense are brought forward at the end of the Bill after all the clauses are discussed but not in the intermediary stages. After all the sections are completed, verbal amendments which would carry out the intention of the Council in adopting these amendments are to be brought forward at the end when the Bill is exhausted. Now, what the Advocate-General says is that as soon as we pass particular clauses, we should go on at every stage to take up and pass verbal amendments, so that we do not know the effect of the present amendment. If necessary, we may take it up on the first day when the meeting comes on next. What the effect of this amendment will be I am unable to comprehend now. I do not base my objection on any principle regarding a mere matter of procedure, but I am unable to comprehend the effect at present. I dare say many hon. Members are not in possession of the amendment now handed in, and I do object to the amendment being taken up now."

The hon. Mr. C. P. RAMASWAMI AYYAR :—"It was merely because it was taken to be the unanimous wish of the House that some such provision should be introduced that we have brought it forward now. If any one Member objects, I do not want even to press it now. As the language of the clause now stands, it means nothing. At the time the clause was discussed the hon. Mover of the amendment to clause 9, which was passed, appealed to the Advocate-General to bring forward an amendment which would carry out the meaning. What really happened was this. It was pointed out that if we accepted the first part of the amendment, some further amendment would be necessary. Mr. Narasimha Raju said : 'So, some further amendment may be necessary, but the object of the amendment is well understood by the hon. the Law Member'. It is in pursuance of that understanding that this amendment has been brought forward now. As it is, placing the notification on the table of the House for two months means nothing, because once we

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idea of the hon. Members was that it should not come into effect until it lay on the table of the House for two months. This amendment brings into effect that idea."

Mr. S. MUTTAYYA MUDALIYAR :—" I am not objecting to the amendment being brought forward at a later stage. What I am saying is that this amendment has not been placed before all the Members, and we do not now what its effect will be."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" In view to that very laudable desire to know exactly the way in which the amendment has been moved and how it will affect the Bill, we will bring it forward later on at the third reading."

The hon. the PRESIDENT :—" I have directed that this amendment be included in the Order paper later on. It will not be necessary to defer it, I think, till the third reading. It may be brought forward at any time when we meet again. Meanwhile, notice of this amendment will be given as usual to Members."

Mr. T. R. VENKATARAMA SASTRIYAR :—" Shall we have the amendments to clause 13 also deferred along with the other amendment? I have shown the amended form of clause 16 to the Leader of the Opposition. But in view of the suggestion that these amendments might be brought forward later on, this amendment may also go along with the amendment to clause 9, and notice may also be similarly given of the amendments to clause 16."

The hon. the PRESIDENT :—" Notice will also be given of further amendments to be brought forward in clause 16. What about clause 18?"

Rao Bahadur T. A. RAMALINGA CHETTIYAR :—" With regard to clause 18 I have given a draft amendment to the hon. the Revenue Secretary, and he wants to examine it. That amendment may also come along with the other amendments next time."

The hon. the PRESIDENT :—" Further amendments to clause 18 will be circulated as notice, to be brought forward later."

VI

DELAY IN THE ANSWERING OF QUESTIONS.

Mr. C. V. VENKATARAMANA AYYANGAR :—" Before we rise, I want to make one request as regards questions, Sir. We sent up a number of questions long ago, and although the time fixed for answering questions is seven days, we have not been receiving any answers for them. If you are pleased to send a reminder to the various officers concerned, I think it would be better, so that the answers may be received at least before the 12th November. I know that some important questions regarding the purchase of pipes for the Coimbatore water-supply were sent up long ago, and I do not know whether the delay is caused in the Secretariat or by the hon. Minister. I do not want to apportion the blame to anybody, but there is a long delay in the answering of these questions. I request you to see that a reminder is sent to them. The time that is given for answering is seven days, and if hon. Members of the Government are not able to answer within that time, they should intimate to you the reason. I think that is the rule, and I do not know if the hon. Members have sent to you any intimation to

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that effect. Anyhow, Sir, you will see that Government Members and the hon. Ministers may try to expedite the answers. Your office may be occasionally sending them a reminder."

The hon. the PRESIDENT :—" They are being constantly reminded and they are always applying for time. This particular question now referred to will be remembered."

Mr. G. F. PADDISON :—" Is it expected that all these large numbers of questions can possibly be answered in seven days? There are 1,111 questions already answered."

Mr. C. V. VENKATARAMANA AYYANGAR :—" The Standing Orders provide seven days. Instead of two or three as before, there are now seven or more Secretaries with increased establishments."

" My second question is whether I may make a request for your office or the hon. the Law Member giving us copies of the Bill as amended up to section 19?"

The hon. the PRESIDENT :—" I have ordered that the Bill as amended up to date should be reprinted and circulated together with notes as to what is held over. It will in due course reach the hands of hon. Members."

Mr. A. RAMASWAMI MUDALIYAR :—" May I have an idea as to how long the next sitting is likely to last?"

The hon. Mr. C. P. RAMASWAMI AYYAR :—" If we go on at this rate, probably three weeks will be required."

Mr. A. RAMASWAMI MUDALIYAR :—" I am more anxious to know the volume of the work that is to be got through."

The hon. Mr. C. P. RAMASWAMI AYYAR :—" I hope to finish the Irrigation Bill and the Civil Courts Bill, so far as Government work is concerned. Whether I may be able to finish these Bills or not, is in the hands of hon. Members."

The hon. the PRESIDENT :—" The House will now adjourn and meet again at 11 a.m. on the 12th November 1924."

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

